THE FORTH INTERNATIONAL LABOUR CONFERENCE 1922

REPORT

By

The Representative of the Indian Labour

THE FOURTH INTERNATIONAL LABOUR CONFERENCE.

1922.

REPORT

BY

The Representative of the Indian Labour at the Fourth International Labour Conference, held at Geneva in 1922.

To,

THE GENERAL SECRETARY,

All-India Trade Union Congress,

BOMBAY.

Sir,

1. I have great pleasure in submitting to you my report as the Indian Workers' Delegate at the fourth International Labour Conference, held at Geneva from the 18th October 1922 to the 3rd November 1922.

The Nomination.

2. At a meeting of the Executive Committee of the All-India Trade Union Congress, held in Bombay on the 23rd June 1922, I was appointed Workers' Delegate to the fourth International Labour Conference, and Messrs. L. R. Tairsee, J. B. Miller, E. L. Iyer, D. M. Manilal, I. D. Sawhney, and Mrs. D. G. Upson as Advisers.

In his letter No. L-1065, dated the 3rd August 1922, the Secretary of the Government of India in the Department of Industries informed me that the Government of India had accepted the recommendation of the Executive Committee of the All-India Trade Union Congress to appoint me as the Workers' Delegate and asked me whether I was willing to accept the nomination. He also informed me that the Government of India had decided not to send this year any Technical Advisers for the Conference.

After consulting the Council of the Servants of India Society, I wrote to the Government of India accepting the nomination. In the meanwhile, I also wrote to them to reconsider their decision as regards the appointment of Advisers; but I was informed that the Government of India were unwilling to alter their decision.

I sailed on the 30th September by S. S. Naldera for Marseilles and reached Geneva on the 14th of October.

Opening of the Conference.

3. The Conference was opened on the 18th October with Lord Burnham as President. In all 39 countries were represented in the Conference, out of which 22 countries had sent full Delegations consisting of Governments', Employers' and Workers' Delegates and 17 of them had sent only Government Delegates. The total number of Delegates was 113, out of which 69 represented Governments, 22 Employers and 22 Workers. There were 89 Advisers, out of which 39 were Advisers to Government Delegates, 26 to Employers' Delegates, and 24 to the Workers' Delegates. Besides the Delegates and Advisers, there were 26 persons accompanying the Delegations as Secretaries, Attachès, Interpreters and Substitutes. The total number of persons in all the Delegations was, thus, 228, out of which 3 were women.

The Commissions.

4. After the introductory speeches in the full Conference, the three Groups of Delegates–Governments, Employers and Workers–met separately to elect their representatives on the Commission of Selection which resembles the Subjects Committees of the Conferences in India. I was elected as a substitute Member on this Commission. A Commision for the verification of credentials consisting of three persons was also appointed on the same day. The Groups also had recommended three persons–one from each Group–as Vice-Presidents. But as the nominees of the Employers and of the Workers belonged to the same nationality, *viz.* French, and as it was necessary according to the Standing Orders that the Vice-Presidents should belong to different nationalities, efforts were made to get the two Groups to nominate persons of different nationalities for Vice-Presidentship. But, unfortunately, no agreement could be reached and, so, ultimately only one Vice-President from the Government Group was appointed. The Standing Orders on this point are now changed so as to avoid this difficulty in future.

On the 19th October, three Commissions were appointed to consider the following three questions:—

(1) Reform of the Constitution of the Governing Body, Periodicity of the Sessions of the International Labour Conference and Amendments to the Standing Orders of the Conference.

(2) Migration Statistics.

(3) Procedure for amendment of Conventions.

I was appointed a Member of the first Commission, and, also, acted as a substitute Member for the second.

The Director's Report.

5. On the 20th of October, the Director of the International Labour Office introduced his report of the work done during the year for discussion. In the speech (vide Appendix I) that I made during this discussion, I pointed out that the statement of accounts did not give sufficient details so as to enable Delegates to offer useful criticism, referred to the necessity of taking some steps regarding the position of Delegates from countries that do not pay their contributions, mentioned that the special attention should be paid to secure the application of the Conventions and Recommendations to the Colonies and Protectorates of different countries-making a special reference to the Indian States, reminded the Director about the necessity of considering the Government of India's Report on maternity, insisted upon special attention being given to countries which are regarded as special on account of their climatic and other circumstances, and, finally, requested the Governing Body to open the offices of correspondents in India and Japan. Referring to the praise which the Director had given to the Government of India in his report, I pointed out that considering the reactionary attitude taken up by them as regards the Conventions and Recommendations of the Seamen's Conference held at Genoa and of the third International Labour Conference held at Geneva last year, the Director ought to have been more discriminating in his praise of that Government.

Reform of the Governing Body.

6. The question of the Reform of the Governing Body arose out of some dissatisfaction felt by non-European Delegates at the first International Labour Confernce held at Washington, at the result of the election held for the appointment of the Governing Body. A resolution expressing this dissatisfaction was passed at the end of that Conference. This question was, therefore, placed on the Agenda of the

third Conference held at Geneva in 1921. That Conference came to the conclusion that full justice could not be done to all interests unless the Peace Treaty was changed and, consequently, the Governing Body framed certain proposals and sent them for the consideration of several Governments. They, first, proposed that a total number of Members of the Governing Body should be increased from 24 to 32. Out of these 32 seats, 16 were to be set apart for Government Delegates, and 8 each for Employers and Workers. Out of the 16 Government seats, 6 were to be set apart for France, Germany, Great Britain, Italy, Japan and United States of America and the remaining 10 seats were to be filled by election with 4 seats reserved for non-European Governments. Out of the 8 seats each for Employers and Workers, 2 from each Group were to be reserved for non-European Emplopers and Workers. In these proposals, in the case of the Government seats the number of permanent Members was reduced from 8 to 6 unseating Canada and India which recently was included among the eight Members of industrial importance. Strangely enough, the United States of America which is not a Member of the Organisation, was given a permanent seat. It may not be uncharitable if one were led to conclude from these proposals that the European countries feel certain disinclination to give the British Empire its due, and, secondly, they stand in too great an awe for the U. S. A.

A Committee of 36 Delegates was appointed by the Conference to consider the above proposals. The Government, the Employers, and the Workers of India were represented on this Committee. Sir Louis Kershaw, who represented the Government of India on this Committee, opposed the proposal for the reduction of the number of permanent Members from 8 to 6. But he could not get much support. I tried to get the words "at least" inserted in order to make it absolutely clear that the two seats reserved for the non-European Workers should be regarded as the minimum.

But I also did not meet with any success. Thus, the Committee substantially approved of the proposals of the Governing Body.

The Report of the Committee was dicussed in the full Conference on the 30th of October. I spoke on this question at an early stage of the discussion. I expressed the same view which I had done at the previous Conference. In my opinion it is not in the interest of the non-European countries that a minimum representation should be guaranteed to them by a change in the Peace Treaty. If the minimum is thus fixed, it will tend to be the maximum. At the present time when the Oriental countries are only just developing, the minimum may be adequate; but when they will be fully developed, the minimum which will be regarded as the maximum, will be found to be very inadequate. I was and am still against any change in the Peace Treaty for this purpose. I had advocated that, without any change in the Peace Treaty, the Conference should merely make a recommendation to the Groups to give reasonable representation to the non-European countries, till the latter come into their own and are able to secure what is their due by sheer force of their influence and votes. I feel fully confident that when the Workers in China and India are well organised, their places on the International Organisations cannot be challenged. But if a second change in the Peace Treaty becomes necessary in order to give the non-European Workers increased share of the representation on account of their better organisation, such a change will be made difficult by the European countries. I am, therefore, opposed to any reservation of seats for the non-European countries by a change in the Peace Treaty and I expressed this view in my speech. (Vide Appendix II).

When the Committee's Report was discussed in detail, the Government Delegate from Canada moved an amendment that the number of permanent Members of the

Governing Body should be 8 and not 6 and that the names of the eight countries be fixed by the Council of the League of Nations in accordance with their industrial importance. This amendment was supported by Mr. Bhupendranath Basu and was ultimately carried by majority. I did not move any amendment to press my views as I feared that there was practically no support for them in the Conference. I give below the final proposals as adopted by the Conference:—

"The International Labour Office shall be under the control of a Governing Body consisting of thirty-two persons:—

16 representing Governments;

8 representing the Employers; and

8 representing the Workers.

Of the 16 persons representing Governments, 8 shall be appointed by the Members of chief industrial importance, and 8 shall be appointed by the Members selected for that purpose by the Government Delegates to the Conference excluding the Delegates of the 8 Members mentioned above. Of the 16 Members represented, 6 shall be non-European States.

Any question as to which are the Members of chief industrial importance, shall be decided by the Council of the League of Nations.

The persons representing the Employers and the persons representing the Workers shall be elected respcetively by the Employers' delegates and the Workers' delegates to the Conference, two Employers' representatives and two Workers' representatives shall belong to non-European States."

Periodicity of the Conference.

7. In accordance with the terms of the Peace Treaty, an annual Session of the Conference is absolutely binding. But the enthusiasm of Governments and of the Employers for improving the condition of the working classes, which was evident when the Peace Treaty was framed, seems to have somewhat cooled down and they seem to desire to be freed from the necessity of holding annual Sessions of the Conference. On the suggestion of the Swiss Government, the Governing Body considered this question and brought forward a proposal that the Conferences should be held from time to time but at least once in two years. The Committee which considered the question of the Reform of the Governing Body, also considered this question, and, so, India was fully represented during the discussion. By majority of votes the proposal for biennial Sessions was defeated in the Committee. I favoured annual Sessions as being advantageous to countries like India in spite of our distance from Geneva. The Representatives of the Government of India supported the biennial Sessions. In full Conference, the advocates of the biennial Sessions again made an effort to have their view adopted; but there too they failed to get a majority. I made a shost speech in support of the annual Sessions. (Vide Appendix III). The Conference also adopted the following resolution on this question :—

> "The Commission while proposing that the present text of paragraph 1 of Article 389 should remain unchanged, recommends that the Conference should hold alternative sessions of preparation and of decision.
>
> In the examination of itmes inscribed on the Agenda, the first sessions should be devoted to the general discussion of drafts for conventions or drafts

for recommendations, demanding a vote by a simple majority only. The final vote upon these decisions in the conditions provided for by paragraph 2 of Article 405, that is to say, by a two-thirds majority, should be held at the opening of the following session."

Revision of the Standing Orders.

8. The work of the International Labour Conference is regulated by Part XIII of the Peace Treaty and by the Standing Orders passed by the Conference from time to time. The first Standing Orders were passed by the Conference held at Washington, and the amendments to them were considered by a Sub-Committee of the Committee of Selection of the third Conference held at Geneva in 1921 and by the Governing Body. The Committee which considered the reform of the Governing Body and the periodicity of the Conference also considered this question, and, so, India was fully represented on it. All the details of these amendments cannot be interesting. I shall only mention one of them. At present, on the first day, the Conference appoints its Committee of Selection which, as I have already stated, resembles the Subjects Committees of our Conferences in India. The Governing Body is the Executive Body of the Conference. One of the amendments to the Standing Orders proposed to enable the Conference to appoint the Governing Body as the Committee of Selection. I opposed this change both in the Committee and in the full Conference mainly on two grounds. In the first place, the Governing Body is the Executive of the Conference; and a part of the work of the Conference is to criticise the work of the Executive during the past year. But if the Governing Body becomes the Committee of Selection (Subjects Committee), there was the danger of the discussion on certain matters distasteful to the Executive being shut out altogether. The second

ground on which I based my opposition was that, on account of distance, certain countries could not be represented on the Governing Body which meets several times in the year. But those countries, as they send Delegates to the Conference, can very well be represented on the Committee of Selection; and, therefore, if the Governing Body becomes the Committee of Selection, the distant countries will also be shut out from the Committee of Selection. Although my opposition did not carry influence in the Committee, I was able to carry my point in the full Conference. (Vide Appendix IV.)

Migration Statistics.

9. The question of emigration and immigration was considered by a special Commission appointed by the Governing Body of the Conference. The Commission had already made its Report. For various reasons the whole Report is not yet considered to be ripe for consideration by the Conference. The only question which was placed on the Agenda of the Conference was about the collection of migration statistics by the International Labour Office. A Committee of the Conference on which I was appointed as a substitute Member, considered this question and the Conference finally passed the following recommendation:—

> "(1) The General Conference recommends that each Member of the International Labour Organisation should communicate to the International Labour Office all information available concerning emigration, immigration, repatriation, transit of emigrants on outward and return journeys, and the measures taken or contemplated in connection with these questions.
>
> This information should be communicated as far as possible every three months and within three months of the end of the period to which it refers.
>
> (2) The General Conference recommends that each Member of the International Labour Organisation

should make every effort to communicate to the International Labour Office, within six months of the end of the year to which they refer, and so far as information is available, the total figures of emigrants and immigrants, showing separately nationals and aliens, and specifying particularly, for nationals and, as far as possible, for aliens :—

(1) Sex;
(2) Age;
(3) Occupation;
(4) Nationality;
(5) Country of last residence;
(6) Country of proposed residence.

(3) The General Conference recommends that each Member of the International Labour Organisation should, if possible, make agreements with other Members providing for:

(*a*) The adoption of a uniform definition of the term " emigrant ".

(*b*) The determination of uniform particulars to be entered on the identity papers issued to emigrants and immigrants by the competent authorities of Members who are parties to such agreements.

(*c*) The use of a uniform method of recording statistical information regarding emigration and immigration."

Amendment of Conventions.

10. This question has arisen on account of certain countries being unable to ratify the Conventions in the exact form adopted by the Conference. The question is full of difficulties; nor is the desirability of it from the labour point of view proved. No doubt if the Conven-

tions could be altered after they were once adopted to suit the conditions of some countries, there will be greater number of countries which will ratify them. But there is, also, another point that if the Governments know that they can ask for alterations in the Conventions, the ratification can easily be postponed for a number of years. The Commission which the Conference appointed to consider this question, could not come to any decision and proposed the following resolution to be adopted by the Conference which the latter also accepted:—

> "The Commission is of opinion that the problem submitted to it is a very difficult and delicate one, and can be decided only after all the information capable of contributing to its solution has been collected and that consequently the Conference is not in a position to take a decision on the question of amendment to Conventions. While emphasising the importance of the question, the Commission proposes to the Conference that it instruct the International Labour Office to undertake a thorough study of the problem, and to prepare a report to be submitted to Governments for their observations at least four months before the next Conference."

Unemployment.

11. The question of unemployment was not on the Agenda previously distributed, but was considered by the Conference. A special report was prepared by the Director of the International Labour Office in connection with the enquiry into unemployment entrusted to the International Labour Office by the Conference held in 1921. A Committee was appointed to consider this report. It recommended to the Conference the adoption of the resolutions recommending the continuance of the work undertaken by the Office regarding the collection of statistics, the periodical publication of the results of the investigation, asking

the Office to investigate the causes and remedies of seasonal unemployment and to make a special study of the fluctuation in economic activity and other cognate matters. The Conference substantially adopted the above-mentioned resolutions after a very interesting discussion.

Indian Workers' Protest.

12. The protest made by the All-India Trade Union Congress against the action of the Government of India in not nominating this year any Advisers to the Workers' Delegate, was placed before the Committee that was appointed for the verification of credentials at its last sitting. Unfortunately, the Committee came to the conclusion that the protest arrived too late to be taken into consideration. However, when the report of this Committee came before the full Conference, I drew the attention of the Conference to this matter and asked the Director to explain why he should have suggested in his Circular letter to the Governments that there was no necessity of Advisers for this year's Conference. I again entered an emphatic protest against the action of the Director of the International Labour Office and that of the Governmet of India. (Vide Appendix V.).

Labour Conditions in Oriental Countries.

13. On the 23rd of October, I gave notice of my intention to move the following resolution:—

> "This Conference requests the Governing Body to appoint a special Commission to make a full investigation into the conditions of work and life of the working classes in the Oriental countries and to present a report to be considered at the 1923 Conference relating to this important question."

As no resolution can be moved unless it is placed on the Agenda by the Committee of Selection, the resolution was considered by that Committee and it decided with my

consent to place before the Conference the resolution modified as below:—

> "A proposal for the establishment of a Special Commission to carry out a detailed enquiry into the living and labour conditions of the working classes in Eastern countries having been laid before the Conference,
>
> The Conference decide to ask the Governing Body to institute a preliminary investigation with the means now at the disposal of the International Labour Office and, having regard to the decisions to be taken, to submit a report for examination by the 1923 Conference."

This resolution came up for discussion on the 2nd of November. Sir Louis Kershaw, the Delegate of the Government of India, said that as he had no instructions from his Government regarding this question, he did not know what line to take and he moved the following amendment:—

> "The Conference decides to ask the Governing Body to communicate with the Governments concerned regarding the possibility of instituting a preliminary investigation."

I opposed this amendment as I thought it did not lead to anything. But the amendment was carried. A Delegate from Greece fearing that the enquiry may apply to his country which is to the east of Europe, moved an amendment to substitue the word "Asiatic" for "Eastern". This amendment was declared carried by the President. But Sir Louis Kershaw drew the attention of the President to the fact that the votes cast were not sufficient to make the quorum, and thus the amendment was lost. When the substantive resolution was put to vote, it, although it was carried by ordinary majority, was declared lost on account of want of quorum. (Vide Appendix VI.).

National Correspondents for India and Japan.

14. Jointly with the Workers' Delegate from Japan I had also given notice of the following resolution:—

> "The Conference requests the Governing Body to consider the expediency of instituting the services of National Correspondents in Eastern countries, and especially in Japan and India."

This resolution was referred by the Conference, on the suggestion of the Committee of Selection, to the Governing Body for examination.

Election of the Governing Body.

15. The election of the six Representatives of the Workers' Group on the Governing Body for the next three years took place on the 30th October. There is a strong tendency among the European countries to elect the same people again and again; and it was clearly seen in this election also, the same Members being re-elected. But this year they also elected six substitute Members who may take the place of any absentee members and I was one of these six. Of course, in my case, this election is only a recognition of our claims as I cannot, in practice, on account of distance, ever think of going to Europe to attend a meeting of the Governing Body, even if I am asked to be present.

Conclusion.

16. The above is a brief account of the work of the fourth Session of the International Labour Conference, especially as it related to the part taken in it by the Workers Delegate from India.

Before I conclude, I tender my most heart-felt thanks to the Executive Committee of the All-India Trade Union Congress for doing me the honour of appointing me again as the Workers' Delegate from India. It is for them to judge

how far I have fulfilled the great trust which they had placed in me. I also take this opportunity of thanking the other Members of the Indian Delegation for treating me kindly and courteously during the Sessions of the Conference. I have also to thank here Rao Bahadur Sundera Charlu who is at present on the staff of the International Labour Office, for the valuable assistance he rendered to me while the Conference was in Sessions.

Servants of India Society,
Girgaon, Bombay,
Dated, 11th January 1923.

I beg to remain,
Sir,
Your most obedient servant,
N. M. JOSHI,
Workers' Delegate from India,
4th International Labour Conference, 1922.

APPENDIX.

I.

Speech on the Report of the Director of the International Labour Office.

"Mr. President,

To begin with, I wish to join my Japanese colleague in his congratulations to the Secretary-General upon the admirable Report which he has presented to this Conference. Not only is the Report written in an illuminating manner, but it also shows substantial progress. I would first refer to the accounts which have been presented in this Report. In connection with that I would like to say that the accounts given here are not sufficiently detailed, so as to enable us to make any criticism upon the way in which the money of this Organisation has been spent. Expenditure is divided into a few headings only and that does not enable us to say whether the expenditure has been properly incurred or not and I would, therefore, like the Secretary-General to say whether he cannot place before this Conference a more detailed statement of accounts. I admit that it is not this Conference which votes the money to the International Labour Organisation; the Assembly of the League of Nations does it. But still, if the accounts are to be given in the Report, I think, if they are to be useful, they must be given in a more detailed manner.

"The second point to which I should like to refer is this. The Report mentions the names of several countries which have not yet paid their contributions. I hope that the Governing Body will place proposals before this Conference as to the steps which should be taken in this matter. If some countries do not pay their contributions, it is but fair that they should not have votes in this Conference, otherwise it is unjust to those countries which pay their contributions very regularly.

"The next point to which I should like to refer is in connection with the colonies and protectorates. The Report mentions the question of applying the Conventions and Recommendations drawn up by the Conference to the colonies and protectorates of several countries, but it also mentions that the results have, on the whole, been very disappointing. I hope, therefore, that this Conference and the Governing Body will pay special attention to this subject. I know of several colonies of Great Britain, at any rate, where labour conditions are not satisfactory and in which the Recommendations and Conventions we have drawn up, have not yet been applied. For example, there is Ceylon and there are the Federated Malay States. I can mention several where these Conventions and Recommendations have not yet been applied.

"Take my own country. We have got what are known as Indian States. These Indian States, I am quite sure, have not yet ratified any of our Conventions and Recommendations. These Indian States cannot be considered as outside the League; as a matter of fact, they are in the League. I know that their representative attends the meetings of the Assembly of the League of Nations as a member of the Indian Delegation. And I suggest that the Director of the International Labour Office should interview the representative of the Indian States and use his influence with him to persuade him to give effect to the Recommendations and Conventions drawn up by this Conference.

"The next point to which I wish to make reference is the Maternity Report presented by the Government of India to this Conference last year. Last year I asked the Director whether he was going to submit this Report to the Governing Body and place the view of the Governing Body before this Conference. I think I am right in saying that the Director stated that in the course of time the Report would be presented to the Governing Body, but I do not gather from his Report that this has been done. I again suggest to the Director that this Report should be placed before the

Governing Body or directly before the Conference. The Government of India in that Report declined to take any steps to do anything in regard to the maternity question; and, personally, I think it is high time that they did take steps in this matter. It will, therefore, be of advantage if the Director of the International Labour Office were to consider this Report and place it before the Governing Boby, so that it may be considered at least by the next Conference.

"The next point to which I wish to turn my attention is the reference in the Report to special countries—countries which are considered to deserve special consideration on account of their climatic and other conditions. Last year, in my speech on the Report, I suggested that the International Labour Office should make a special study of the conditions of life and work in those special countries and that the Conference ougnt to pay some attention to them.

"There are many countries which are not represented here by their Workers' Delegates, especially the Oriental countries which are considered to be special countries. Take China: it is a very vast country with a population of four hundred millions; there may not be a very large number of organized workers in China, but it is the duty of this Conference to consider their condition. There is an idea in some quarters in this Conference, that the Conference should pay special attention to those countries where the workers are organised. In my opinion it is a great mistake, a very sad mistake, to neglect those countries where the workers are not organised. As a matter of fact, the Report admits the danger of neglecting these countries. The organised workers not only have to meet the opposition of the employers in there own countries, but they must understand that there is great danger to their interests from the unorganised workers themselves. I earnestly hope, therefore, that the Workers' Group in this Conference, and, indeed, the whole Conference, will devote special attention to these countries. If the Conference does not

take special measures to consider the conditions of life and work of the working classes in the special countries. I propose myself to move a resolution in this Conference on this matter.

"Then, Sir, I would like to say one word about the praise which the Director of the International Labour Office has bestowed upon the Government of India. I admit that that praise is not wholly unmerited. There is no doubt that the Government of India did their best to ratify the Conventions passed at Washington, but I am afraid their attitude towards the Conference held at Genoa is not the same. The Director ought to have known by this time that they had practically refused to ratify the Conventions and Recommendations passed in that Conference. I do not know whether they ratified entirely any of the Conventions and Recommendations; they may have ratified one Convention conditionally. I do not think they have done anything more than this. Therefore, although I consider that the Government of India do deserve some praise for their attitude towards the Conventions and Recommendations passed at Washington, I suggest that the Director of the International Labour Office should be more discriminating in his praise of that Government. My fear is that unless he does that, the attitude of the Government of India towards the Conventions and Recommendations passed by the last Conference will be still more reactionary. Some of the Conventions and Recommendations passed last year at Geneva have already been considered. The last meeting of our Legislative Assembly considered the Recommendation concerning the weekly rest day in commercial undertakings and the Government of India refused to do anything beyond sending copies of the Recommendation to the Provincial Governments. They did not even ask for reports from the Provincial Governments.

"Now, if we can judge what is to follow from their attitude towards the other Recommendations and Conventions, I think, the Director of the International Labour Office will have cause to regret praising them in these unqualified terms.

"Sir, I shall bring my remarks to a close after having said only one word as to the suggestion which I made to this Conference last year that the International Labour Office should open branch offices in Oriental countries. I cannot see why they should maintain offices in Berlin, London, Paris and Washington and not in India and Japan. Does the Director think he has sufficient information about these countries while he cannot get information about the conditions of life and work in London and Berlin? Surely if there is any necessity to have branch offices in any countries it is the Oriental countries. Very few Delegates in his Conference know anything about the conditions of life and work in those countries, and if the International Labour Office maintains offices there, the Conference will be in a much better position to judge of those conditions. After all, the expenditure involved would not be great and if the International Labour Office can spend hundreds of thousands of francs on their London and Berlin offices, I request them to spend a few thousand francs on their offices in India and Japan".

II.

Speech concerning the representation of Non-European Countries on the Governing Body of the International Labour Conference.

"Mr. President,

I propose to make a few observations on the Report (of the Commission on Constitutional Refoms) as a whole.

"The Conference will remember that these proposals (*re.* the reform of the Governing Body) arose out of some dissatisfaction which was felt by the non-European countries when the first Governing Body was elected at Washington. The Governing Body considered this question before last year's Conference. The last conference considered the matter and afterwards the Governing Body again considered the question and the proposals which we have before us have been considered by the Commission specially set up by

this Conference. But during the course of development of these proposals, it seems to me that some change has come about not only in the proposals, but, in my humble judgment, even in the original object out of which these proposals emanated.

"Those who were dissatisfied at Washington, in the first place, did not suggest, nor did they want any change in the Peace Treaty. Most of them thought that their object would be served very well if a recommendation of this Conference were made to the several Groups that reasonable representation be given to the non-European countries. They were quite sure that if a recommendation were made by the Conference to the Groups the recommendation would be fully respected.

"They did not want, nor did they suggest, any change in the Peace Treaty. We must, therefore, scrutinise carefully the reasons why a change in the Peace Treaty has been suggested, and why the present proposals have been made.

"Let us see what the present proposals are. In the first place, they increase the number of members of the Governing Body from 24 to 32. They also reduce the number of States of chief industrial importance from 8 to 6, and take away two of the present members from that list. They give to the non-European Governments 37½ per cent. of the total representation, but in the case of Workers and Employers in the non-European world, only 25 per cent. of the representation, *i.e.*, 2 out of 8 seats.

"I want the Conference very carefully to consider whether the non-European world, taken as it is to-day, is only equal to one quarter of the whole of the European world which has joined the League of Nations. I do not think anyone here will suggest that the non-European world is so small as these proposals indicate, certainly not so small as to be equal only to 25 per cent. of the European world. I do not think anyone here will suggest that we have only one quarter of the population of Europe. We may not be as developed industrially as Europe, but if you take

the available facts and figures into consideration we shall certainly be found to possess an industrial development equal to more than 25 per cent. of European development.

"Why is it that these proposals lay down such small representation for extra-European Employers and Workers? Further, why, even when the non-European countries have not suggested any change in the Peace Treaty, do the proposals lay down this system as a permanent regulation for all time?

"It is true that there are only four Workers' Delegates from non-European States attending this Conference; but you must remember that we four do not represent small countries. The European world has certain advantages, and one of them is that it is divided into a very large number of countries. Fortunately or unfortunately, our world is not cut up in that way. We are only a few countries, but you must remember that our countries are bigger. Not only that; but the four Workers' Representatives here represent four very large countries, differing greatly from each other and separated from each other by large distances. One representative comes from Canada—the American world; another comes from South Africa and two come from Asia—one from India and the other from Japan. The distance between India and Japan is such that the time required for travelling from India to Japan is much greater than that required for the journey from India to Geneva.

"We, therefore, are not in the same position as European countries, and I feel that you cannot treat the non-European representatives on the same basis as that on which you treat the European representatives. It is possible for the European representatives to represent different countries, but it is not possible for the non-European representatives who come here to represent countries other than their own. I feel, therefore, that the proposals which the Commission has made have not done justice to the non-European world as regards their repersentation on the Governing Body.

"Then, Sir, these proposals are not only intended for to-day or for the next few years, but, as I judge, for all time. The Chairman of the Commission has admitted that a change in the Peace Treaty is very difficult. If you want to get a change in the Peace Treaty, your proposals must be such that they are favourable to the present Members of the Council of the League of Nations. If they are not favourable to the present Members of the Council of the League of Nations, you can never hope to get a change in the Peace Treaty, and the proposals, I must admit, have been framed in that manner. From the list of eight States they have taken out India and Canada who are not Members of the Council of the League of Nations, so they cannot refuse to ratify these changes. They could not take out any other country, because if they had taken out the Government of any other country there was no chance of these changes being adopted.

"Knowing as we do that a change in the Peace Treaty is very difficult, I, as a Delegate of the Workers of the non-European world, and of India especially, cannot consent to any changes which will permanently fix the representation of the Governing Body. In this connection, the Chairman of the Commission said that the representation mentioned in these proposals is only the minimum representation. Sometimes the minimum has a tendency to become the maximum and if we want to prevent the minimum from becoming the maximum, it is necessary that we should make it clear by suitable words. If the proposals intend that the representation given to the non-European States should be minimum, that point ought to be made clear by adding the words "at least" to the proposals. "At least" so many States out of so many, or "at least" so many delegates from the non-European States out of so many. If they will consent to put the words "at least" before these figures, we might for the present accept these proposals, but in order to make it quite clear that the representation that these proposals offer to the non-European States is the minimum representation, it is quite necessary

that the words "at least" should be added. Otherwise the minimum is likely to become the maximum and there will be great difficulty in getting these proposals altered hereafter.

"Not only are the proposals in this way unjust and unfair to the non-European States, but when they deal with the Governments, the Employers and the Workers, they are also unfair as between the various Groups. They give to the non-European Governments 37½ per cent. of the Government representation on the Governing Body; but in the case of the Employers and Workers they only give 25 per cent. I do not know why this distinction should be made. To-day the Government Delegates who attend this Conference may be more numerous, but it is not the fault of the Workers and the Employers that their representatives do not attend these Conferences. The Governments of those countries do not send the Workers' and Employers' Delegates.

"Therefore, it is not right that you should penalise the Employers and the Workers of the non-European States in this fashion. If 37½ per cent. representation is given to the Governments, the same percentage of representation ought also to be given to the Workers.

"The Conference will have thus seen that these proposals do not really give great advantage to the non-European States at all. They were never asked for by the non-European States. If that is so, why have they been made? I hope that it will not be considered uncharitable on my part if I suggest that these proposals have not been made for the advantage of the non-European States, but have been made to give further advantage to the small countries of Europe. That is the conclusion to which I have come after examining the proposals very carefully. They have agreed to increase the total number of members of the Governing Body which was never asked for by the non-European States. They also made provision for a greater number of European representatives both from the Employers' Group and from the Workers' Group. I have,

therefore, come to the conclusion with great reluctance that these proposals instead of being framed in the interests of the non-European States, are framed in the interests of the smaller countries of Europe.

"For these reasons I propose to oppose all these proposals in the Report of the Commission and when the proposal as a whole is laid before the Conference, I propose to vote against it."

III.

Speech regarding the periodicity of the International Labour Conference.

"Mr. President,

The subject has been so fully discussed that I shall content myself by referring only to two points, on which I feel I ought to speak. I think the difficulty experienced by distant countries has been made too much of by some speakers. No doubt it is inconvenient for the same Delegates to come here every year from those countries. But I do not know why the same Delegates should come here every year. If distant countries find that the same people cannot come if we have annual Conferences, they can send some other Delegates. No doubt we like to meet our friends every year, and to hear the same voices again and again—especially our own. *(Laughter.)* There is certainly some advantage, however, in meeting new people and getting fresh light thrown on the matters we discuss.

"From the point of view of the countries which are considered to be in a special situation on account of climatic conditions and industrial backwardness, there is an advantage in holding these Conferences annually. Speaking for my own country, I can say that these Conferences have done the Workers of India a great deal of good which would not have been otherwise possible. In the case of such countries, there will be a great loss if these Conferences are not held annually. Our factory law

and our mining regulations have been improved, and a good deal of indirect influence has been exercised in other ways through these Conferences. I, therfore, hope that the system of annual Conferences will not be abandoned and that the proposal for biennial Conferences will be thrown overboard."

IV.

Speech opposing the proposal of appointing the Governing Body of the Conference as a Commission of Selection.

" Mr. President,

I rise to oppose this paragraph of the Standing Orders.

" The Chairman of the Commission himself has admitted that there is a good deal to be said on both sides, and I think the Report has not made out any case for this paragraph at all. It is said in support of it that there is no obligation upon the Conference to appoint the Governing Body as a Commission of Selection. This is the only thing that is said in its favour, but, by this paragraph, if there is no obligation upon the Conference to appoint the Governing Body as a Commission of Selection, what is there in the Standing Orders to prevent the Conference from appointing the same people who are Members of the Governing Body on the Commission of Selection. There is nothing to prevent that unless some Members of the Governing Body are not Delegates of the Conference. Then, Sir, if some members of the Governing Body are not Delegates of the Conference, is it right that those people who are not Delegates of the Conference should be given power to direct the affairs of the Conference?

" This is the chief point to be decided by the Conference and I think there cannot be any doubt in the minds of the Delegates that those people who are not Delegates of the Conference should have no voice in directing the management of the Conference. It is said that the Governing Body frames the Agenda and that, therfore, the Governing Body

is in a better position to decide the order of the day for the Conference. I say that it is quite to the contrary. The Governing Body not only frames the Agenda, but has been the Executive Body of this Conference for the previous three years. Now, one of the functions of this Conference is to criticise the actions of the Governing Body. The Governing Body may, in some cases, have done something wrong. Some Delegates may have asked the Governing Body to place certain matters before the Conference and the Governing Body may have refused to place those matters before the Conference. These Delegates then come here wanting certain matters to be discussed which the Governing Body has refused to place before the Conference. There, again, it is the Governing Body that decides whether those matters should be placed before the Conference or not. Is it right that we should give power to the Governing Body to close a discussion on those matters of which they do not approve? You will see fron this Standiug Order that it is for the Commission of Selection to decide which resolutions shall be placed before the Conference. If the Governing Body does not approve of the resolutions, the resolutions have no chance of being placed before the Conference. I, therefore, say that it is dangerous for this Conference to appoint at any time the Governing Body as the Commission of Selection.

"Moreover, Sir, I should like to know why this change is proposed now after three years. Has it been found by experience that the Commissions of Selection which have worked for the last three years have failed in their duty? Is it found that the Commissions of Selection which have sat for the last three years have not given satisfaction to this Conference and that, therefore, this change is necessary. I do not think that any case has been made out that these three Commissions of Selection have failed in any matter and I, therefore, say that there is no necessity for a change at all. Then, Sir, there is some advantage in having a Commission of Selection separate from the Governing Body. There are many countries which cannot be represented on the Governing Body. In the case of distant

countries, it is said that their Delegates cannot be present for the meetings of the Governing Body. In the case of such countries at least, it is an advantage to have a separate Commission of Selection. Their Delegates who attend the Conference will have a chance of being on the Commission of Selection and will thus have a better opportunity of taking their due share in the work of this Conference. From every point of view, therefore, it is not desirable that the Governing Body should be the Commission of Selection. As I said in the beginning, there is nothing to prevent Members of the Governing Body, if they are Delegates of the Conference, from forming the Commission of Selection, and as a matter of fact, every year, many members of the Governing Body have taken seats on the Commission of Selection; therefore, there is no advantage in having the Governing Body as a Commission of Selection. But, on the contrary, there is some danger of certain matters not being placed before the Conference if the Governing Body is the Commission of Selection.

"With these words, Sir, I recommend to the Conference that this paragraph be deleted."

V.

Speech protesting against the action of the Government of India in not nominating any Technical Advisers to the Indian Workers' Delegate of this Year's Conference.

"I want to refer very briefly to the last paragraph of the Commission on the Verification of Credentials, which mentions the absence of Advisers to the Workers' Delegate from India.

The Government of India refused this year to appoint any Advisers to the Workers' Delegate. I must admit that they have not sent any Advisers to the other Delegates. But in the case of Government and the Employers, no

names of Advisers were suggested, while in the case of Workers, Advisers were not sent, athough their names were recommended by the All-India Trade Union Congress in India. The reasons given by the Government of India were two: first, they did not like to spend too much money for this Conference on account of their desire for retrenchment in their expenditure. I do not wish to discuss the question of the financial condition of the Government of India here, but the second reason given by the Government of India was that the International Labour Office itself had suggested, in their Circular forwarding the Agenda for this year's Conference to the different Governments, that there was no necessity for any Advisers, and the Government of India very readily accepted that suggestion.

"Now, Sir, I want to know whether the International Labour Office had any mandate from the last year's Conference to advise the different Governments of the world not to send any Advisers to this Conference, and the International Labour Office acted upon the advice of the Governing Body. I should like to know whether the Governing Body had any authority from last year's Conference to make that suggestion to the different Governments. If not, I consider that the action of the International Labour Office and of the Governing Body (if the Governing Body has sanctioned the action of the International Labour Office) has been unjustifiable and they have gone beyond the proper limits of their powers.

"I hope that the Director of the International Labour Office will give a satisfactory explanation on this point. Personally, I am greatly dissatisfied with the action of the International Labour Office, and therefore, on behalf of the Workers of India, enter my emphatic protest against the action of the Office which suggested that Advisors need not be sent as well as against the action of the Government of India who acted upon their suggestion".

VI.

Speech on the resolution regarding the inquiry into the Labour Conditions in Asiatic Countries.

On November 2, Mr. N. M. Joshi, submitted the following proposition to the International Labour Conference:—

"This Conference requests the Governing Body to appoint a special Commission to make a full investigation into the conditions of work and life of the labouring classes in Oriental countries and to present a report to be considered at the 1923 Conference relating to this important question."

This proposition was altered by the Commission of Selection into the following form:—

"The Conference decide to ask the Governing Body to institute a preliminary investigation with the means now at the disposal of the International Labour Office, and, having regard to the decisions to be taken, to submit a report for examination by the 1923 Conference."

In supporting this resolution, Mr. Joshi spoke as follows:—

"Mr. President,

To commence with, I should like to thank the Commission of Selection very heartily for placing my resolution before this Conference, although they have altered its original terms. In my original resolution, I wanted to request the Conference to appoint a Commission to investigate personally the conditions of life and work among the Working classes in Eastern countries.

"This Conference knows very well that we here have very little first-hand information about these conditions. The Director of the International Labour Office, in his Report, has admitted the necessity of making such enquiries, so that progress in the improvement of the lot of the Working classes in Eastern countries may become more

rapid, and so that they may be brought into line with the Western world in this regard.

"During the course of the discussions, the Conference has also seen the difficulty of judging matters concerning these countries. When it was a question of judging whether there were organisations of Working classes in Japan, we could not do it for want of sufficient information. If this is the case as regards Japan, certainly we are not in a position to judge about the conditions in China, Java, Ceylon, Persia and other Asiatic States which have joined this Organisation, and whatever information we have at present is obtained generally through Governments. I do not want to suggest that the Governments give wrong information, but it will be admitted that the information given by a Government is after all one-sided. There may be another side to the picture which the Governments of the different countries may not have placed before the Conference.

"If, therefore, this Conference is to judge of matters regarding the conditions of labour in Eastern countries, it is necessary that they should have first-hand information about them. Even the Peace Treaty has admitted that the conditions in the West and in the East are different, and the Peace Treaty has called some of these countries special countries to be treated specially. It is, therefore, a part of the business of this Conference to discuss the conditions of of labour in these special countries, and in order that they should be able to do it better, I propose this resolution.

"I want the International Labour Organisation to collect first-hand information as regards the standard of life of the Working classes in these countries, as regards the wages, the hours of work, the housing conditions, the factory legislation and any other labour legislation as well as the organisation of labour. Delegates from the Western countries cannot have any idea of how low the wages in these Eastern countries are. Personally, I do not know much about these countries; but I know about India and some of the Delegates here were shocked when I told them last year that on tea plantations the average wages

were ten shillings a month. In Ceylon, many Indian workers are employed on the rubber estates. They get there about fifteen shillings a month. I know also many Indian workers go to Malaya, and they get practically the same wages—the wages vary between fifteen and twenty shillings a month. Now, these wages are very much lower than the wages in Western countries.

"Then the hours of work also vary a great deal. In India we have a Factory Act, and the workmen generally work sixty hours a week. I do not know whether there is any Factory Act in Ceylon and Malaya and China; but I am sure that the hours worked there are much longer than they are in Europe.

"Then as regards the housing conditions, it is necessary that we should have some first-hand information. In some cities in India the housing conditions are terrible, and it is necessary that this Conference should know what they are. In the same way this Conference should be in possession of full information regarding the factory legislation in those countries. Moreover, in some of these countries there is special legislation which puts the Working classes at a disadvantage. I mentioned in one of my previous speeches in the Conference that in India a breach of contract of service on the part of the working classes is considered a criminal offence, but in the case of other people, the educated classes, the employers and other classes, it is only a civil offence. I do not know why this difference should exist. Moreover, in some of these countries there is legislation to compel the working classes under certain contingencies to work while there is no similar compulsion which applies to other classes.

"I should like the International Labour Office to make an enquiry into this kind of legislation and then this Conference will be able to pass judgment upon it much better.

"I have been speaking before this Conference and urging the Conference not to be indifferent to the teeming

millions of the East. The special reason why this Conference should not do that is this. In the West the Workers are educated to some extent. I do not say that they get the same education as the other classes; but they get some education. In the East, they do not get any education. Among the Working classes you will not find even five per cent. of the people who can read and write. I shall be right in saying, I think, that among the unskilled workmen you will not find one per cent. of the people who can read and write. On account of this, the Working classes of these countries are thoroughly unorganised. The organisations that do exist are not strong enough to influence either the Employers or the Government.

"I want this Conference, for these two reasons, namely, the illiteracy of the Working classes and their unorganised state, to give special attention to the Working classes of these countries. Otherwise, the improvement in their condition will not be rapid. I am afraid that the improvement will not come for a number of years. My original resolution therefore asks this Conference to collect, by sending out a Commission, information about these matters.

"Rightly or wrongly, the Commission of Selection thought fit to ask the Governing Body and the International Labour Office to make a preliminary investigation from Geneva itself and from whatever information they could get from the Governments, to submit a report to the next year's Conference so that the next year's Conference might take whatever steps it thought fit. I do not think this resolution goes too far. Although it is not quite what I should have liked, I was willing to accept it as being a step forward. But, unfortunately, the Government Representatives from my country have taken up a very reactionary attitude. They do not want even a preliminary investigation. They do not even want the International Labour Office to collect documents and make a report about the conditions in these countries. But I do not know how the Government Delegates of India and the Government of India itself can pre-

vent the International Labour Office from collecting information from Geneva about the conditions of life and work in India and in other countries. I think the amendment (Vide page 14 of this report) moved by Sir Louis Kershaw is really intended to stop progress. Otherwise I do not see any reason for asking the Governments, including the Government of India, to give permission to the International Labour Office to collect documents and to collect information about the conditions of life and work in India and in other Eastern countries. I think the International Labour Office and the Governing Body never intended sending out a Commission, as I asked them to do. If the Conference had decided to send out a Commission, then it was certainly necessary for the International Labour Office and for this Conference to consult the different Governments. But if the Commission is not to be sent, I see no necessity for consulting the Governments and making a preliminary investigation for one year and then to begin the investgation after another year. I support the original resolution of the Commission of Selection, but I oppose the amendment of Sir Louis Kershaw."