

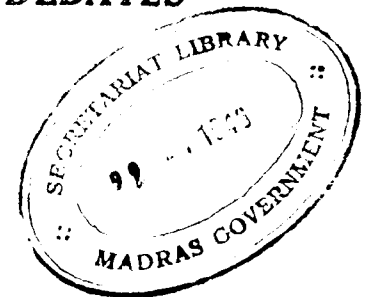
THE
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume IV, 1940

(5th November to 18th November, 1940)

TWELFTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1940



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THE LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT OF THE TWELFTH SESSION OF THE FIFTH
LEGISLATIVE ASSEMBLY)

VOLUME IV—1940

LEGISLATIVE ASSEMBLY

Tuesday, 5th November, 1940

The Assembly met in the Assembly Chamber of the Council House in New Delhi, at Eleven of the Clock, being the First Day of the Twelfth Session of the Fifth Legislative Assembly, pursuant to Section 68-D (2) of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. Mr. President (The Honourable Sir Abdur Rahim, K.C.S.I.) was in the Chair.

MEMBERS SWORN:

The Honourable Sir Reginald Maitland Maxwell, K.C.S.I., C.I.E.
(Home Member);
Mr. K. Sitarama Reddiar, M.L.A. (South Arcot *cum* Chingleput:
Non-Muhammadan Rural);
Raja T. Manavedan, M.L.A. (Madras: Landholders);
Mr. C. P. Lawson, M.L.A. (Bengal: European);
Mr. J. F. Ormiston, M.L.A. (Bengal: European);
Captain Thakur Singh, M.C., O.B.I., M.L.A. (Nominated Non-
Official);
Mr. John Dawson Tyson, C.B.E., M.L.A. (Secretary, Department of
Education, Health and Lands);
Mr. John Francis Sheehy, C.S.I., M.L.A. (Government of India:
Nominated Official);
Mr. Henry James Frampton, M.L.A. (Government of India: Nomi-
nated Official);
Mr. Charles William Ayers, C.I.E., M.L.A. (Government of India:
Nominated Official);
Mr. Muhammad Ikramullah, M.L.A. (Government of India: Nomi-
nated Official);

Mr. Saiyid Hasan Zaheer, M.L.A. (Government of India: Nominated Official);
 Mr. Basanta Kumar Mukharji, M.L.A. (Bengal: Nominated Official);
 and
 Khan Bahadur Sayad Bunyad Hussain, M.L.A. (Punjab: Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS.

INADEQUATE INDIAN REPRESENTATION IN THE PORT TRUSTS.

1. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Communications be pleased to state if it is a fact that in the Calcutta Port Trust there are only five Indians out of a total number of nineteen Commissioners? If so, since when has this ratio been adopted and on what basis?

(b) Is it a fact that European Commercial interests have direct representation on the Port Trust of Calcutta, whereas Indian Commercial Organizations have not been given any direct or statutory representation on that body? If so, why?

(c) Is it a fact that the local Indian Chamber of Commerce alone has been responsible for about Rs. 38 crores worth of trade out of the total annual trade of Rs. 138 crores passing through the port?

(d) Is it a fact that on the 13th September, 1938, the inadequacy of representation of Indians was raised on the floor of this House under starred question No. 953, and it was stated that enquiry was being made regarding one of the Port Trusts?

(e) Will the Honourable Member be pleased to state what progress of Indianization in the superior posts and what increase of the Indian representation on the Port Trusts have been made at all the British Ports in India including Karachi, since September, 1938, and what further steps are in contemplation in that direction?

The Honourable Sir Andrew Olow: (a) No. There are at present six Indian Commissioners. There is no fixed proportion of Indian Commissioners; the number depends to some extent on the individuals who happen to be *ex-officio* Commissioners.

(b) Yes. The reasons are fully set out in the debate on the Calcutta Port (Amendment No. II) Bill of 1926 reported in the proceedings of the meeting of the Bengal Legislative Council of the 16th August, 1926, to which I must refer the Honourable Member.

(c) I have no information.

(d) Yes.

(e) The number of posts carrying an initial salary of Rs. 500 and over held by Indians on the 31st March, 1940, was 29 per cent. of the total as against 24.7 per cent. on the corresponding date of 1938.

As regards Indian representation on the Port Trusts, the Bombay Port Trust now has two more Indian members, including the Chairman, and the Calcutta and Chittagong Port Trusts each one more Indian member than in 1938.

Mr. Lalchand Navalrai: With regard to clause (a) of my question, may I ask the Honourable Member what is the number of the European Commissioners out of those 19 in comparison to 6 Indians?

The Honourable Sir Andrew Olow: I think it is 13.

Mr. Lalchand Navalrai: Are they in all 13? I want to know how many are extra Europeans? If 6 go out of 13, are the rest Europeans?

The Honourable Sir Andrew Olow: The Honourable Member can calculate what 6 and 13 comes to.

Mr. Lalchand Navalrai: What are the principles upon which these appointments are made?

The Honourable Sir Andrew Olow: The principles are that certain elected members are elected to represent commercial interests, and the population and the remainder hold office by virtue of the positions they hold. For example, General Managers of Railways and officers of that type.

Mr. Lalchand Navalrai: May I ask why separate and direct representation has not been given to Indians?

The Honourable Sir Andrew Olow: I have referred the Honourable Member to the debate in which he will find the case admirably set out by the Honourable the President of this House.

Mr. N. M. Joshi: May I ask if the Honourable Member in charge of the Department is aware that the Royal Commission on Indian Labour has recommended that labour representatives should be appointed or elected on the Port Trusts in India, and whether the Government of India have taken any steps to give effect to that recommendation?

The Honourable Sir Andrew Olow: I am aware of the recommendation. Some steps have been taken. I think, in Bombay for example, a member has been added.

Maulana Zafar Ali Khan: May I know whether in view of what my friend has said, the Mussalmans are Indians or not?

The Honourable Sir Andrew Olow: I did not catch the remark to which the Honourable Member was alluding.

Dr. Sir Ziauddin Ahmad: May I put the same question in another form? Will the Honourable Member accuse me of communalism if I asked how many of these six Indians are Mussalmans?

The Honourable Sir Andrew Olow: I should not accuse the Honourable Member.

Mr. M. S. Aney: On a point of order, Sir. Is it permissible for any other Member of this House to put the question put by another Member in another form and to make it more intelligent?

Mr. President (The Honourable Sir Abdur Rahim): The other Honourable Member did not press his question.

Dr. Sir Ziauddin Ahmad: But I would like to have the answer to my question.

The Honourable Sir Andrew Olow: I understood the Honourable Member to ask if I was going to accuse the Honourable Member opposite. My answer is that I have no intention of doing so.

Mr. N. M. Joshi: May I ask whether the Government of India propose to give effect to the recommendation of the Royal Commission in provinces other than Bombay?

The Honourable Sir Andrew Olow: When the question of revising the constitution of Port Trusts is taken up, that will be considered.

Mr. Lalchand Navalrai: I expected an inquiry being made in answer to part (d) of my question. May I ask if that inquiry has been made?

The Honourable Sir Andrew Olow: I am sorry; I should have added a small portion to the end of my answer to the last part which will give the information. This is as follows:

"Government are satisfied that the Port Trusts are steadily pursuing a policy of Indianisation of the staff. The adequacy of Indian representation on the Trust is under consideration in the case of Madras."

Mr. Lalchand Navalrai: May I ask if any report has been called from any expert or whether any inquiry committee was set up to find out what the Honourable Member has just said?

The Honourable Sir Andrew Olow: The question was considered by the Trust itself and we also got particulars from the Collector of Customs.

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

Mr. Lalchand Navalrai: Sir, I wish to put a few more supplementaries as the question contains several clauses.

Mr. President (The Honourable Sir Abdur Rahim): No, next question.

SHORTAGE OF GOODS WAGONS ON JACOBABAD-KASHMORE NARROW GAUGE SECTION IN SIND.

2. ***Mr. Lalchand Navalrai:** Will the Honourable Member for Railways be pleased to state:

(a) whether Government are aware of the shortage of goods wagons on Jacobabad-Kashmore narrow gauge section in Sind;

(b) whether there have been any complaints about non-supply of goods stock to load merchandise and that goods had to be carried by bullock carts; if so, what steps the railway administration took to meet the demand for goods wagons;

(c) whether it is a fact that a large number of narrow gauge goods wagons has become available on the closing of narrow gauge line in Sind from Larkana-Dodapur;

(d) whether the railway authorities have taken steps to transfer the released narrow gauge goods stock to Jacobabad-Kashmore Railway; if not, why not;

(e) if the reply to the first portion of part (d) above be in the affirmative, what the total number of goods stock released from Larkana-Dodapur section was and what the number of goods wagons transferred to Jacobabad-Kashmore line was; and

(f) if no stock has been transferred from Larkana-Dodapur section to Kashmore-Jacobabad section, how it is proposed to meet the shortage of goods stock on the latter section?

The Honourable Sir Andrew Olow: (a) There is no shortage of goods wagons on this section for the normal traffic offering. During periods of peak traffic demands for wagons cannot always be met immediately.

(b) Complaints have been received of a shortage of goods wagons on this section only during periods of peak traffic. There has been some diversion of goods traffic from the section to the road by bullock carts, but as far as can be ascertained this was due to the cheaper rates quoted for this method of transport.

(c) Thirty bogie covered goods wagons became available for transfer.

(d) The wagons so released are being transferred to the Kohat-Thal and the Kalabagh-Bannu narrow gauge sections where the needs are greater.

(e) and (f). Do not arise.

Mr. Lalchand Navalrai: Will the Honourable Member issue orders that when there is a season and there is a demand for wagons, they should be immediately supplied?

The Honourable Sir Andrew Olow: No, Sir. It would obviously be a most unremunerative thing to have wagons sufficient to cover any possible peak because they would then be idle for the greater part of the year.

Mr. Lalchand Navalrai: In order to divert that goods traffic which is going by bullock carts, something should be done to see that those goods are diverted so that the railways may not suffer?

The Honourable Sir Andrew Olow: As I have indicated in answer to the question, the diversion is, in our view, probably due to difference in rates and not to lack of wagons.

Dr. Sir Ziauddin Ahmad: What is the pooling station nearest to this particular line from which wagons can be supplied?

The Honourable Sir Andrew Olow: I am not aware of any. This is a very small narrow gauge line. The Honourable Member had better address an inquiry to the Honourable Member from Sind.

INCONVENIENCES SUFFERED BY THIRD CLASS PASSENGERS ON THE JACOBABAD-KASHMORE RAILWAY IN SIND.

3. ***Mr. Lalchand Navalrai:** (a) Will the Honourable the Railway Member be pleased to state whether it is a fact that third class passenger

carriages on Jacobabad-Kashmore Railway in Sind have open sides and therefore the passengers are greatly inconvenienced by rain, hot winds and extreme heat and cold?

(b) Is it a fact that a large number of third class carriages with closed side has become available on the closing of Larkana-Dodapur narrow gauge railway? If so, is it proposed to transfer the passenger stock so released to Jacobabad? If not, why not?

(c) If the reply to part (b) be in the negative, what steps do Government propose to take to stop the inconvenience to passengers?

The Honourable Sir Andrew Clow: (a) The third class stock on this section consists of 17 bogie thirds of which 13 have open sides.

(b) Nine bogie thirds with closed sides have become available from the Larkana-Dodapur narrow gauge section since its conversion to broad gauge in 1940. It is not proposed to transfer this stock to the Jacobabad-Kashmore narrow gauge section as the requirements of the Kalabagh-Bannu and Kohat-Thal sections demand priority.

(c) There is only one mixed train running in each direction daily on the section. The third class passenger accommodation provided on each train is three third class bogies. Four of the 17 third class bogies on this line already have closed sides and the Company concerned (on whose behalf the North Western Railway works this section) are being asked whether they will consent to the alteration of four more vehicles in order to provide the additional closed vehicles required on each train, and an allowance of two for repairs on 'sick' lines and periodical overhaul in the workshops. This would meet normal requirements for third class passenger traffic on this section.

Mr. Lalchand Navalrai: I believe the Honourable Member himself has seen that railway and he knows the inconvenience which the passengers undergo by travelling in open trucks during the hot and cold days. May I ask what is the remedy that the Honourable Member is going to adopt in order to see that convenience is afforded to them in preference to those where there is no such inconvenience?

The Honourable Sir Andrew Clow: I have told the Honourable Member in my answer to part (c) that the Company is being asked whether they will consent to the alteration of four more vehicles.

Mr. Lalchand Navalrai: Will the Honourable Member consider this proposition that those carriages which have been constructed in Sind should be given to the Sind people for their convenience and should not be taken away elsewhere?

The Honourable Sir Andrew Clow: They must go where they are most needed.

Mr. Lalchand Navalrai: Will the Honourable Member make enquiries to see whether some of them could be released from there and given to this line?

The Honourable Sir Andrew Clow: If they had not been needed there, we would not have taken those steps. We are making arrangements which I hope will provide adequate accommodation for the normal traffic.

COMMUNAL RESERVATION BOTH ON APPOINTMENT AND CONFIRMATION OF NEW RECRUITS ON THE NORTH WESTERN RAILWAY.

4. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that all new recruits are appointed to the North Western Railway service as temporary or in an officiating capacity, and that they are eligible for confirmation after a minimum probationary period of twelve months service; provided there are permanent vacancies?

(b) Is it a fact that in making these appointments, the ratio of reserved posts for the members of the minority communities is taken into consideration?

(c) Are the confirmations made on the seniority, provided the candidate for confirmation is fit, or a further communal reservation is made in the matter of confirmations also? If so, what is the reason for this double reservation?

(d) Do Government propose to remove this double reservation, if any? If not, why not?

The Honourable Sir Andrew Clow: (a) Appointments of new recruits are made on the North Western Railway either in a temporary capacity or on 12 months probation. Persons appointed on probation to fill permanent vacancies are eligible for confirmation when they complete satisfactorily the probationary period. Those serving in a temporary capacity may at some future date be considered together with outsiders for appointment to permanent vacancies; in the first instance on probation.

(b) Yes, in direct recruitment to both temporary and permanent vacancies.

(c) The confirmation of staff appointed on probation is made, subject to fitness, after the expiry of the probationary period, and involves no further application of the principle of communal reservation. The latter part does not arise.

(d) Does not arise.

Mr. Lalchand Navalrai: Will the Honourable Member please state whether there is a rule that temporary and officiating men have to be made permanent after twelve months, and whether, in spite of this rule, very few men have been made permanent? Will the Honourable Member change the present policy and see that these temporary and officiating men are made permanent?

The Honourable Sir Andrew Clow: No, Sir. I believe temporary men are made permanent when there are permanent vacancies for them.

Maulana Zafar Ali Khan: What is the percentage of reservation in the case of Muslims?

The Honourable Sir Andrew Clow: For subordinates on the North Western Railway, the percentage is 60.

Maulana Zafar Ali Khan: Has this percentage been maintained?

The Honourable Sir Andrew Olow: I think very nearly. The Honourable Member will find the exact figures in D'Souza report, copies of which have been made available to Honourable Members.

Mr. Lalchand Navalrai: Will the Honourable Member assure me that there will be no double reservation when these subordinates are made permanent? Reservation has been given to them when they are recruited and when the question of confirmation comes, why should there be reservation again?

The Honourable Sir Andrew Olow: I would refer the Honourable Member to the reply I have given to part (c) of his question.

UNSTARRED QUESTIONS AND ANSWERS.

SPECIAL PILGRIM PASSES REQUIRED BY INDIAN PILGRIMS FOR IRAN AND IRAQ.

1. Khan Bahadur Shaikh Fazi-i-Haq Piracha: (a) Will the Secretary for External Affairs please state whether Indian pilgrims proceeding from India to Iran and Iraq are required to take out special pilgrim passes before leaving this country?

(b) If the answer to part (a) be in the affirmative, are they required to pay any fee for the pilgrim pass taken at the ports?

(c) Are such pilgrims given any assistance by the Haj Committees at the ports?

Mr. O. K. Caroe: (a) Yes.

(b) No.

(c) The Haj Committees have been constituted primarily to assist pilgrims proceeding to the Hedjaz.

EXCESS PAYMENTS BY THE EMPLOYEES OF THE NORTH WESTERN RAILWAY TO THE RAILWAY MEDICAL STAFF.

2. Mr. Lalchand Navalrai: With reference to the Honourable the Railway Member's reply to starred question No. 154, asked on 23rd February, 1940, will he be pleased to state:

(a) whether it is a fact that some of the Sub-Assistant and Assistant Surgeons on the North Western Railway were allowed two per cent. of the employee's pay as medical attendance fees on contract system, instead of one per cent. as stated in the reply to the question referred to above, read in conjunction with paragraphs 501 and 502 of the State Railway Establishment Code, if so, why;

(b) whether it is a fact that the deduction was made by the administration through employees' salary bills;

(c) whether his attention has been drawn to an article which appeared on the subject in the *Railway Herald*, Karachi, dated the 17th June, 1940, under the caption of "Illegal and irregular notification by the North Western Railway Medical Department"; if so, what action was taken to amend notification No. 10.

published in the North Western Railway Gazette, dated the 7th June, 1940, to allow necessary refund of excess fees recovered; and

(d) when the excess payments to the railway medical staff were discovered and how the same came to light?

The Honourable Sir Andrew Olow: (a) Except that the answer to which the Honourable Member refers did not allude to the rate actually drawn, the answer to the first part is in the affirmative. The circumstances in which the higher rate was drawn are under examination.

(b) Yes.

(c) The answer to the first part is in the affirmative. As regards the second part, the matter is being considered.

(d) I have called for information and a reply will be laid on the table of the House.

ATTENDANCE ON EMPLOYEES' FAMILIES BY NURSES EMPLOYED IN THE MEDICAL DEPARTMENT OF THE NORTH WESTERN RAILWAY.

3. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether nurses are employed in the medical department of the North Western Railway, and have to attend on employees' families at their homes, if required? If not, why not?

(b) At stations where nurses are not employed, is there any arrangement with the civil medical department or local bodies for nurses to visit employees' houses when called for? If not, why not?

(c) What fees are the railway nurses entitled to when attending an employee's family at his residence? Is this specified in any circular or administration order? If so, which?

The Honourable Sir Andrew Olow: (a) The reply to the first part is in affirmative and second part in the negative. As regards the last part, the rules for medical attendance do not provide for attendance on employees' families by nurses.

(b) None; as regards the latter part, I would refer the Honourable Member to my reply to last part of part (a) of the question.

(c) Does not arise.

INTERVALS FOR WASHING OF THE PASSENGER CARRIAGES RUNNING ON BRANCH LINES OF THE NORTH WESTERN RAILWAY.

4. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state after how many days the passenger carriages running on branch lines are washed?

(b) Is it a fact that the period has been increased recently? If so, will the Honourable Member specify the period for each branch line separately on the North Western Railway?

(c) Does the Honourable Member propose to issue instructions that all passenger carriages should be washed daily, or at the destination station where they are emptied after the run? If not, why not?

The Honourable Sir Andrew Olow: (a) Assuming that the Honourable Member refers to external washing and requires this information for the

Jamalpur. The first of these Calendars can be obtained from the Superintendent, Walton Training School, Lahore, and the other two from the East Indian Railway Press. They are annual publications.

NUMBERS AND CHARACTER OF NON-GAZETTED POSTS ON CERTAIN STATE RAILWAYS.

9. **Dr. P. N. Banerjee:** Will the Honourable Member for Railways please refer to Rule 34 of the State Railway Establishment Code and lay on the table of this House a statement showing the numbers and character (including scales of pay) of non-gazetted posts on the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways on the 31st October, 1940?

The Honourable Sir Andrew Clow: Government regret that it is not practicable to undertake the research necessary for the compilation of statements of this character, but the Honourable Member will find such information as is readily available with the Government in respect of East Indian and Great Indian Peninsula Railways in their Establishment Bills for the year 1939-40 and 1940-41 respectively, copies of which are in the Library of the House.

DELEGATION OF POWER TO MAKE FIRST APPOINTMENTS IN NON-GAZETTED POSTS ON CERTAIN STATE RAILWAYS.

10. **Dr. P. N. Banerjee:** Will the Honourable Member for Railways please refer to Rule 73 (d) of the State Railway Establishment Code and lay on the table of this House a statement of the character (including scales of pay) of non-gazetted posts for which the General Manager has delegated the "power of authority competent to make first appointments" to an authority lower than him on the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways together with the dates of such delegations?

The Honourable Sir Andrew Clow: I am making inquiries and such information as is readily available will be laid on the table of the House in due course.

GRADES FOR WHICH DIRECT RECRUITMENT IS CONSIDERED DESIRABLE ON CERTAIN STATE RAILWAYS.

11. **Dr. P. N. Banerjee:** Will the Honourable Member for Railways please refer to the concluding paragraph of Rule 1 of Appendix XXII of State Railway Establishment Code and lay on the table of this House a statement of the grades higher than the lowest, fixed by the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and North Western Railways; and for which direct recruitment is considered desirable in the interests of the administration, together with the dates of such fixations?

The Honourable Sir Andrew Clow: I have called for information and a reply will be laid on the table of the House in due course.

REPUBLICATION OF INDIAN RAILWAYS (AMENDMENT) BILL (No. 28 of 1940) IN CERTAIN STATE RAILWAY GAZETTES.

12. **Dr. P. N. Banerjee:** Will the Honourable Member for Railways please refer to Legislative Assembly Bill, further to amend the Indian

Railways Act, 1890, for certain purposes (No. 28 of 1940), published on page 197 of Part V of the *Gazette of India*, dated 6th April, 1940, and state:

- (a) the number and date of the Gazettes of the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railway Administrations' in which the said Bill was reproduced for the interest and the information of the staff; if it has not been reproduced, the reason therefor;
- (b) the source from which the staff on roadside and remote stations may acquaint themselves of measures affecting their welfare; and
- (c) whether Government propose to instruct these Administrations to reproduce all Bills and Acts in their respective Gazettes for the guidance and information of their staff; if not, why not?

The Honourable Sir Andrew Clow: (a) I have not received information of any such publication; there is no rule requiring the reproduction of Bills in Railway gazettes.

(b) Various media are available, depending on the nature of the measures taken to benefit the staff.

(c) No, because this is not regarded as necessary. Most Acts and Bills of the Legislatures do not particularly concern railway servants as such, and there is no reason for supposing that railway servants generally remain ignorant of any changes in their conditions of service.

SELECTION POSTS OR SELECTION GRADES SPECIFIED BY THE GENERAL MANAGERS ON CERTAIN STATE RAILWAYS.

13. **Dr. P. N. Banerjee:** Will the Honourable Member for Railways please refer to the note to rule 2 (vi) of Appendix XXII of the State Railway Establishment Code and lay a statement of the selection posts or selection grades in the cadre of each branch or department specified by the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, together with the dates of such specification?

The Honourable Sir Andrew Clow: The statement laid on the table today in accordance with the reply given to Mr. Muhammad Azhar Ali's unstarred question No. 11 of the 6th February, 1940, gives the particulars of the grades required. If the dates of the specifications are readily available they will be furnished at a later date.

PROCEDURE FOR CONFIRMATION ON THE EXPIRY OF PROBATIONARY PERIOD ON STATE RAILWAYS.

14. **Dr. P. N. Banerjee:** Will the Honourable Member for Railways please refer to rule 3 of Appendix XXII of State Railway Establishment Code and state the procedure for confirmation on the expiry of the period of probation, if confirmation is not made automatically after that period?

The Honourable Sir Andrew Clow: Staff are ordinarily confirmed by the authority competent to do so after the expiry of the probationary period of 12 months, provided their work is reported to be satisfactory.

PROCEDURE FOR MAKING APPOINTMENTS AND PROMOTIONS IN NON-SELECTION POSTS OR NON-SELECTION GRADES AFTER THE INITIAL APPOINTMENT ON CERTAIN STATE RAILWAYS.

15. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to rule 5 of Appendix XXII of State Railway Establishment Code and state whether a selection, subsequent at any stage of the service, for making appointments and promotions in Non-Selection Posts or Non-Selection Grades in the cadre of a branch or department after the initial appointment has been made on a selection-cum-examination method is considered necessary; what is the "any other class" for which the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, have prescribed the selection-cum-examination method together with the date of such prescription?

The Honourable Sir Andrew Clow: I am not altogether clear as to the information required, but if the Honourable Member desires to know whether selection is applied in promoting to non-selection posts, men who have already been subject to a process of selection, the answer is that promotion to grades for which no form of selection is required is not made by selection. Staff are required, however, to possess the qualifications necessary for the post and those who do not possess these or have shown themselves in other ways unfit for advancement are not promoted. Government have no record of any prescriptions made under the note to the rule referred to by the Honourable Member; such prescriptions would apply only to initial recruitment and not to promotion.

SUBSIDIARY RULES MADE BY THE GENERAL MANAGERS OF CERTAIN STATE RAILWAYS AND RELAXATIONS OR MODIFICATIONS IN THEM.

16. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 79 of Appendix XXII of State Railway Establishment Code and lay on the table of this House:

- (a) the subsidiary rules made by the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, together with the dates when they were made; and
- (b) a statement in respect of relaxation or modification of those rules showing *inter alia*:
 - (i) the number of the rule in which relaxation or modification is made;
 - (ii) the extent of relaxation or modification;
 - (iii) the date of relaxation or modification;
 - (iv) reasons recorded for that relaxation or modification; and
 - (v) under whose power or order the relaxation or modification is made or carried out?

The Honourable Sir Andrew Clow: (a) I have called for these rules and propose to lay them on the table of the House in due course.

(b) I regret that I cannot undertake the research necessary to furnish the particulars mentioned.

CERTAIN RECORD OF NON-GAZETTED RAILWAY SERVANTS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

17. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to rule 695 of State Railway Establishment Code and lay on

the table of this House a copy of the record for the period from 1st January, 1940 to 31st October, 1940, of non-gazetted railway servants maintained by the Divisional Superintendent, Moradabad Division, on the East Indian Railway?

The Honourable Sir Andrew Clow: The record contemplated by this rule relates to each individual case; it is not a register. Government regret that they cannot agree to lay the records in disciplinary cases on the table of the House.

"LETTER POST DELIVERY" FROM POST OFFICES IN THE DELHI PROVINCE.

18. Dr. P. N. Banerjee: (a) Will the Honourable Member for Communications please state the minimum and maximum distance of "Letter Post Delivery" from the (i) Delhi General Post Office, and (ii) New Delhi Post Office?

(b) Will he please state the names of the post offices in Delhi Province from where that Delivery is made, together with the distance from those post offices?

(c) Is it a fact that letters addressed to "Shahdara-Delhi" are detained in "Delhi General Post Office" for over twenty-four hours before they are delivered from Shahdara Sub-Office? If so, why?

Sir Gurunath Bewoor: (a) and (b). There is no minimum distance prescribed for delivery. A statement showing the names of the delivery offices in Delhi Province and the maximum distances up to which delivery is made from them is attached.

(c) The reply to the first part is in the negative; the second part does not arise.

Statement showing the delivery offices in Delhi Province and the maximum distances up to which deliveries are made from those offices.

Post Offices.	Distance.
Delhi H. O.	4.05 miles.
New Delhi S. O.	4.05 miles.
Delhi Cloth Mills	3.5 miles.
Delhi Shahdara	2 miles.
Delhi Cantonment	2 miles.
Birla Lines	Less than a mile.
Agricultural Research Institute	10 miles.
Badli	8 miles.
Mehrauli	8 miles.
Najafgarh	6 miles.
Jangpura	5 miles.
Palam	5 miles.
Alipur	4 miles.
Nangloi	1 mile.
Khera Garhi	1 mile.
Narela	Less than a mile.
Badarpur, Chiragh Delhi, Bijwasan, Delhi Pottery, Ishwar-nagar, Masjid Moth, Okhla, Naraina, Shakur Basti, Mahpal-pur, Jamia Nagar, Bawana Gurukul, Inder Prastha.	Less than a mile.

SENIORITY OF CERTAIN SUBORDINATE STAFF ON THE EAST INDIAN RAILWAY.

19. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please refer (i) to Rules 3, 4, 5 and 6 of Appendix XVIII of State Railway Establishment Code and (ii) to page 9 [Accounts Department—(Contd.), Inspector of Station Accounts—(Contd.); Old East Indian Railway Grade III—Rs. 140—10—330, and State Railway Junior Grade I—Rs. 120—15—270, and Revised Grade—Rs. 150—15—270] of the East Indian Railway Classified List of Subordinate Staff of all Departments on Scales of Pay rising to Rs. 250 and above—corrected up to 30th September, 1936—and state the names shown in the Classified List in order of seniority?

(b) Will he please state the dates on which the orders under Rules 4, 5 and 6 were communicated to the staff whose seniority has been affected by those orders? If those orders were not communicated, what were the reasons therefor?

The Honourable Sir Andrew Olow: Necessary information is being collected and will be laid on the table of the House in due course.

WITH-HOLDING OF MEMORIALS, PETITIONS, ETC., OF NON-GAZETTED RAILWAY SERVANTS BY THE DIVISIONAL SUPERINTENDENT, MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

20. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to:

(a) the information given on the 19th July, 1934 in reply to unstarred question No. 140, asked in this House on the 6th March, 1934;

(b) the reply given to starred question No. 1626, asked in this House on the 6th April, 1935; and

(c) the reply given to starred question No. 1712, asked in this House on the 17th April, 1936, and lay on the table of this House a statement showing the particulars of petitions, representations, memorials and appeals (separately) made by the non-gazetted Railway Servants between 1st January, 1939 and 31st October, 1940 (or as far as available) to authorities higher than Divisional Superintendent, which were withheld by the Divisional Superintendent, Moradabad Division, on the East Indian Railway, and the reason recorded by the Divisional Superintendent for withholding them?

The Honourable Sir Andrew Olow: (a), (b) and (c). As regards petitions and memorials, the information available with Government shows that no petitions or memorials were withheld by the Divisional Superintendent, Moradabad Division, during the period 1st January, 1939 to 30th June, 1940. Government receive no returns of appeals and other representations made to Divisional Superintendents. As regards appeals, the attention of the Honourable Member is invited to the reply to the following question.

CERTAIN QUARTERLY STATEMENT FORWARDED BY THE DIVISIONAL SUPERINTENDENT, MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

21. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 708 of the State Railway Establishment Code and lay

on the table of this House a copy of the statement forwarded quarterly since 1st January, 1939, by the Divisional Superintendent, Moradabad Division, East Indian Railway?

The Honourable Sir Andrew Olow: I regret that I cannot agree to lay on the table of the House statements which contain particulars of individual cases; but if it will serve the Honourable Member's purpose to know the number of appeals so withheld, the information will be secured.

DISADVANTAGES OF THE STAFF OF COMPANY-MANAGED SECTION OF THE EAST INDIAN RAILWAY TRAINED AT THE RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.

22. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please state, after enquiry from the East Indian Railway whether it is a fact that before 1929 the staff who received the training in Transportation Courses at the Railway School of Transportation, Chandausi, and were declared successful, were considered qualified for the posts of Station Masters, Inspectors and higher posts?

(b) Is it a fact that before 1929 the staff of the company managed section were never trained at that school?

(c) Is it a fact that in 1928 it was considered that the staff of the company managed section which qualified from that school were not considered qualified in coaching and goods accounts?

(d) Is the order to qualify in coaching and goods accounts, published in paragraph 654 of East Indian Railway Gazette No. 21, dated the 23rd May, 1928, retrospective in effect? If so, why, and where is it stated?

(e) What are the reasons for compelling the staff who qualified in that school in coaching and goods Accounts Examinations, to pass that Examination again and again?

The Honourable Sir Andrew Olow: I have called for information. A reply will be laid on the table of the House in due course.

SCOPE OF EXEMPTION OF STAFF FROM ATTENDING REFRESHER COURSES AT AREA SCHOOLS ON STATE RAILWAYS.

23. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 14 of Appendix XXII (page 377) of the State Railway Establishment Code and state whether the exemption to staff after 45 years of age from attending Refresher Courses at Area Schools Does not mean that they are exempted from oral examinations by officers under whom they are serving for the time being?

The Honourable Sir Andrew Olow: Not necessarily. I would add that administrations are not precluded from sending men over 45 for refresher courses when that is deemed advisable.

CALCULATION OF PERIOD OF SICK LEAVE ON THE STATE RAILWAYS.

24. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Annexure No. I to Appendix VIII (page 311) of the State Railway Establishment Code and state whether the period "from date of

sick certificate to date of fit certificate" is to be treated as leave granted under Fundamental Rule 101, read with Supplementary Rules 269 to 273?

The Honourable Sir Andrew Clow: The answer is in the negative. A recommendation by a medical officer is not a sanction to leave and conveys no right to leave. The period of leave depends on the sanction actually given by the authority competent to sanction the leave.

CALCULATION OF PERIOD OF SICK LEAVE ON THE STATE RAILWAYS.

25. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Annexure No. II to Appendix VIII (page 312) of the State Railway Establishment Code and state whether the period of "Sick leave recommended" is to be treated as leave granted under Fundamental Rule 81?

The Honourable Sir Andrew Clow: The answer is in the negative. The attention of the Honourable Member is invited to the reply given to the preceding question.

SENIORITY OF TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.

26. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please state how the seniority of old Travelling Ticket Inspectors on the East Indian Railway drawing Rs. 160 pay in the scale of Rs. 180—10—160 on the 1st June, 1931, was fixed vis-a-vis those Travelling Ticket Inspectors who were drawing Rs. 95 pay in the scale of Rs. 64—5—95 on that date?

(b) Is it a fact that those old Travelling Ticket Inspectors who were drawing Rs. 100 on the 1st June, 1931, were superseded by those Travelling Ticket Examiners who were drawing Rs. 95 only on that date?

(c) Will the Honourable Member please state the rule under which such supersession is permissible?

The Honourable Sir Andrew Clow: (a) All posts in the scale of Rs. 180—10—160 drawn by Travelling Ticket Inspectors on the former Oudh and Rohilkund Railway were abolished on the 1st June, 1931, and the individuals holding the posts were absorbed in posts on Rs. 64—5—95 under the Moody-Ward scheme. Staff so absorbed were ranked for purposes of seniority on pay and length of service, continuous temporary service of more than 12 months being treated as permanent.

(b) There were no Travelling Ticket Inspectors drawing Rs. 100 on the 1st June, 1931.

(c) Does not arise.

CIRCULAR INSTRUCTIONS FOR GRANT OF GRATUITY TO NON-GAZETTED STAFF IN LUCKNOW DIVISION OF THE EAST INDIAN RAILWAY.

27. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please refer to circular letter No. E.1-B.96-Sett., dated the 12th January, 1940, issued by the Divisional Superintendent, East Indian Railway, Lucknow, and state what is the requisite standard for non-gazetted staff (other than good, efficient, faithful and continuous service) to merit full gratuity?

(b) What is the particular provision made in the State Railway Establishment Code for the requisite standard?

(c) Do Government propose to set aside that circular and to order that the staff who had rendered good, efficient, faithful and continuous service, and admitted for grant of gratuity should be granted full gratuity? If not why not?

The Honourable Sir Andrew Clow: (a), (b) and (c). I am procuring a copy of the circular referred to and shall reply to this question after considering it.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 1257, asked by Mian Ghulam Kadir Muhammad Shahban, on the 23rd March, 1939.

DISCHARGE OF STAFF CONTROLLED BY THE GENERAL MANAGER BY THE DIVISIONAL SUPERINTENDENT ON THE NORTH WESTERN RAILWAY.

(a) In practice this power has been exercised by Divisional Officers with the formal approval of the General Manager.

(b) The administration has held that senior scale officers have the power of appointing subordinate staff.

(c) It is presumed that the Honourable Member refers to item 104 (viii) of the Schedule of Powers of Divisional Superintendents, which was re-numbered item 66 in 1939. If so, the answer is in the affirmative.

(d) The Honourable Member is referred to the answer to part (b) above. The question of restricting the powers of appointment of senior scale officers, as regards senior subordinates is under consideration.

Information promised in reply to the last part of part (f) of starred question No. 1344, asked by Mr. Muhammad Ashar Ali, on the 28th March, 1939.

ASSISTANT SURGEONS ON THE NORTH WESTERN RAILWAY.

The seniority of Military Assistant Surgeons vis-a-vis Railway Assistant Surgeons is dependent on the scale or grade of pay applicable. Those lent to the railway before 1st April, 1931 had the option of either retaining their military scales of pay or electing the scale of pay applicable to Railway Assistant Surgeons. The scale of pay sanctioned for Railway Assistant Surgeons applies to all those who join a Railway on or after 1st April 1931.

On the North Western and Eastern Bengal Railways, those who retained the military scales of pay or were appointed on the revised grades of pay had their seniority determined on the basis of pay. Those who elected or are governed by railway time scales of pay had their seniority determined by crediting them with the number of years' service it would have taken them to rise, by those scales, to the pay they drew on entering railway service.

On the East Indian Railway, the Military Assistant Surgeons and Railway Assistant Surgeons have not been placed on a common seniority list.

There is only one Military Assistant Surgeon on the Great Indian Peninsula Railway; his seniority was determined by his total length of service in the Railway Department and in the Indian Medical Department.

Information promised in reply to unstarred question No. 11, asked by Mr. Muhammad Azhar Ali, on the 6th February, 1940.

SELECTION POSTS OR SELECTION GRADES ON STATE RAILWAYS.

I lay on the table of the House a statement showing the selection posts and their revised scales of pay on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways. It may be added that the grades and posts on the Eastern Bengal Railway are now under scrutiny and are subject to possible revision.

Statement showing the selection posts and their scales of pay on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways.

EASTERN BENGAL RAILWAY.

Designation.	Scales of pay.
	Rs.
GENERAL MANAGER'S OFFICE.	
Assistant Secretary, Office Superintendent.	400
Section Superintendent	230
Clerks	140
Stenographers	230, 200, 180
General Inspector	200
STATISTICAL OFFICE.	
Office Superintendent	350
Assistant Superintendent, Statistical Inspector	200
Sub-head	140
Clerks, Class	100—10/2—120
ENGINEERING DEPARTMENT.	
Permanent Way Inspector	400, 350, 300, 260, 230, 200, 180, 160
Assistant Permanent Way Inspector	140, 100—10/2—120
Inspector of Works	230, 200, 180, 160, 140, 100—10/2—120
Bridge Inspector, Office Superintendent	400
Junior Bridge Inspector	350
Assistant Bridge Inspector, Assistant Calculator	180
Signal Inspector and Block Signal Inspector	400, 350, 300, 260, 230, 200
Assistant Signal Inspector and Assistant Block Signal Inspector	180, 160, 140, 100—10/2—120.
Chief Clerk	230, 200
Clerks	160, 140, 100—10/2—120
Stenographer	200, 160, 100—10/2—120, 65—5/2—85
Typist	65—5/2—85
Chief Draftsman	300
Draftsman	140, 100—10/2—120
Head Calculator	200
Assistant Foreman	350, 300

STATEMENTS Laid ON THE TABLE.

EASTERN BENGAL RAILWAY—contd.

Designation.	Scales of pay.
	Rs.
TRAFFIC DEPARTMENT.	
Traffic Inspector and Junior Traffic Inspector	350, 300, 260, 200.
Station Superintendent, Transhipment Foreman	400
Station Master, Imp. 'C', 'B', 'A' and Special	350, 300, 260, 200, 100—10/2—120
Assistant Station Master, Imp.	230, 200, 180
Cabin Master	230
Goods Supervisor and Junior Goods Supervisor	400, 300, 230, 180, 100—10/2—120
Luggage Supervisor, Head Booking Clerk, Cash Witness	180
Platform Supervisor	200, 160
District Controller Grades I and II	400, 350
Assistant Traffic Controllers	160, 140, 100—10/2—120
Yard Master	350
Yard Inspector	260, 230
Assistant Yard Master	230, 200, 160, 140, 100—10/2—120
Head Ticket Collector, Head Signaller, Booking, Parcel, Weight, Goods and Trains Clerks, Assistant Instructor (B. S.) and Commercial Instructor, Sub-Inspector (Fire Brigade), Guard Class 'C', Office Clerk Class E.	100—10/2—120
Commercial Inspector	300, 260, 200, 160, 140, 100—10/2—120
Assistant Commercial Instructor	260, 200, 160, 140, 100—10/2—120
Chief Clerk	200
Clerk	180, 160, 140
Instructor (B. S.)	140
Inspector, Watch and Ward	350, 260, 230, 200
Senior and Junior Inspector Crews	200, 140
Crew-in-charge	65—5/2—85+20 T. A.
Assistant Transhipment Foreman	230, 160, 140, 100—10/2—120
MECHANICAL DEPARTMENT.	
Foreman and Shed Foreman	400, 350, 300
Assistant Foreman, Senior Valve-motion Inspector, Assistant Electrical Foreman, 'A' Grade Draughtsman	300
Chargeman	135—15/2—180
Junior Chargeman and Head Time Keeper	100—10/2—120
Assistant Shed Foreman	230, 135—15/2—180
Head Train Examiners	400, 300, 260, 230
Train Examiner	160, 140, 100—10/2—120
Train Examiner (Vacuum Brake)	160
Stenographer	200, 160, 100—10/2—120
Electric Foreman, Boiler Inspector and Loco. Inspector	400, 350

EASTERN BENGAL RAILWAY—*concl'd.*

Designation.	Scales of pay. Rs.
MECHANICAL DEPARTMENT—<i>concl'd.</i>	
Shedman	140, 100—10/2—120
Electric Chargeman	180, 160
Chief Clerk	230, 200
Head Clerk and Budget Clerk	140
Clerk	100—10/2—120
Office Superintendent, Assistant Chief Draughtsman	350
Senior Draughtsman	260, 230
Draughtsman	100—10/2—120—15/2—180, 100—10/2—120
Head Typist	65—5/2—85

STORES DEPARTMENT.

Chief Assistant	400
Store Keeper	350, 260
Assistant Store Keeper	160, 140
Ward Keeper	65—5/2—85—5—100/2—Efficiency bar—100—10/2—120
Office Superintendent	300
Chief Clerk	260, 230
Clerk	180, 140, 100—10/2—120
Tindal	30—2—40
Typist	65—5/2—85
Stenographer	200

EAST INDIAN RAILWAY.**OPERATING DEPARTMENT.**

Time Table Inspector	350, 300, 260, 200
Movement Inspector	200—10—250 (1928)
Transportation Inspector	350, 300, 260, 200
Divisional Transit Inspector	350, 300, 260, 200
Telegraph Traffic Inspector	200
Station Superintendents	400
Deputy Station Superintendents	300
Station Master (higher grade)	350
Yard Masters	350, 300, 260, 230
Head Signallers of the Divisional Headquarters Offices	140, 100—10/2—120
Boiler Inspector	350—400
Train Lighting Inspector	300, 260
Transportation Inspector, Stock	300, 260
Coal Transportation Inspector	280—20—500

STATEMENTS LAID ON THE TABLE.

EAST INDIAN RAILWAY—*cont'd.*

Designation.	Scales of pay. Rs.
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OPERATING DEPARTMENT—*cont'd.*

Weighment Inspector	160—10—260
Controllers	350, 260
Running Shed Foremen	400, 350, 300, 260
Assistant Running Shed Foremen	230, 200
Power Transport Inspector including staff and Maintenance	350
Trial Engine Inspector	350
Senior Fuel Inspector	300
Junior Fuel Inspector	200
Inspector Fitter	425

COMMERCIAL DEPARTMENT.

Goods Inspector, Goods Accountant, Howrah	260
Chief Inspector (Tickets)	180
Claims Inspectors	230, 200, 180, 160, 140
Re-weighment Inspector	65—5/2—85
Goods Supervisor (Howrah Goods)	260
Head goods clerk (Howrah Goods)	160
Goods Clerks (Howrah Goods and Ramkirstopore)	100—10/2—120
Inspectors (Commercial)	230, 200
Advertising Inspectors	160
Head Parcel Clerk, Howrah	180
Assistant Parcel Clerk, Luggage and Parcel Supervisors, Assistant Goods Accountant, Howrah	100—10/2—120
Chief Accountant and Booking Clerk, Howrah	140

ENGINEERING DEPARTMENT.

Inspector of Works and Bridge Inspectors	400, 350, 300, 260, 230
Permanent Way, Signal and Block Signal Inspectors	400, 350, 300, 260, 230
Signal and Block Signal Inspectors	400, 350, 300, 260
Conservancy and Sanitary Inspectors	180, 160, 140, 100—10/2—120

ELECTRICAL DEPARTMENT.

Electrical Inspectors and Electrical Foremen	400
Electrical Superintendents	400, 350
Assistant Electrical Foremen	260
Chargemen	200

MECHANICAL DEPARTMENT.

Workshop Foremen	400, 350
Boiler Inspectors	400
Assistant Workshop Foremen	260, 230
Chargemen	200

EAST INDIAN RAILWAY—*concl'd.*

Designation.	Scales of pay. Rs.
PRINTING DEPARTMENT.	
Overseer	300
Foremen	230, 160
Sub-Store Keeper, Head Reader and Head Mechanic	160
STORE DEPARTMENT.	
Chief Assistants	400
Depot Store Keepers	350, 280
Assistant Depot Store Keepers	230, 160
ALL DEPARTMENTS.	
Office Superintendents	400, 350, 260, 180
Chief Clerks	400, 260
Head Clerks	260, 230, 200, 160, 140
First Assistants	160, 140, 100—10/2—120, 65— 5/2—85
Head Draftsmen	300, 180, 160
Draftsmen Engineering Department	100—10/2—120

GREAT INDIAN PENINSULA RAILWAY.

GENERAL MANAGER'S OFFICE.

Head Clerks	300
Senior Clerks	250
Clerks	200, 160, 120
Lady Stenographer	250

ACCOUNTS DEPARTMENT.

Senior Inspector of Station Accounts and Senior Accountants	400, 350, 300, 275, 250*
Junior Accountants	225, 200, 175, 150*
Stenographer	150—10—200
Sub Heads	150, 120*
Senior Inspector of Stores Accounts	250—15—325—25/3—350
Junior Inspector of Station Accounts	225, 175, 150
Junior Inspector of Station Accounts	225, 200, 175, 150, 130*
Stock Verifiers	160, 140, 120, 100*

CASH AND PAY DEPARTMENT.

Assistant Cashier	400
Sub Cashier	250
Head Clerk	140

*Initial grade for selection.

GREAT INDIAN PENINSULA RAILWAY—*cont'd.*

Designation.	Scales of pay. Rs.
ENGINEERING DEPARTMENT.	
Supervisors	300
Inspector of Works, Septic Tanks	350
Inspector of Works	250, 200
General Foreman, Structural Foreman, Signal and Interlocking Inspectors and P. W. Inspectors	400
Office Superintendent	350
Clerks	300, 250.
Head Draftsman	300, 250, 160
Draftsman, Custodian, Plumber	250
Chawl Superintendent	200
Depot Storekeepers	100
TRANSPORTATION DEPARTMENT.	
Office Superintendent	350
Heads of Sections	300
Head Clerks	250
Clerks	200, 160, 120
Station Superintendent	450
Transportation Inspectors, foremen (Traction) Mechanical Foremen, Carriage Branch Foremen, Chief Telegraph Inspector, Foremen, Byculla	400
Deputy Station Superintendent, Controllers, Junior Assistant Foremen (Traction Branch), Loco. Inspector (Traction)	300
Station Masters	350, 300, 180, 100
Assistant Station Masters	275, 160
Yard Foremen	300, 180
Assistant Yard Foremen, Assistant Controllers	275, 180
Chargemen, Electrical, Mechanical and Outside (Traction)	250, 140
Head Train Examiner (Traction) Inspector, Sub-station, Leading Stoker	225
Train Examiner, Engine Examiners, Head Linemen (Traction)	140
Senior Inspector and Inspector Overhead Equipment	180
Bond Tester, Electrical Inspector	160
Power Controller	375, 350
Switch Board Attendant	160, 110, 80
Senior Turbin Driver	250
Assistant Turbine Driver	150, 110
Auxiliary Plant Attendant	110, 80, 60
Shift Stokers	140, 100, 80
Loco. Foremen	400, 350
Loco. Inspector	400, 375
Assistant Loco. Foreman	300, 275

GREAT INDIAN PENINSULA RAILWAY—*contd.*

Designation.	Scales of pay. Rs.
TRANSPORTATION DEPARTMENT— <i>contd.</i>	
Head Fitter and Boilermaker Chargeman	300
Fitter and Boilermaker Chargeman	300, 200, 120
Carriage Inspector, Chief Telegraph Traffic Inspector	350
Head Train Examiners	275, 250, 225
Assistant Foreman, Byculla	275
Head Cabin Supervisor	180
Head Signaller, V. T. Bombay	120

COMMERCIAL DEPARTMENT.

Office Superintendent, Chief Crew Inspector	350
Chief Rates Clerk, Chief Ticket Inspector, Chief Goods Inspector and Senior Commercial	400
Heads of Sections	300, 250, 200
Chief Clerks	200, 160
Chief Ticket Inspector, Senior Commercial Inspector and Chief Goods Inspector	400
Goods Inspector	400, 275, 225
Train Conductor	300
District Commercial Inspector	225
Assistant Commercial Inspector	180
Inspector (Watch and Ward)	250

MECHANICAL DEPARTMENT.

Chief Clerk (B., E. & I.), (Staff), (General) and (Store).	400, 300, 250
Leading Draftsman (Loco.) & (C. & W.) and Parel and Matunga workshops	350, 300
Draftsman (Elec.)	250
Progress Supervisor (Elec.)	200
Laboratory Assistant, Dynamometer Car Assistant	350
Boiler Inspectors, Electrical Foremen, Foremen Parel, Jhansi and Matunga Workshops and planner and Rate Fixer Parel, Workshops	400
Chief Clerk, Parel, Jhansi and Matunga Workshops	200
Assistant Foreman, Parel, Jhansi Workshops, Yard Supervisor, Parel, Jhansi and Matunga Workshops, Chargemen (Covenanted), Parel and Jhansi Workshops	350
Chief Timekeeper, Parel, Jhansi and Matunga Workshops	300
Chargemen (A & B. Class), Parel, Jhansi and Matunga Workshops and Electrical Chargeman, Electrical Repair Shop, Matunga	275, 200
Electrical Inspector	300, 250, 200
Sub-station Operators	180
Test Room Assistant	200, 160
Electrical Chargeman, D. D. Jhansi & Bhusaval	250

GREAT INDIAN PENINSULA RAILWAY—*contd.*

Designation.	Scales of pay. Rs.
STORES DEPARTMENT.	
Contract and Depot Superintendents	400
Assistant Depot Superintendents	325
Head Clerk	300
Supervisors, A, B, C & D.	250, 200, 160, 120
MEDICAL DEPARTMENT.	
Assistant Surgeons (10 per cent)	350, 300, 250, 225
Chief Clerk	300
Matron	270

NORTH-WESTERN RAILWAY.

TRANSPORTATION TRAFFIC AND COMMERCIAL BRANCH.

Traffic Inspector	350, 300
Station Superintendent	400
Dy. Station Superintendent	350
Station Master	350, 300, 260
Assistant Station Master	200
Yard Supervisor	260, 230
Chief Controllers	350
Deputy Controllers	300
Assistant Controller	230
Litigation Inspector	200
Claims Inspector	180, 160, 140

TRANSPORTATION (POWER) AND MECHANICAL BRANCH.

Loco. Inspector	400
Carriage and Wagon Inspector Viceregal Train	350, 300

OFFICE CLERICAL STAFF.

Office Superintendents	400
Superintendent	350
Assistant Superintendents and Head Clerks	230
Clerks	200
Stenographers	160, 140, 130.

Information promised in reply to parts (b), (c), (d) and (e) of starred question No. 47, asked by Mr. H. M. Abdullah, on the 9th February, 1940.

ALLEGATIONS OF CORRUPTION AGAINST A CLERK IN THE DIVISIONAL OFFICE, RAWALPINDI.

(b) So far as Government are aware, only one employee, in his evidence before the Court of Enquiry, made an allegation against a clerk on the Rawalpindi Division.

of having received an illegal gratification from him. The Court of Enquiry did not investigate this allegation nor did they make any such recommendation as is referred to by the Honourable Member.

(c) Yes.

(d) The clerk was reduced as a result of certain inquiries into an attempt to bribe him. No gold necklace was accepted by the clerk; a necklace said to have been intended for him was intercepted.

(e) The clerk has not been working in the Establishment Section since 1938; the latter part does not arise.

Information promised in reply to starred question No. 48, asked by Mr. Lalchand Navalrai, on the 9th February, 1940.

INVOICE TYPISTS ON THE NORTH WESTERN RAILWAY.

(a) and (b). The case for the provision of more higher grade appointments on the Karachi Division has been reviewed and 5 posts of Invoice Typists in Grade II have been created in place of 5 posts of Grade I.

(c) The reply to the first part is in the affirmative. With regard to the latter part, the honourable member is referred to the reply to parts (a) and (b) above.

Information promised in reply to unstarred question No. 24, asked by Mr. Muhammad Azhar Ali, on the 15th February, 1940.

DUTIES OF ASSISTANT OFFICERS AND TRANSPORTATION INSPECTORS ON STATE RAILWAYS.

As regards the first part, a statement giving the required information is placed on the table of the House. As regards the second part, the answer is in the negative. The number of Assistant Officers on Railways is under constant scrutiny by the Railway Board and similarly the number of Transportation Inspectors is scrutinised periodically by the Railway Administrations with a view to economy in administrative charges. The last part does not arise.

Statement of duties of Assistant Officers (Transportation) and Inspectors (Transportation) on Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways.

EASTERN BENGAL RAILWAY.

Duties of Assistant Officers (Transportation).

1. Supervision of Control office.
2. Supply and movement of coaching stock.
3. Punctuality of all trains.
4. Supply of goods stock.
5. (a) Observance of all daily Head Office orders regarding interchange of goods stock with neighbouring Railways and
(b) Control of goods and coal traffic and supply of necessary empties to transshipment points.
6. Examination of daily stock statements.
7. Control and supply of special type stock.
8. Control and movement of petrol and oil tanks.
9. Demurrage and wharfage cases.
10. Examination of wagon detention statements.

Duties of Inspectors (Transportation).

1. To conduct half-yearly and quarterly inspection of stations.
2. To move constantly over his section and see that the staff are conversant with and observe all General, Subsidiary or local rules.
3. To check all matters connected with the punctuality and economical working of trains.
4. To see to all matters connected with the comfort and convenience of passengers.
5. To check all registers and records relating to the movement of trains, attendance of staff, wagons detentions.
6. To carry out night inspections once a week.
7. To arrange to attend subordinate and joint enquiries as ordered.

STATEMENTS LAID ON THE TABLE.

EASTERN BENGAL RAILWAY—contd.

Duties of Assistant Officers (Transportation).

11. Scrutiny of guards' journals, passenger trains and freight trains.
12. In the event of any serious accident, to proceed at once to the site of the accident or to remain throughout in the Control office as ordered.
13. Accident cases and joint enquiries.
14. Scrutiny of Traffic Inspectors' reports.
15. Regular tours of inspection.
16. Check of station working rules.
17. To attend to public complaints and questions of the comfort and convenience of the travelling public.

Duties of Inspectors (Transportation).

EAST INDIAN RAILWAY.

These officers deal with matters concerning—

1. Time tables and running of trains (Passenger and goods).
2. Check of detentions, including late starts.
3. Marshalling of trains.
4. Check of train registers, Guards' links, Control charts, Joint Train Reports, Line Clear irregularities.
5. Supply and clearance of goods and coaching stock.
6. Misdpatches and over-carriages.
7. Restrictions on movement of trains and stock.
8. Van goods and Quick Transit services.
9. Periodical inspection of stations.
10. Public complaints regarding Transportation matters.
11. Accidents, enquiries and joint enquiries.
12. Telegraph irregularities.
13. Statistical reports.
14. Inspection reports by Transportation Inspectors.
15. Mela arrangements.
16. Facilities for passengers at stations.
17. Yard and station operating facilities.
18. Stores.
19. Station Working Rules.
20. Check of loads of trains.
21. Relief arrangements for certain classes of staff.
22. To attend to public complaints and questions concerning the comfort and convenience of the travelling public.

1. To make constant journeys over their sections (20 to 30 stations).
2. To test station staff with special reference to general and Station Working rules.
3. To interview merchants and make local enquiries as ordered by Divisional Office.
4. Attend sub-joint enquiries into Accident cases and public complaints.
5. To conduct quarterly inspections of stations, station yards and buildings.
6. To check tools and plants, muster rolls, duty rosters, Reference books, circulars, standing orders and station records.
7. To check arrangements for the safe custody and protections of goods and parcels.
8. To check Priority Registers and all forms connected with the booking of goods.
9. To check Wagon Registers and detentions to stock and consignments.
10. To inspect wharfage and demurrage registers, Ticket Posting Books, and all records connected with the booking of passengers.
11. To see that the arrangements for vending and the supply of drinking water are satisfactory.
12. To see that traffic facilities at stations are adequate.

NOTE.—These Inspectors are responsible for both the Commercial and Transportation work of all stations excepting at those where the volume of Commercial work is sufficiently heavy requiring intensive check and attention of a Commercial Inspector.

GREAT INDIAN PENINSULA RAILWAY.

Duties of Assistant Officers (Transportation).

These officers deal with matters concerning :—

1. Traffic control and train running.
2. Time tables.
3. Timing and running of trains.
4. Ordering of trains.
5. Ballast trains.
6. Troop traffic, all arrangements.
7. Special trains.
8. Postal arrangements.
9. Rolling stock movement matters.
10. Regulation of rolling stock.
11. Marshalling of trains.
12. Interchange of rolling stock with foreign railways.
13. Sheets and ropes.
14. Shunting engines.
15. Saloons, reserved carriages and reservation of compartments and berths.
16. Luggage and parcel traffic.
17. Tranship train arrangements.
18. Lighting of carriages.
19. Works.
20. Cabin, Station and similar working orders.
21. Government Inspectors' reports.
22. General Rules and Block Rules.
23. All accident matters.
24. Municipal matters.
25. Miscellaneous matters not dealt with by any other section.
26. Inspection Reports other than Government Inspectors' reports.
27. Inspection of signals.
28. Inspection of stations, waiting rooms, waiting halls, drinking water arrangements.
29. Public complaints about station facilities, running of trains, overcrowding etc.
30. Periodical examination of staff in their knowledge of the working rules.

Duties of Inspectors (Transportation).

1. To bring to notice all instances where traffic is being worked uneconomically.
2. To suggest improvements.
3. To check loads of trains.
4. To watch carefully all matters connected with the punctuality of trains, goods and passenger.
5. To check station stock reports and tally them with wagon exchange registers.
6. To investigate wagon detentions.
7. To proceed at once to affected area when congestion of traffic occurs, and direct movements under orders from the Divisional Transportation Office.
8. To proceed at once to site of accidents.
9. To be responsible for directing operations to clear the lines and restore communications in the absence of superior officer.
10. To inspect station yards, buildings, public timetable—Rule books etc.
11. To check station working orders and diagrams and advise Divisional Transportation Office of any infringement or conditions inconsistent with safe working.
12. To inspect signal cabins.
13. To inspect signal lights at night.
14. To see that the arrangements for the supply of drinking water for passengers are satisfactory.
15. To make surprise night inspections.
16. To hold fire parades at regular intervals.
17. To train station inferior staff.
18. To control station inferior staff, their leave, relief, transfer, examination for promotion etc.
19. To investigate all accidents.
20. To test detonators periodically.
21. To check dead stock at stations and the schedule of consumable stores.

NORTH WESTERN RAILWAY.

Deal with matters relating to :—

1. The running of passenger and goods trains including check of detentions, guards links, marshalling.
2. Guards' journals and control graphs.
3. The efficient operation and time-keeping of trains.
4. Detailed inspections of sections.
5. Supervising arrangements at large fairs or special gatherings.
6. Postings and transfers of certain staff.
7. Conduct of periodical tests of Transportation staff.
8. Scrutiny of station working rules and diagrams.

1. To see that tariffs, rule books, public notices, time tables etc., are up to date.
2. To see that correction slips to rule books are correctly posted.
3. To make enquiries into complaints, irregularities and any other matters referred to him by the Divisional Office.
4. To make detailed inspections of each station on his section once per year and casual and surprise inspections at frequent intervals.
5. To attend sub-joint enquiries into accidents when required.

NORTH WESTERN RAILWAY—contd.

Duties of Assistant Officers (Transportation).

9. Public complaints on Transportation matters.
10. Accident cases and joint enquiries.
11. Proceeds at once to the site of any serious accident.
12. Carrying out periodical inspection of specified important stations.
13. Carrying out investigations as ordered.
14. Conduct of surprise fire parades.
15. The comfort and convenience of passengers.
16. Meetings with merchants at important stations.
17. Inspection of vendors' stalls and their wares.
18. Checking of van trains working.
19. Inspection of consumable stores and verification of new indents.
20. Rail Road competition and the necessity of reduced rates and fares with a view to increasing rail traffic.
21. Supervision of the work of Commercial Staff.
22. Cases of disciplinary action on inferior staff.
23. Perform the duties of the Divisional Transportation Officer and Divisional Commercial Officer during their absence.

Duties of Inspectors (Transportation).

6. To control the grant of leave etc., to relieving staff under him, and arrange relief.
7. To control the supply of certain stores to stations on his section.
8. To carry out other duties incidental to the general working of trains.
9. To be constantly on the move over his section and see that the station staff are fully acquainted with their duties.
10. To prepare all returns of all passes, P. T. O.'s issued during the month.
11. To prepare the salary bills in duplicate of all relieving inferior staff.
12. To accompany important specials which run over his section.
13. To attend all melas and fairs which are held on the section and submit detailed reports and comparative statements of earnings etc.
14. To inspect the signals on the section at night.
15. To conduct examinations of menial staff for promotion to higher grades.
16. To inspect vendors, wares and shops at stations.
17. To see that the provision of Hours of Employment Regulations and Payment of Wages Act are observed at all stations on his section.
18. To watch rail road competition and make suggestion to bring in additional traffic.
19. To see that fire fighting arrangements are adequate.
20. To deal with posting and transfer of inferior staff.
21. To prepare duty rosters and lists of inferior staff.
22. To report irregularities committed by the staff.
23. To enquire into complaint cases by the public concerning the section.
24. Responsible for the working rules and yard diagrams of stations on his section being in order.

Information promised in reply to starred question No. 139, asked by Mr. N. M. Joshi, on the 23rd February, 1940.

CHANNEL OF PROMOTION FOR FIREMEN ON THE GREAT INDIAN PENINSULA RAILWAY.

(a) There were three classes of Firemen up to 1929, since which time recruitment to only one class of Firemen Class I, is being made. Firemen of classes A, B and C recruited prior to 1929 all of whom are on the old scales of pay are normally promoted to Driver classes A, B and C, respectively.

(b) Yes, normally this is so, but specially qualified B class Drivers are eligible for promotion to A class. C class Drivers have not the educational qualifications for promotion to B Class.

(c) and (d) Government are not prepared to interfere with the service conditions of staff recruited prior to 1929. In respect of those recruited since 1929 a change has already been made which provides a single channel of promotion, as under—

Fireman Class I (which corresponds to the firemen classes A, B and C) or Assistant Driver Class I.—Rs. 60—5—90.

Driver Branch line, or Motorman (Bombay Division only).—Rs. 90

Driver, Goods, Class III.—Rs. 100—10—130

Driver, Goods, Class II.—Rs. 140—20—200.

Driver, Mail and Passenger, Class I.—Rs. 225.

Information promised in reply to parts (a) and (b) of starred question No. 143 and parts (e), (f) and (g) of starred question No. 144, asked by Mr. H. M. Abdullah, on the 23rd February, 1940.

MUSLIM TRAFFIC INSPECTORS ON THE NORTH WESTERN RAILWAY.

Starred question No. 143.

Community.	For long term vacancies.	For short term vacancies.
European and Anglo Indians	10	6
Muslims	4	4
Hindus	5	10
Other minority communities	1	2
Total	20	22

DEARTH OF MUSLIMS IN THE RAWALPINDI DIVISION OF THE NORTH WESTERN RAILWAY.

Starred question No. 144.—(e) The reply to the first part is in the negative. As regards the latter part the Honourable Member is referred to the reply given to part (c) of Maulana Zafar Ali's starred question No. 244 on the 19th September, 1939. The figures supplied by the Administration have again been checked and found correct. These are reproduced in the answer referred to except that by a typographical error 68.8 has been shown in place of 63.3.

(f) A statement giving the required information is placed below.

(g) The answer to the first part is in the affirmative. It is not a fact that no Muslim was recruited directly during the period between October 1936 and November, 1938.

Statement showing appointments made in inferior staff and labourers in Electrical Branch.

Year.	Total No. of appointments made.	No. of Muslims appointed.	No. of staff and period of appointment of Muslims.		Remarks.
			No.	Period.	
1938-39	30	19	2	31-8-38 to 30-9-38	Period not available.
			1	14-7-38 to 13-10-38	
			1	9-9-38 to 8-11-38	
			1	27-10-38 to 16-12-38	
			1	30-10-38 to 14-11-38	
			1	from 27-5-38	
			1	27-6-38 to 26-7-38	
			3	15-7-38 to 29-7-38	
			1	1-11-38 to 30-11-38	
			4	7-11-38 to 13-11-38	
			2	21-2-39 to 2-3-39	
			1	3-3-39 to 31-3-39	
			19		
1937-38	11	5	1	1-8-37 to	Period not available.
			1	1-12-37 to 16-12-37	
			1	2-12-37 to 17-12-37	
			1	5-3-38 to 14-5-38	
			1	2-1-38 to 4-4-38	
1936-37	23	16	5		Period not available. Do. Engaged against leave vacancies, period not available.
			10	6-3-37 to 30-3-37	
			1	11/36 to 3/37	
			1	from 15-7-37	
			1	1-5-36 to	
			2	..	
			1	..	
			16		

Information promised in reply to parts (a), (d) and (e) of starred question No. 147 and parts (b) and (c) of starred question No. 149, and unstarred questions Nos. 26, 27 and 28, asked by Sardar Sant Singh, on the 23rd February, 1940.

GUARDS ON THE NORTH WESTERN RAILWAY.

Starred question No. 147.—(a) It is based on the interests of the public service, regard being had to the requirements of traffic, the need for avoiding unnecessary expenditure and the importance of attracting and retaining a sufficiently qualified staff.

(d)	Grade of guard on old scales of pay.	Sanctioned strength on 1-1-40.	Actual strength on 1-1-40.
	III & IV	204	186
	II	838*	814
	I	51	50

*Includes one temporary post.

(e) If by discrimination the Honourable Member means the division of the guards into grades drawing different pay, he is referred to the reply given to his starred question No. 148 on 23rd February 1940.

GUARDS ON THE NORTH WESTERN RAILWAY.

Starred question No. 140.—(b) and (c). The following statement gives the required information as on 22nd February 1940.

No. of guards drawing Rs. 115.	Length of service on Rs. 115.	
	Minimum.	Maximum.
135	1 year 9 months.	19 years 9 months.
No. of guards drawing Rs. 68.	Length of service on Rs. 68.	
	Minimum.	Maximum.
626	5 months 25 days.	19 years.

GUARDS ON THE NORTH WESTERN RAILWAY

Unstarred question No. 26.—(a) Of the 94 posts of guards Grade IV on 8th November, 1935, 44 have been abolished. There has been no increase in the number of Grade III posts since 1935.

(b) The Honourable Member is referred to the last part of part (d) of the information laid on the table of the House on 14th February, 1939 in reply to his starred question No. 1576 asked on 29th November, 1938.

(c) None, for the reasons stated in reply to part (b). But in accordance with an undertaking given in the House, the block in promotion of guards on the North Western Railway is being examined.

GUARDS ON THE NORTH WESTERN RAILWAY

Unstarred question No. 27.—The classification of grades of guards on the revised scales of pay as equivalent to grades on the old scales of pay and the allotment of the existing posts under the revised scales of pay is under consideration.

GUARDS ON THE NORTH WESTERN RAILWAY

Unstarred question No. 28.—(a) Yes, except the North Western Railway have not yet classified grades of guards the revised scales of pay as equivalent to particular grades of guards on the old scales of pay.

(b) 17 in Class I Grade II, 19 in Class I Grade I.

(c) Rule 1 of the Rules for the recruitment and training of non-gazetted staff which are in Appendix XXII to the State Railway Establishment Code, a copy of which is in the library of the House.

(d) No such general communication was made or required. Direct recruitment to grades higher than the lowest is made in the interest of the administration and not necessarily because those in the lower grades are unfit for advancement.

(e) Direct recruitment to grades higher than the lowest is permitted under the rules framed by the Railway Board for the recruitment of non-gazetted staff, in the interests of the administration.

Information promised in reply to a supplementary question to starred question No. 165, asked by Mr. Muhammad Ashar Ali, on the 24th February, 1940.

LAY-OUT OF THE IMPROVEMENT TRUST PLOTS IN CERTAIN AREAS IN DELHI.

The enquiry made has revealed that on 24th April, 1940, no application for land or for re-building an existing house to an improved design was pending with the Chairman of the Delhi Improvement Trust.

Information promised in reply to starred questions Nos. 189, 190, 191 and 192, asked by Khan Bahadur Nawab Siddique Ali Khan, on the 26th February, 1940.

FIRST DIVISION VACANCIES FILLED IN THE GOVERNMENT OF INDIA OFFICES.

No. 189. Statement showing the number of permanent and quasi-permanent vacancies and posts in the First Division filled by promotion or transfer during the year ending 31st December 1939, and the communities of the candidates appointed thereto.

Name of the Department or Office.	Number of vacancies filled.	Communities of the candidates appointed.		
		Hindu.	Muslim.	Other Minorities.
1. Military Finance Department .	1	..	..	1
2. External Affairs Department .	4	2	2	..
3. Legislative Assembly Department .	1	..	..	1
4. Defence Department .	2	2	..	..
5. Education, Health and Lands Department, (and its Attached Offices).	3	2	1	..
6. Commerce Department (and its Attached Offices).	2	2	..	..
7. Department of Communications (and its Attached Offices).	5	4	1	..
8. Department of Labour (and its Attached Offices).	1	..	1	..
9. Director, Intelligence Bureau .	1	..	..	1
10. Master General of the Ordnance Branch.	5	4	..	1
11. Engineer-in-Chief's Branch .	2	2	..	..
12. Judge Advocate General's Office .	1	1	..	..
13. Railway Department .	1	..	..	1
	29	19	5	5

TEMPORARY THIRD DIVISION VACANCIES FILLED IN THE GOVERNMENT OF INDIA OFFICES.

No. 190. Statement showing the number of temporary vacancies in the Third Division and the Lower Division (I. A. C. C.) in the various Departments of the Government of India and their Attached Offices filled during the six months ending the 1st January, 1940.

Name of Department or Office.	No. of vacancies filled.	Communities of candidates appointed.			Reference.
		Hindus.	Muslims.	Other Minorities.	
1. Defence Co-ordination Department.	11	8	3	..	
2. External Affairs Dept.	16	9	3	4	
3. Finance Department.	2	1	1	..	
4. Legislative Assembly Department.	5	4	1	..	
5. Defence Department.	11	6	3	2	
Army Headquarters	91*	62	29	7	
6. Department of Supply (including Contracts Directorates).	108	73	27	8	
7. Military Finance Dept.	6	5	1	..	
8. Education, Health and Lands (and its attached offices.)	29	20	6	3	
9. Commerce Department and its Attached Offices.)	103	66	27	10	
10. Department of Communications and its Attached Offices.)	36	24	8	4	
11. Home Department	14	10	4	..	
12. Department of Labour (and its Attached Offices.)	11	9	2	..	
13. Railway Department.	25	17	2	6	
14. Federal Public Service Commission.	7	5	2	..	
15. Reforms Office	2	1	1	..	
16. Central Board of Revenues.	1	..	..	1	

* Excluding 42 posts filled by lady clerks and Anglo-Indians, which are outside the scope of the rules regarding communal representation in the services.

STATEMENTS LAID ON THE TABLE.

Name of Department or Office.	No. of vacancies filled.	Communities of candidates appointed.			Reference.
		Hindus.	Muslims.	Other Minorities.	
17. Director Intelligence Bureau, (including its Sub-Offices.)	10	7	3	..	
18. Principal Information Officer's Office.	17	7	6	4	
Total	505	334	122	49	

OFFICERS DEALING WITH ESTABLISHMENT MATTERS IN THE GOVERNMENT OF INDIA OFFICES.

No. 191. Statement showing the communities of officers and members of the ministerial staff who were dealing with establishment matters in the Government of India Secretariat and its attached offices at headquarters on the 1st February 1940.

Name of Departments or office.	Hindus.		Muslims.		Other Communities.	
	Officers.	Ministerial staff.	Officers.	Ministerial staff.	Officers.	Ministerial staff.
1	2	3	4	5	6	7
1. Home	2	4	..	1	1	1
2. Defence Co-ordination	1	..	..	..	1	1
3. Legislative	..	4	..	..	3	..
4. Federal Public Service Commission	..	4	1	..	1	..
5. Intelligence Bureau.	..	2	..	1	2	2
6. Finance	..	2	..	..	3	1
7. Reforms Office	2	7	..	3	..	2
8. Railways (including Central Standards Office)	..	18	..	5	6	2
9. Defence	..	8	..	2	2	..
10. Legislative Assembly	..	4	3	2	..	1
1. External Affairs	..	..	..	1	4	..
2. Army Headquarters	..	51	..	12	18	10
3. Military Finance (including Military Accountant General's Office)	..	10	2	2	2	1

Name of Department or office.	Hindus.		Muslims.		Other Communities.	
	Officers.	Minis-terial staff.	Officers.	Minis-terial staff.	Officer.	Minis-terial staff.
1	2	3	4	5	6	7
14. Supply (including Con-tracts Directorate)	2	11	1	..	4	2
15. Bureau of Public Inform-ation	1	..	..	2	2	1
16. Education, Health & Lands (and attached offices)	5	5	..	3	2	3
17. Commerce (and attached offices)	5	14	..	3	1	1
18. Secretary to the Executive Council of the Governor General	..	..	..	..	1	2
19. Communications (and at-tached offices)	4	41	4	13	7	1
20. Labour (and attached Off-ices)	1	8	2	2	4	1
21. Central Board of Revenue	1	13	..	4	1	..
Total	24	206	13	56	65	32

VACANCIES OF PEONS FILLED IN THE GOVERNMENT OF INDIA OFFICES.

No. 192. Statement showing the strength of the permanent and temporary inferior staff (i.e., Jemadars, Daffadars and Peons) on the 1st January 1940, in the various Depart-ments of the Government of India and Attached Offices and the total number of vacancies filled during the year 1939.

Name of Department or Office.	Total No. of posts.	Vacancies filled during the year 1939.						
		Hindus.		Minority Communities.				
		Hindus other than depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Parsees.	Other Communi-ties.
1	2	3	4	5	6	7	8	9
1. Legislative Department— Permanent	49	1	...	...	...	...	...	...
Temporary	5	1	...	1	...	...	...	...
2. (i) Military Finance Department— Permanent	37	5	...	3	...	...	...	...
Temporary	11	6	...	3	2	...	...	...
(ii) Office of the Military Accountant General— Permanent	22	1	...	...	...	...	...	...
Temporary	1	1	...	...	...	...	...	...

Name of Department or Office.	Total No. of posts.	Vacancies filled during the year 1939.						
		Hindus.		Minority Communities.				
		Hindus other than Depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Parsees.	Other Communi-ties.
1	2	3	4	5	6	7	8	9
3. Legislative Assembly Department— Permanent	26	...	...	1	...	...	...	...
Temporary	16	...	...	...	...	...	...	...
4. Defence Co-ordination Department— Permanent	13	12	1	...	...	...	...	...
Temporary	...	...	...	...	...	...	...	...
5. Reforms Office— Permanent	19	2	...	...	...	...	...	...
Temporary	...	...	...	...	...	...	...	...
6. External Affairs Department— Permanent	37	10	...	...	...	...	...	...
Temporary	15	...	...	5	...	...	...	...
7. (i) Finance Department— Permanent	48	12	...	1	...	...	...	...
Temporary	26	...	...	5	...	...	...	...
(ii) Central Board of Revenue— Permanent	24	...	...	...	...	...	...	...
Temporary	4	2	...	2	...	...	...	...
8. (i) Defence Department— Permanent	40	1	...	1	...	...	...	...
Temporary	14	10	...	3	1	...	...	...
(ii) General Staff Branch Army Head- quarters— Permanent	64	...	...	...	1	...	...	...
Temporary	17	12	...	2	3	...	...	...
(iii) Master General of Ordnance Branch including A. D. O. S. Provision— Permanent	68	5	...	1	1	...	...	...
Temporary	37	23	...	6	1	...	...	...
(iv) Air Headquarters, India— Permanent	33	...	...	...	1	...	...	...
Temporary	...	...	...	...	...	...	...	...
(v) Engineer-in-Chief's Branch— Permanent	20	...	...	1	...	...	...	...
Temporary	13	2	...	2	1	...	...	...
(vi) Office of the A. M. S. (Personal) to H. E. the Commander-in-Chief— Permanent	3	...	...	...	...	...	...	...
Temporary	...	...	...	...	...	...	...	...
(vii) Adjutant General's Branch— Permanent	46	...	...	...	...	...	...	...
Temporary	8	4	...	2	2	...	...	...
(viii) Medical Directorate— Permanent	22	...	...	1	1	...	...	...
Temporary	4	2	...	...	...	...	...	...
(ix) Quartermaster General's Branch— Permanent	46	3	...	1	...	...	...	...
Temporary	4	3	...	...	...	...	...	...
(x) Judge Advocate General's Depart- ment— Permanent	6	...	...	...	...	...	...	...
Temporary	...	...	...	...	...	...	...	...
(xi) Military Secretary's Branch— Permanent	15	...	...	...	...	...	...	...
Temporary	4	3	...	1	...	...	...	...

Name of Department or Office.	Total No. of posts	Vacancies filled during the year 1939.							
		Hindus.		Minority Communities.					
		Hindus other than Depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Parsees.	Other Communities.	Remarks.
1	2	3	4	5	6	7	8	9	10
9. (i) Department of Education, Health and Lands—									
Permanent	49	...	1	...	1	...	...	...	...
Temporary	3	...	...	...	...	...	...	...	...
(ii) Office of the Director General, Indian Medical Service—									
Permanent	22	2	...	1	...	...	...	...	...
Temporary	7	...	3(a)	...	...	...	...	...	...
(iii) Imperial Council of Agricultural Research—									
Permanent	31	1	...	...	...	...	...	...	...
Temporary	...	1(a)	...	...	...	...	...	...	...
(iv) Office of the Director General of Archaeology in India—									
Permanent	10	1	...	...	...	...	...	...	...
Temporary	...	2(a)	...	...	...	...	...	...	...
10. (i) Department of Supply—									
Permanent	...	...	...	...	...	...	...	...	...
Temporary	44	27	...	11	6	...	...	...	...
(ii) Directorate of Contracts—									
Permanent	17	...	...	...	...	...	...	...	...
Temporary	17	...	12	2	2	...	...	...	...
11. (i) Department of Commerce—									
Permanent	53	1	...	2	...	...	...	...	...
Temporary	19	13	3	8	...	...	...	...	...
(ii) Office of the Chief Controller of Stores, Indian Stores Department—									
Permanent	36	...	...	...	...	...	...	...	...
Temporary	40	24	...	11	3	1	...	...	...
(iii) Office of the Economic Adviser to the Government of India (including the Statistical Research Branch)—									
Permanent	...	...	...	...	...	...	...	...	...
Temporary	9	1	...	...	...	...	...	...	...
12. (i) Communications Department—									
Permanent	31	...	...	...	...	...	...	...	...
Temporary	10	4	...	2	...	...	...	...	...
(ii) Civil Aviation Office—									
Permanent	31	1*	...	...	...	...	...	...	...
Temporary	4	...	1	...	...	...	...	...	...
(iii) Office of the Director General, Posts and Telegraphs—									
Permanent	63	1	...	1	...	...	...	...	...
Temporary	8	6	...	2	...	...	...	...	...
(iv) Broadcasting Office—									
Permanent	...	...	...	...	...	...	...	...	...
Temporary	19	1	...	...	...	...	...	...	...
(v) War Transport Board—									
Permanent	...	...	...	...	...	...	...	...	...
Temporary	4	3	...	1	...	...	...	...	...
13. Department of Labour—									
Permanent	33	1	...	1	...	...	...	...	...
Temporary	3	2	...	3	1	...	...	...	...
(ii) Office of the Controller, Printing and Stationery, India—									
Permanent	18	2	...	1	...	...	...	...	...
Temporary	2	†2	...	†3	...	...	...	...	...
(iii) Conciliation Officer (Railways) and Supervisor of Railway Labour—									
Permanent	...	...	...	...	...	...	...	...	...
Temporary	1	...	...	1	...	...	...	...	...

(a) Temporary appointment made against permanent post.

*Appointed in an officiating capacity.

†Three temporary posts were terminated before the 1st January 1940.

Name of Department or Office.	Total No. of posts.	Vacancies filled during the year 1939.							
		Hindus.		Minority Communities.					
		Hindus other than Depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Parsees.	Other Communities.	Remarks.
1	2	3	4	5	6	7	8	9	10
14. Railway Department (Railway Board)—									
Permanent	60	...	...	...	...	...	...	...	...
Temporary	6	5	...	5	...	...	...	...	...
(ii) Office of Joint Timber Advisory Office for Railways and Defence Department—									
Permanent	1	...	...	1	...	...	...	...	...
Temporary	...	...	...	...	...	...	...	...	...
(iii) Central Standards Office for Railways—									
Permanent	...	...	...	...	...	...	...	...	...
Temporary	3	...	...	3	...	...	...	...	...
15. Home Department (including offices of the Director General of Information and Chief Press Censor—									
Permanent	49	...	...	...	...	...	...	...	...
Temporary	26	17	2	6	1	...	...	...	...
(ii) Office of the Census Commissioner for India									
Permanent	2	...	...	2	...	...	...	...	...
(iii) Bureau of Public Information—									
Permanent	26	...	...	...	...	1	...	...	...
Temporary	9	5	...	3	...	...	...	...	...
(iv) Intelligence Bureau—									
Permanent	125	9	...	5	...	...	...	...	...
Temporary	23	13	...	9	...	1	...	...	...
(v) Federal Public Service Commission—									
Permanent	27	...	...	...	...	...	...	...	...
Temporary	...	3	1	1	...	...	...	...	...

Information promised in reply to starred question No. 194, asked by Mr. M. Ghasuddin, on the 26th February, 1940.

ASSISTANTS AND CLERKS IN THE CASH BRANCHES OF THE GOVERNMENT OF INDIA OFFICES.

Statement showing the numbers of Assistants, etc., employed in the Cash Branches of the various Departments and the numbers of officers and members of the staff other than officers in those Departments as on the 1st February 1940.

Department.	Strength of the Cash Branch.						Strength of				Remarks		
	Assistants.		Second Division.		Third Division.		Officers including Superintendents.		Ministerial staff.			Inferior staff.	
	No. of Muslims.		No. of Muslims.		No. of Muslims.		Tempo- rary.		Tempo- rary.			Tempo- rary.	
	Total.	No. of Muslims.	Total.	No. of Muslims.	Total.	No. of Muslims.	Perma- nent.	Tempo- rary.	Perma- nent.	Tempo- rary.		Perma- nent.	Tempo- rary.
1. Home	..	..	2	..	1	..	14	4	69	22	64	34	* The Cash Sec- tion of the De- fence Depart- ment is a part of the Estab- lishment Sec- tion which deals with establish- ment and con- nected ques-
2. External Affairs.	..	..	1	..	1	..	10	3	80	25	49	37	
3. Finance	..	..	2	..	2	..	18	11	100	15	64	29	
4. Railway	..	..	5	1	1	..	22	13	130	36	85	19	
5. Defence*	3	1	4	1	3	..	13	3	100	19	93	14	
6. Legislative†	2	..	2	..	..	..	13	1	45	1	58	8	
7. Commerce	..	..	3	..	4	..	21	4	109	48	69	23	
8. Education, Health and Lands.	..	..	2	..	1	..	15	1	89	6	70	3	

9. Communi- cations.	..	..	2	..	3	..	9	3	45	27	40	11	tions of Army and Air Head- quarters also.
10. Labour	..	..	1	..	4	2	12	1	70	..	48	3	† This section also deals with Establishment matters.
11. Military Finance‡	..	..	2	1	1	..	18	11	101	14	48	11	‡ There is no separate cash Branch in these Departments.
12. Defence Co- ordination.†	1	..	..	..	1	..	..	7	..	21	..	17	§ Appointed dur- ing the session periods only.
13. Secretary, Executive Council.	..	..	..	..	1	..	1	..	2	..	7	..	
14. Supply†	4	..	..	..	2	..	..	33	9	70	4	50	
15. Legislative‡	1	..	3	1	..	..	8	15	60	155	36	19+21§	

Information promised in reply to starred question No. 206, asked by Sardar Sant Singh, on the 27th February, 1940.

SIKH RELIGIOUS PROGRAMMES IN CERTAIN BROADCASTING STATIONS.

(a) The time allotted to Sikh religious items during 1939 was 5 hours 20 minutes at Delhi and Peshawar and 22 hours at Lahore. The proportion of the amounts paid to the artists of the 3 communities for religious broadcasts was—Sikhs 16 per cent., Muslims 43 per cent., Hindus 41 per cent.

(b) The figures do not suggest that the Sikhs were assigned an unduly small proportion of the time allotted to religious programmes.

Information promised in reply to parts (a) and (b) of starred question No. 217 and starred question No. 218, asked by Mr. H. M. Abdullah on the 27th February, 1940.

QUALIFIED MUSLIM INSPECTORS OF WORKS NOT ALLOWED TO OFFICIATE AS ASSISTANT ENGINEERS ON THE NORTH WESTERN RAILWAY.

No. 217.—(a) and (b). As far as Government are aware no I. O. Ws. have passed or are required to attend a Refresher Course for P. W. Is. nor have any P. W. Is. passed or are required to attend a Refresher Course for I. O. Ws. From April, 1940, however, a training course for P. W. Is. in ordinary Works staff duties is being introduced.

ENGINEERING SUBORDINATES WORKING AS ASSISTANT ENGINEERS ON THE NORTH WESTERN RAILWAY.

No. 218.—(a) to (f). In February, 1940, there were 2 Hindus and 2 Anglo-Indian P. W. Is. officiating as Assistant Engineers and 2 Hindu and 3 Sikh I. O. Ws. officiating as Assistant Engineers. None of these P. W. Is. have appeared for the I. O. Ws.' Refresher Courses as they are not required to do so nor have any of these I. O. Ws. appeared for the P. W. Is.' Refresher Courses as they are not required to do so.

Information promised in reply to part (g) of unstarred question No. 41 and unstarred questions Nos. 42, 43 and 44, asked by Mr. Muhammad Azhar Ali, on the 27th February, 1940

MUTUAL GUARANTEE FUND OF THE OLD EAST INDIAN RAILWAY COMPANY.

No. 41.—(g) Under the rules of the East Indian Railway Guarantee Fund an employee on leaving the service ceased immediately to have any interest in the fund. Members of the staff who were no longer in service on 30th September, 1927 were therefore not entitled to any share in the distribution of the assets of the fund, and the necessity for advising them of its closure did not arise.

IRREGULARITIES IN THE RUNNING OF SPECIAL TRAINS ON THE NORTH WESTERN RAILWAY.

No. 42.—I am informed that there have been no irregularities in the running of these special trains. Enquiries made by the North Western Railway into the only complaint received did not bring to light any case in which private individuals had benefited by the purchase of tickets in lots and their re-sale at a profit.

Travel Agents and Organisers are encouraged to engage special trains for bona fide circular tours at concession fares both in through and local booking.

The running of such trains involves the provision of amenities for passengers which are not normally provided by Railways and they are, therefore, particularly suitable for the employment of Travel Agents or Organisers.

The excursion trains run by the North Western Railway on special reduced fares are between fixed points only in local booking, and there would appear to be no advantage in entrusting arrangements for such trains to Travel Agents or Organisers.

RAILWAY PASSES ALLOWED TO MESSRS. THOMAS COOK AND SON AND THEIR STAFF

No. 43.—On the Class I Railways (excluding H. E. H. the Nizam's State, Mysore State and Jodhpur State Railways) the only passes issued to Messrs. Thomas Cook and Son during the financial year 1939-40 were the following which were issued by the North Western Railway :—

Date of Issue.	Class of Pass.	To whom issued.	Stations between which issued.	Purpose for which issued.
4th April 1939	Inter.	One Clerk	Bhera to Simla	In connection with the opening of Booking Office at Simla. In connection with the taking over of the Connaught Place Booking Office at New Delhi.
27th September 1939	First	Manager	Lahore to Simla and back.	
6th October 1939	First	Manager	Simla to Delhi and back.	

CITY BOOKING AND PARCEL OFFICES WORKED BY MESSRS. THOMAS COOK AND SON.

No. 44.—City Booking and Parcels Offices are being worked by Messrs. Thomas Cook and Son, Ltd., at the following offices on the terms and conditions as shown under :—

Serial No.	Office.	Work undertaken.	Terms and conditions.
(1)	North Western Railway. Connaught Place City Booking Agency, New Delhi.	Booking of all classes of passengers in local booking over the N. W. Ry. and through booking over other Railways. Reservation of compartments, berths and seats. Collection, booking and delivery of luggage and parcels.	Lump sum of Rs. 3,900 per annum paid to the Company by N. W. Ry.

Serial No.	Office.	Work undertaken.	Terms and conditions.
	<i>North Western Railway—contd.</i>		
(2)	Mall Road City Booking Agency, Lahore.	Booking of all classes of passengers in local booking over the N. W. Ry. and through booking over other Railways. Reservation of compartments, berths and seats. Collection, booking and delivery of luggage and parcels.	Lump sum of Rs. 4,800 per annum paid to the Company by N. W. Rly.
(3)	Mall City Booking Agency, Simla.	Ditto	Lump sum of Rs. 2,100 per annum paid to the Company by N. W. Rly.
	<i>Eastern Bengal Railway.</i>		
(4)	Calcutta	Booking of I and II class passengers and their servants in III class in local booking over the E. B. Ry. and through booking with other Railways and Steamer Coys. Luggage and parcels are not booked.	5 per cent. commission is paid to the Company on the E. B. Ry.'s proportion of the fares on tickets sold. The Company provides the accommodation and staff.
	<i>Bengal Nagpur Railway.</i>		
(5)	Calcutta	Booking of all classes of passengers in local and through booking (luggage and parcels are not booked).	5 per cent. commission is paid to the Company on the B. N. Ry.'s proportion of the fares on tickets sold.

Information promised in reply to starred question No. 249, asked by Mr. H. M. Abdullah, on the 1st March, 1940.

PROMOTION OF CLERKS IN THE HEADQUARTERS OFFICE, OF THE NORTH WESTERN RAILWAY.

(a) (i) and (ii). Statements showing the position on 31st March 1940 are appended.
 (b) Promotions of all office clerks including promotions of clerks, grade II to grade III are as a general rule made in their respective branches on the basis of seniority, coupled with suitability.

(c) The reply to the first part is in the affirmative. It is impracticable to provide equal chances of promotion in the different branches of the Headquarters Office because the amount and quality of the work differ widely and this requires a greater number of junior clerks to senior clerks in some cases than in others. The present position in this respect is shown in the last column of the second statement attached. As regards the latter part, the North Western Railway Administration is examining the present distribution of posts with a view to making such adjustment as is possible in the flow of promotion from grade to grade in each branch but there are limits beyond which uniformity cannot be achieved.

Statement showing the number of clerks by communities and grades employed in each branch and percentage of each community in each grade in each branch on 31st March, 1940.

No. of posts.	Grade.	No. and percentage community-wise.							
		Hindus.		Muslims.		Sikhs.		Indian Christians, Anglo-Indians and Domiciled Europeans.	
		No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.
PERSONNEL BRANCH.									
1	VII	1	100	...	...	...	...	...	...
1	VI	1	100	...	...	...	...	...	...
4	V	2	50	2	50	...	...	...	...
11	IV	8	72.7	3	27.3	...	...	...	...
21	III	18	61.9	5	23.8	...	...	...	...
19	II	8	42.1	10	52.6	8	14.3	...	...
8	I	1	33.3	2	66.7	1	5.3	...	...
GENERAL BRANCH.									
1	VIII	...	...	...	...	...	...	1	100
2	VI	1	50	...	...	...	...	1	50
5	V	2	40	2	40	...	...	1	20
6	IV	4	66.6	1	16.7	1	16.7	...	...
17	III	4	23.5	4	23.5	4	23.5	5	29.5
10	II	4	40	5	50	...	...	1	10
4	I	1	25	2	50	1	25	...	...
COPYING BRANCH.									
1	VI	1	100	...	...	...	...	...	...
1	IV	...	...	...	...	1	100	...	...
8	III	6	75	2	25	...	...	...	...
30	II	13	43.3	10	33.3	1	3.4	...	...
31	I	16	51.6	10	32.3	5	16.1	6	20
MEDICAL BRANCH.									
1	V	1	100	...	...	...	...	...	...
3	III	3	100	...	...	...	...	...	...
3	II	2	66.7	1	33.3	...	...	...	...
2	I	1	50	...	...	1	50	...	...
CENTRAL REGISTRY.									
1	VII	1	100	...	...	...	...	...	...
1	V	...	...	...	...	...	...	...	...
3	IV	2	66.7	...	...	...	...	1	100
8	III	1	33.3	2	66.7	...	...	1	33.3
20	II	12	60	7	35	...	...	...	...
27	I	11	40.7	13	48.2	2	7.4	1	3.7
STORES BRANCH.									
1	VIII	1	100	...	...	...	...	...	...
1	VII	...	...	...	...	...	...	...	...
3	VI	1	33.3	1	33.3	1	33.3	1	100
5	V	1	2	2	40	...	...	...	...
10	IV	7	70	3	30	...	...	2	40
19	III	13	68.4	5	26.3	1	5.3	...	...
15	II	11	73.3	3	20	...	...	...	...
17	I	10	58.8	4	23.5	3	17.7	1	6.7
TRACK SUPPLY AND SLEEPER CONTROL.									
1	V	...	...	1	100	...	...	...	...
2	IV	2	100	...	...	...	...	...	...
3	III	2	66.7	...	...	...	...	...	...
10	II	7	70	2	20	1	33.3	...	...
4	I	3	75	...	...	1	10	...	...
WAY AND WORKS.									
1	VII	...	...	...	...	1	100	...	...
3	VI	2	66.7	1	33.3	...	...	...	...
4	V	3	75	...	...	1	25	...	...
8	IV	4	50	2	25	2	25	...	...
12	III	7	58.3	5	41.7	...	...	...	...
21	II	13	61.9	3	14.3	4	19.1	1	4.7
10	I	6	60	3	30	1	10	...	...

No. of posts.	Grade.	No. and percentage community-wise.							
		Hindus.		Muslims.		Sikhs.		Anglo Indians and Domiciled Europeans and Indian Christians.	
		No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.
OPERATING BRANCH.									
1	VII.	1	100	...	...	...	...	...	...
2	VI.	2	100	...	...	...	...	...	...
5	V.	5	100	...	...	...	...	...	...
7	IV.	4	57.1	2	28.6	1	14.3	...	...
23	III.	17	73.9	3	13.1	2	8.6	1	4.3
41	II.	30	73.2	7	17.1	4	9.7	...	...
39	I.	25	64.1	10	25.6	4	10.3	...	...
RELIEF LIST.									
28	I.	11	39.3	14	50	1	3.6	2	7.1
RATES REGISTER.									
1	150-15-270	1	100	...	...	...	...	...	...
1	130-8-170	...	...	1	100	...	...	...	...
7	100-5-120	6	85.7	1	14.3	...	...	...	...
16	40-4-80-5-90.	12	75	2	12.5	2	12.5	...	...
7	36-2-60	3	42.8	3	42.8	1	14.3	...	...
COMMERCIAL BRANCH.									
1	VII.	...	...	...	...	...	...	1	100
1	250-20-350	...	...	1	100	...	...	...	...
1	250	...	...	1	100	...	...	...	...
2	VI.	2	100	...	...	...	...	...	...
6	V.	4	66.6	...	...	1	16.7	1	16.7
17	IV.	9	52.9	7	41.2	1	5.9	...	...
32	III.	20	62.5	12	37.5	...	...	...	...
121	II.	62	51.2	52	43	7	5.8	...	...
38	I.	25	65.8	12	31.6	1	2.6	...	...

Number of clerks Grade II by communities employed in each branch and the number of years completed on the maximum of this grade.

Branch.	Community.	Total number of each community.	No. of years completed on the max. of grade II.				Ratio Gr. II Clerks all those above that Grade.
			1 to 5	6 to 10	11 to 14	15 to 18	
Operating	Hindus	30	14	12	...	...	1 to 0.92
	Muslims	7	4	2	...	...	
	Sikhs	4	1	...	...	...	
Stores	Hindus	11	3	4	...	...	1 to 2.6
	Muslims	3	...	2	...	...	
	Anglo-Indians	1	...	1	...	...	

STATEMENTS LAID ON THE TABLE.

Branch.	Community.	Total number of each community.	No. of years completed on the max. of grade II.				Ratio Gr. II Clerks all those above that Grade.
			1 to 5	6 to 10	11 to 14	15 to 18	
Track Supply Office.	Hindus	7	5	...	...	...	1 to 0.6
	Muslims	2	1	...	...	...	
	Sikhs	1	1	...	...	...	
Central Registry.	Hindus	12	2	6	2	...	1 to 0.4
	Muslims	7	2	3	...	...	
	Indian Christians.	1	...	1	...	...	
Way & Works	Hindus	13	3	5	...	...	1 to 1.33
	Muslims	3	2	...	...	...	
	Sikhs	4	2	...	...	...	
	Anglo-Indians	1	1	...	...	...	
Personnel	Hindus	8	3	2	...	...	1 to 2
	Muslims	10	3	...	...	...	
	Sikhs	1	...	...	...	...	
Commercial	Hindus	62	13	21	9	2	1 to 4.96
	Muslims	52	9	23	6	1	
	Sikhs	7	1	3	1	...	
General & Pass	Hindus	4	1	2	...	...	1 to 3.1
	Muslims	5	2	2	...	...	
	Anglo-Indians	1	...	...	...	...	
Medical	Hindus	2	...	...	...	...	1 to 1.33
	Muslims	1	...	...	...	...	
Copying	Hindus	13	2	4	5	...	1 to 0.33
	Muslims	10	3	5	2	...	
	Sikhs	1	...	1	...	...	
	Anglo-Indians	6	...	...	...	...	

Information promised in reply to part (c) of starred question No. 263 asked by Maulvi Muhammad Abdul Ghani, on the 5th March, 1940.

PROPORTION OF DIFFERENT COMMUNITIES IN THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Statement showing the proportions of the various communities in the appointments made either by promotion or direct recruitment in the Department of Education, Health and Lands from April 1924 to June 1937.

Communities.

Percentage.

Hindus	64.17
Muslims	20.83
Christians	9.17
Others	5.83

Information promised in reply to parts (a) (iii), (b) and (c) of starred question No. 280 asked by Mr. J. Ramsay Scott, on behalf of Lieut.-Colonel Sir Henry Gidney, on the 6th March, 1940.

DISABILITIES OF THE SUBORDINATES OF THE BRIDGE ENGINEERING WORKS AT MANMAD, GREAT INDIAN PENINSULA RAILWAY.

(a) (iii). Yes, if a work is estimated to take less than 60 days to complete in which case Manmad is treated as Headquarters. If the work is estimated to take more than 60 days the Headquarters of the staff are transferred to the site of the work and they are then entitled to transfer passes for their families.

(b) For a halt exceeding 20 days at a place other than Headquarters, the grant of batta to Bridge Inspectors, Bridge Timekeepers and Bridge Cranemen is restricted to a maximum of twenty nights in any one month.

(c) Standing Order No. 628, dated 31st August, 1939.

Information promised in reply to part (b) of starred question No. 327 asked by Mulana Zafar Ali Khan on the 11th March, 1940.

PROMOTIONS TO THE SUPERINTENDENTS' POSTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

No.	Office.	Number of vacancies filled during the period 16th May, 1939 to 1st March, 1940.			
		Permanent.		Temporary.	
		Total.	No. filled by Muslims.	Total.	No. filled by Muslims.
1	Intelligence Bureau	..	..	..	..
2	Federal Public Service Commission	..	..	..	..
3	Bureau of Public Information	1	..	2	1
4	Central Board of Revenue	1	..	1	..
5	Office of the Director General, Posts & Telegraphs	4	..	11	..
6	Office of the Director of Civil Aviation	..	..	..	..
7	Office of the Controller of Broad- casting	..	..	..	..
8	Office of the I. C. of A. R.	1	..	..	..
9	Office of the Director General, Indian Medical Service	..	..	1	..
10	Office of the D. G., Archaeology	1(a)	..	..	..
11	Indian Stores Department	..	..	6	2
12	Office of the Economic Adviser to the Government of India	..	..	..	..
13	Office of the Controller of Print- ing & Stationery	..	..	2	1
14	Central Standards office for Railway	..	..	1	..
15	Office of the Assistant Military Secretary (Personal)	..	..	..	..
16	Military Secretary's Branch	..	..	2	..
17	Adjutant General's Branch, A. H. Q.	1	..	2	1

No.	Office.	Number of vacancies filled during the period 16th May, 1939 to 1st March, 1940.			
		Permanent.		Temporary.	
		Total.	No. filled by Muslims.	Total.	No. filled by Muslims.
18	Engineer-in-Chief's Branch, A. H. Q.	..	..	1	..
19	Air Head Quarters	1	..	1	..
20	Medical Directorate	1	1	..	..
21	Quarter Master General's Branch, A. H. Q.	1	..	1	..
22	General Staff Branch, A. H. Q.	..	..	1	..
23	Master General of Ordnance (including A. D. O. S. P.) Branch, A. H. Q.	2	..	9	..
24	Judge Advocate General's Branch	..	..	1(b)	1
25	Contracts Directorate	..	..	3	..

Note.—(a) A Muslim officiated in the vacancy from the 8th May, 1939 to the 30th June, 1939.

(b) Created for 5 years.

Information promised in reply to starred questions Nos. 375, 376, 377, 379, 380, 381, 382, 383, 384, 385 and 386 asked by Bhai Parma Nand, on the 13th March, 1940.

UNSATISFACTORY CONDITION OF NAIWALA IN KAROL BAGH, DELHI.

No. 375.—(a) Action is taken by the sanitary staff of the Delhi Municipal Committee against persons responsible for causing insanitary conditions. Steps are being taken to remove the dumping ground for dead animals to the Badli Refuse Disposal ground.

(b) Every effort is made to keep the area in a sanitary state but owing to the laying of sewers, pipe lines, etc., by the Delhi Improvement Trust, the stacking of building material gives the area an untidy appearance.

(c) and (d). No. Since the Trust have developed and serviced the area it is possible to control mosquito-breeding, which before development was largely uncontrollable. Sand-flies have been unusually prevalent in 1939-40. They are not confined to Karol Bagh but have appeared in New Delhi also. It is probable, therefore, that the extensive breeding is due to the drought and other climatic conditions favourable to such breeding, but it is correct that oriental sores due to sand-fly bites have occurred in large numbers in the western suburbs of Delhi including Karol Bagh, and that the Chief Medical Officer recently opened a clinic in Karol Bagh for the treatment of these sores.

(e) In addition to the action referred to in the reply to (a) above the Delhi Improvement Trust has provided the area with a complete sewage system, including public latrines, and action is being taken to enforce connection of the sullage drains to the sewers.

BUILDING PLANS RECEIVED BY THE DELHI IMPROVEMENT TRUST.

No. 376

Month.	No. of build- ing plans re- ceived.	No. of build- ing plans sanc- tioned.
January	61	35
February	59	35
March	55	33
April	87	56
May	80	63
June	55	43
July	54	35
August	68	45
September	56	40
October	62	37
November	50	25
December	76	39
Total	763	486

PROSECUTIONS SANCTIONED BY THE DELHI IMPROVEMENT TRUST.

No. 377. (a)-(c). I place on the table a statement giving the information required.
Statement 1939.

Name of month.	No. of prosecutions launched.	No. of prosecutions resulting in conviction.	No. of cases discharged by the court.	No. of cases compromised.	Amount received as compensation fee.	Cases withdrawn.
January	12	8	1	..	Rs.	3
February	2	1	..	..	..	1
March	21	20	..	1	25	2
April	4	2	..	2	35	3
May	19	14	..	2	75	..
June	5	3	..	1	..	3
July	..	..	..	1	20	1
August	10	5	1	1	25	..
September	4	1	1	1	30	..
October	3	1	1	1	50	Pending
November	1	..	..	..	..	2
December	6	3	..	1	..	..
	87	58	4	9	260	16

INCREASE IN THE RENT OF NAZUL LAND IN DELHI.

No. 379. (a) The Trust provides sites for better-class as well as for poor-class housing. Poor-class sites are set apart when schemes are prepared.

(b) A statement is laid on the table.

(c) The reply to the first part is in the affirmative. In regard to the second part the Trust does not propose to make any distinction. Even after 100 per cent. enhancement the rents payable will not exceed the standard rate of rent for newly allotted poor-class building sites.

(d) I would refer the Honourable Member to the reply given to Mr. Suryya Kumar Son's starred question No. 255 on the 20th September, 1939.

Statement.
Vacant plots in Blocks 44, 43, 42, 41, 5-B, 10-B, 14-B, 16-B, 17-B, 13-B, 9-B, 4-B, 30, 31, 32, 33, 22, 21, 20, 19, 3-B, 8-B, 11-B, 7-B, 2-B, 9, 10, 11, 3, 2, 1, 1-B, 6-B, 1-A, 2-A, 3-A, 5-A, 6-A, 7-A, 8-A, 10-A, 11-A, 9-A, 14-A in the Western Extension area are reserved for allotment to poor-class people.

NOTICES ISSUED FOR CONTRAVENTION OF THE TERMS OF SANCTIONS GRANTED BY THE DELHI IMPROVEMENT TRUST.

No. 380. (a) Yes.

(b) It may be so but the Trust are under no obligation to enter into correspondence with a person who is trying to evade the byelaws.

(c) No.

(d) I have no reason to doubt that the Trust consider each case carefully before sanctioning prosecution. The giving of a further warning does not appear to be necessary.

COMPLAINTS AGAINST THE BUILDING INSPECTOR OF THE DELHI IMPROVEMENT TRUST.

No. 381. No formal complaints have been made against the Building Inspector of the Delhi Improvement Trust. The second part of the question therefore does not arise.

RESIGNATION OF STAFF OF THE DELHI IMPROVEMENT TRUST.

No. 382. A statement giving the information required by the Honourable Member is laid on the table.

Statement.

Serial No.	Name of Official.	Designation.	Date of resignation.	Reasons for resigning.
1.	Mr. Sri Kishen	Clerk	5-6-1937	Obtained a post in Government of India Press, New Delhi. Was employed in the Trust in a temporary post.
2.	Mr. V. V. Rao	Draftsman	6-8-1937	Obtained a better post in his own province.
3.	Mr. Abinash Chandra.	Clerk	3-5-1938	Resigned for private reasons.
4.	Mohd. Shafiq Ahmed.	Building Overseer.	8-5-1938	Resigned for private reasons.
5.	Mr. Jog Dhian.	Draftsman.	27-7-1938	Obtained an appointment under U. P. Government.
6.	Mr. A. W. Massey	Typist	4-3-1939	Secured a better post elsewhere.
7.	Mr. Prem Krishen	Clerk	24-11-1939	Secured a post under Government (Office of D.A.G., P. & T.).
8.	Mr. Irshad Ahmed Khan.	Clerk	4-1-1940	Secured a post in Contracts Directorate, A. H. Q.

NON-NAMING OF CERTAIN ROADS IN KAROL BAGH, DELHI.

No. 383. (a) and (c) The naming of streets is a function of Municipal Committees under section 179 of the Punjab Municipal Act, 1911. Streets within the built over area of Karol Bagh have already been named by the Delhi Municipal Committee and the unnamed streets will be named in due course. Government do not consider that any action on their part is required.

(b) No.

PROVISION OF LIGHTS ON CERTAIN ROADS IN KAROL BAGH, DELHI.

No. 384. (a) Electric poles, etc., have been generally installed as stated by the Honourable Member. All the roads normally in use are lighted by the Delhi Municipal Committee.

(b) The road referred to has just been completed and is not yet open to traffic. Arrangements for lighting this road are in hand and will be completed shortly.

(c) All the necessary facilities have been provided by the Trust. The actual lighting of roads is a municipal function, and I have no reason to think that the Municipal Committees are failing to perform it.

PROVISION OF PARKS IN KAROL BAGH, DELHI.

No. 385. (a) Yes.

(b) Investigation showed (i) that it would be difficult to establish grass in this rather rocky area and (ii) that it would be impossible to provide an adequate supply of water. In response to a growing demand for small bungalow sites in this neighbourhood, the Trust are considering the allotment of portions of the land referred to for bungalows.

(c) There is a large central park of about 21 acres in front of the Tibbia College. Though not included in the original sanctioned layout, open spaces are being provided in the revised layout in each block in the newly developed area. The size of these open spaces varies in different blocks, the average being about 1,500 sq. yds. Free space in the Western Extension scheme amounts to 44 per cent. of the whole area, which cannot therefore be described as "congested".

SHIFTING OF THE TUBERCULOSIS CLINIC FROM KAROL BAGH, DELHI.

No. 386. (a) and (b). The question whether the proximity of such a clinic to an inhabited area is harmful to the health of the latter has been referred to an expert committee. On receipt of its report, the point raised by the Honourable Member will be considered.

Information promised in reply to unstarred question No. 80 asked by Sardar Sant Singh on 15th March, 1940.

RECRUITMENT OF SUB-INSPECTORS OF WORKS ON THE NORTH WESTERN RAILWAY.

(a) The answer to the first part is in the affirmative. The number of candidates is not available. Three men were recruited as Sub-Inspectors of Works on probation.

(b) The Honourable Member is referred to the reply given to the question on 15th March 1940. The purport of the orders was that no vacancies of Sub-Inspectors of Works were to be filled permanently pending further orders. As the men referred to had not been confirmed against permanent posts, they were given temporary appointments.

(c) Three.

(d) It is not clear what benefits the Honourable Member has in mind as Fundamental Rules 9 (6) and 9 (8) and Supplementary Rule 2 (12) consist of definitions while there is no supplementary Rule numbered 3 (15).

(e) Yes.

(f) The men referred to in part (e) have been confirmed as Sub-Inspectors of Works. The three men referred to in part (c) were subsequently considered for confirmation and one was not recommended for confirmation in 1930 and the other two were found not fit for confirmation in 1931. One was discharged in 1935, and two are permanent Works Mistries at present officiating as Sub-Inspectors of Works.

Information promised in reply to Starred question No. 448 asked by Bhai Parma Nand on the 19th March, 1940.

INDIAN OFFICERS IN THE GOVERNMENT OF INDIA DEPARTMENTS AND ITS ATTACHED OFFICES.

(a) to (c). A statement is laid on the Table.

(d) No communal proportions have been fixed but available officers of all communities having the requisite experience and ability are considered in connection with appointments to posts in the Departments of the Government of India and attached offices. The Government of India do not consider that any other action in the matter is called for.

Statement showing the number of Indian Officers in each of the Departments of the Government of India and its Attached Offices located at New Delhi and Simla and the communities to which the officers belong.

Name of Department or office.	Hindus.	Per cent. of total in column 10.	Muslims.	Per cent. of total in column 10.	Sikhs.	Per cent. of total in column 10.	Others.	Per cent. of total in column 10.	Total of Indian Officers.	Remarks.
1	2	3.	4	5	6	7	8	9	10	11
Home Department	2	66½	1	33½	..	..	..	..	3	
Office of the Director, Intelligence Bureau	..	50	1	100	..	..	..	..	1	
Office of the Principal Information Officer	1	33.3	2	66.7	..	..	..	..	3	
Federal Public Service Commission	3	75	..	..	..	..	1*	25	4†	*Paras †E. including Anglo-Indians.
Legislative Department	1	33½	2	66½	..	..	..	..	3	
Defence Co-ordination Department	1	100	..	..	..	..	..	..	1	
Defence Department	1	100	..	..	..	..	..	..	1	
Quarter Master General's Branch, Army Headquarters	2	4.5	..	..	1	2.3	41	93.2	44	
Master General of the Ordnance Branch	1	1.4	..	..	1	1.4	1†	1.4	3	
Engineer-in-Chief's Branch	..	81.8	2	18.2	..	..	..	..	11	
Finance Department	9	25	..	..	..	..	..	..	1	
Central Board of Revenue	1	69	3	23	..	..	3	75	11	
Military Finance Department	9	50	..	..	..	..	1	8	13	
Military Accountant General's Office	3	75	1	16½	..	..	2‡	33½	6	
Department of Supply	3	33.3	1	25	..	..	..	66.7	4	
Contract Directorate	1	33½	..	..	..	..	2†	33½	3	
External Affairs Department	1	66.6	1	33½	..	..	1	33.3	3	
Department of Education, Health and Lands	2	75	..	..	..	..	..	..	4	
Office of the Imperial Council of Agricultural Research	3	100	..	..	..	..	1	25	4	
Office of the Director General, Indian Medical Service	5	..	..	..	..	..	..	..	5	

Office of the Director General of Archaeology	2	100	..	..	..	..	..	..	2	
Department of Labour	2	50	..	25	..	..	1†	25	4	
Office of the Controller of Printing and Stationery	..	..	..	..	..	..	1‡	100	1	
Office of the Conciliation Officer Railways and Supervisor of Railway Labour	..	50	1	100	..	..	..	25	1	
Department of Communications	..	73.3	2	13.3	..	..	1*	25	4	
Office of the Director General Posts and Telegraphs	11	50	..	..	..	..	2†	13.3	15	
Office of the Director of Civil Aviation	1	75	1	25	..	..	1†	50	2	
Office of the Controller of Broadcasting	3	100	..	..	..	..	..	..	4	
Commerce Department	10	80	2	13.3	..	..	..	6.7	10	
Indian Stores Department	12	75	1	25	..	..	1	14.3	15	
Office of the Economic Advisor to the Government of India	3	42.8	3	33.3	..	..	..	33.3	4	
Railway Board	3	33.3	1	33.3	..	..	1	33.3	7	
Officers on Special Duty, Railway Board	1	100	..	..	..	..	..	..	3	
Railway Department Central Standards Office	2	..	..	..	..	..	..	..	2	
Total	105	52	29	14	2	(Approximately).	66	33	202	

Information promised in reply to starred question No. 476 asked by Bhai Parma Nand on the 20th March, 1940.

TONGAS PERMITTED TO RUN FROM THE MEERUT CANTONMENT RAILWAY STATION.

Government understand there are two tonga sheds near Meerut Cantonment Station; one situated outside railway premises and under the control of the Executive Officer, Meerut Cantonment; the other within the station premises and under the control of the North Western Railway. On the assumption that the question relates to the latter, the following are the facts:—

- This shed is not leased out on rent;
- No special licenses are issued by the Railway authorities to tongawalas. The North Western Railway Administration has no information regarding any system of licensing by the cantonment authorities;
- No restriction regarding the number of tongas which may ply for hire to or from the Meerut Cantonment Railway Station has been prescribed by the North Western Railway;
- Does not arise, but no complaints have been made to the Railway authorities that the number of tongas is inadequate.

Information promised in reply to starred question No. 484 asked by Mr. H. M. Abdullah on the 20th March 1940.

COMMUNAL COMPOSITION OF JOURNEYMEN APPOINTED IN CERTAIN SHOPS ON THE NORTH WESTERN RAILWAY.

The following statement gives the information required:—

Name of shop or shed.	Muslims.	Hindus.	Sikhs.	Domiciled Europeans and Anglo-Indians.
Loco. Shops, Moghalpura	23	9	10	7
Carriage & Wagon Shops, Moghalpura	11	6	5	4
Mechanical Workshops, Sukkur	..	1	..	..
Karachi Division Sheds	..	2	..	1
Quetta Division Sheds	..	..	..	..
Multan Division Sheds	..	..	1	..
Lahore Division Sheds	..	..	..	1
Ferozepore Division Sheds	..	..	2	..
Rawalpindi Division Sheds	..	1	..	..
Delhi Division Sheds	..	..	1	..

NOTE.—Cases of promotion from inferior service are excluded from the table, although these are treated as direct recruitment for the purpose of the regulations regarding communal representation.

Information promised in reply to part (d) of unstarred question No. 97 and unstarred question No. 102 asked by Sardar Sant Singh on the 20th March, 1940.

NON-APPLICABILITY OF THE FUNDAMENTAL LEAVE RULES TO INFERIOR STAFF OF THE GOODS DEPOT AT WADI BUNDER ON THE GREAT INDIAN PENINSULA RAILWAY.

No. 97. Leave accounts were recast in each case from the date of appointment of the staff, but payment of arrears of leave salary due to the misapplication of the rules was made only from 1st January 1937 in accordance with the general policy of making recovery of overpayments and refunds of underpayments for a period not exceeding 12 months prior to the date of discovery.

PROMOTION OF FIREMEN ON THE GREAT INDIAN PENINSULA RAILWAY.

No. 102. (a) Yes, as far as those recruited upto 1929 are concerned.

(b) No, they are not being asked to seek promotion along with B. and C. class Firemen. They are, however, being offered promotion to class 'C' Driver temporarily

until a vacancy occurs in their own class. This has been done to ease the block of promotion among Firemen, the alternative being for the men to remain Firemen, until a vacancy in their own class occurs. Those who are thus temporarily promoted are brought on to a common seniority list of A, B and C class, according to their date of appointment as Firemen.

(c) Yes. The 'A' class Firemen in the Bombay area only, requested that in virtue of theirs being the highest paid class they should be considered senior to 'B' and 'C' classes, but this request was refused as it was detrimental to the legitimate interests of 'B' and 'C' class men. The order of seniority of 'A' class Firemen for promotion to A class Driver was not disturbed and the most senior, whether temporarily promoted to 'C' class Driver or still remaining as a Fireman, is promoted to 'A' class Driver as vacancies occur.

(d) Seven.

(e) Three are Indians and four are Anglo-Indians. The three Indians are employed on the Bombay Division.

(f) No.

(g) The prospects that were open to them at the time of their engagement have not been affected. On the contrary the block in their promotion has been relieved by the expedient detailed in (b) above.

Information promised in the reply to starred question No. 507 asked by Sardar Sant Singh on the 21st March, 1940.

AFFAIRS OF THE DELHI IMPROVEMENT TRUST.

(a) Rs. 65,54,000 (Sixty-five lakhs fifty-four thousand) at 3½ per cent. This includes Rs. 31,21,000 (Thirty-one lakhs twenty-one thousand) borrowed for anti-malaria and sewage disposal schemes sanctioned by Government before the formation of the Trust.

(b) The average annual expenditure on establishment for the years 1937-38, 1938-39, and 1939-40 amounts to Rs. 1,32,600, including salaries, travelling expenses, fees, law charges, and contingencies.

(c) Rs. 26,000. The functions of the late Nazul Office were not identical with those of the Trust.

(d) The answer to the first part of the question is in the affirmative and for the reason indicated in the answer to part (c), the answer to the second part is in the negative.

(e) No. When the Trust was established in March 1937 many leases granted by the Deputy Commissioner to persons moved from Basti Harpal Singh were pending execution. The old standard Nazul form contained no covenant restricting subdivision, transfers, etc., and some of the pending leases were excepted in this form. Later, at the instance of the Trust, a restrictive covenant was introduced. The justification for restrictive covenants is that without them sites and houses intended for poor people will pass to others.

(f) No.

(g) The Trust acquired land near Andha Moghul under the provisions of the Land Acquisition Act, 1894, as modified by the schedule to the United Provinces Town Improvement Act, 1919, and extended to the Province of Delhi. In no case were the owners awarded a sum less than the market value of the land according to the use to which the land was being put at the time of the notification for acquisition. All persons dispossessed by the Trust from Andha Moghul were offered land elsewhere at concession rates, and some persons availed themselves of the offer. Land near the Ajmere Gate was acquired by Government on behalf of the Delhi Municipal Committee under the provisions of the Land Acquisition Act, 1894, and was later bought by the Trust from the Municipal Committee. The Trust have acquired no land in Kare Khan Garden or Sarai Rohilla. None of the land acquired at Andha Moghul or near the Ajmere Gate has yet been sold or leased, and Government are satisfied that there is no question of exorbitant profits.

(h) Does not arise.

Information promised in reply to starred questions Nos. 517 and 519 asked by Maulvi Muhammad Abdul Ghani on the 26th March, 1940.

RECRUITMENT OF RELATIONS OF EMPLOYEES IN THE INCOME-TAX DEPARTMENT, PUNJAB, NORTH-WEST FRONTIER AND DELHI PROVINCES.

No. 517. (a) It is not a fact.

(b) Does not arise.

(c) Hindus—4.

Muslims—2

Sikhs—2

(d) Promotions were made but they were based primarily on the merits of the persons concerned.

(e), (f), (g) and (h). I attach a statement showing the educational qualifications of the clerks at present employed in the department and the communities to which they belong.

(i) I have no reason to believe that merit and qualifications have been disregarded or that undue preference has been given to members of any one community.

Assistant Clerks.

	Hindus.	Muslims.	Sikhs.	Others.
Graduates	11	7	3	..
F. A.	6	5	1	..
Matriculates	56	41	8	1
Non-matriculates	2	3	..	1
	75	56	12	2

= 145.

Head Assistants.

	Hindus.	Muslims.	Sikhs.	Others.
Graduates	..	..	..	..
F. A.	2	1	1	1
				(Senior Cam-bridge).
Matriculates	22	8	4	..
Non-matriculates	5	..	..	..
	29	9	5	1

= 44.

Higher Clerical posts.

	Hindus.	Muslims.	Sikhs.	Others.
Graduates	3	2	..	..
F. A.	..	..	..	..
Matriculates	6	..	1	1
Non-matriculates	..	1	..	..
	9	3	1	1

= 14.

INCOME-TAX OFFICERS AND EXAMINERS IN THE COMPANY DISTRICTS AT CALCUTTA.

No. 519. (a) 3 Income-tax Officers, 4 Assistant Income-tax Officers and 7 Examiners.

(b) Hindus 12, Anglo-Indians 2, Muslims and Europeans nil.

(c) The information is not readily available and Government consider that its collection would involve an expenditure of time and trouble that would not be justified by the value of the results.

(d) and (g). It is not correct to suggest that Muslims as such are kept out of the Companies Districts or are given shorter periods of service in them.

(e) Yes.

(f) No. The position is that the Companies Districts are the most important Income-tax districts in the Province and are staffed by selected men but preference on the occasion of promotions is not given to persons merely because they work or have worked in these districts.

Information promised in reply to parts (b) (i), (iii), (iv) and (v) and (e) of starred question No. 521 asked by Bhai Parma Nand on the 26th March, 1940.

EXAMINATION FOR RECRUITMENT TO THE INDIAN ARMY ORDNANCE CORPS.

(b) (I) The Number of vacancies depends on future requirements.

Centre.	(iii) No. of candidates who applied to sit for the examination.		(iv) No. of candidates permitted to attend the examination.		(v) No. of candidates who actually took the examination.	
	Store-men.	Clerks.	Store-men.	Clerks.	Store-men.	Clerks.
1	2	3	4	5	6	7
Headquarters—						
Northern Command	29	13	10	5	10	5
Eastern Command	35	11	10	5	9	5
Western (Ind.) Distt.	14	3	10	2	9	2
Meerut (Ind.) Distt.	8	5	6	3	6	2
Deccan (Ind.) Distt.	7	4	6	3	6	3
Peshawar (Ind.) Distt.	22	13	5	3	5	2
Kohat (Ind.) Distt.	19	3	6	3	5	3
Waziristan (Ind.) Distt.	11	7	6	3	6	3
Lahore (Ind.) Distt.	10	5	6	3	6	3
Madras (Ind.) Distt.	18	9	6	3	6	3
P. & A. (Ind.) Distt.	6	2	6	1	6	1
Rawalpindi Arsenal	230	187	88	44	88	43
Ferozepore Arsenal	454	163	74	38	72	36
Quetta Arsenal and Mechanical Transport Workshops.	160	37	51	21	51	21
Kirkee Arsenal	285	192	80	40	80	40
Allahabad Arsenal	136	53	59	29	57	29
Lahore Depot	416	284	82	41	82	37
Drigh Road Depot	38	15	19	10	19	10
Bombay Depot	23	26	23	12	21	12
Fort William Depot	23	9	16	9	14	7
Shahjahanpur Depot	75	16	20	10	17	10
Chief Inspector of Stores and Clothing, Cawnpore	20	10	20	10	20	7
Chaklala Depot	197	77	94	42	93	42
Bannu Depot	23	10	12	5	12	4
Deolali Depot	17	8	12	1	12	1
I. A. O. C. Training Centre	100	59	58	28	46	22
"A" Workshop Company	18	8	6	3	5	3
"B" Workshop Company	3	3	3	3	3	3
"C" Workshop Company	16	5	6	3	6	3
"E" Workshop Company	8	27	6	3	6	3
"G" Workshop Company	11	9	6	3	6	3
"H" Workshop Company	2	5	1	3	1	3
"I" Workshop Company	3	3	2	3	2	3
"J" Workshop Company	3	2	2	1	2	1
"K" Workshop Company	10	5	6	3	5	2
"L" Workshop Company	9	5	6	3	6	3
31 (Indept.) Workshop Section	5	3	3	2	3	2
33 (Indept.) Workshop Section	7	5	3	2	3	1
Director of Ordnance Services, Army Hdqrs., New Delhi	300	100	105	46	91	34
Total	2,771	1,401	940	452	887	417

(e) No.

Information promised in reply to starred question No. 547 asked by Mr. Muhammad Ashar Ali on the 28th March, 1940.

LOCATION OF A TUBERCULOSIS CLINIC IN KAROL BAGH, DELHI.

- (a) Yes.
 (b) No.
 (c) Yes.
 (d) to (h). Government are aware that representations were received from certain residents of Karol Bagh. The Tuberculosis Association has been asked to have the question of the location of tuberculosis clinics examined by a committee of experts and on receipt of the report of the committee, Government will consider whether any action is necessary.

Information promised in reply to starred question No. 560 asked by Sardar Sant Singh on the 28th March, 1940.

STAFF OF THE DELHI IMPROVEMENT TRUST.

- (a) A statement is placed on the table.
 (b) The orders referred to do not apply to the Trust which is not a department of Government but an independent body created by statute.
 (c) In 1937-38 21 temporary and permanent appointments were made. One of them went to a Sikh.
 In 1938-39 24 temporary and permanent appointments were made.
 (d) Since 7th May, 1937.
 (e) No definite complaints, on the basis of which regular charges could be framed, have been made.

Statement showing by communities the strength of the ministerial and other establishment of the Delhi Improvement Trust (this includes gazetted officers, clerical and outdoor personnel and inferior personnel.)

Hindus	62
Mohammadans	36
Sikhs	2
Others	2
	1 02

Information promised in reply to starred question No. 561 asked by Pandit Lakshmi Kanta Maitra on the 28th March, 1940.

CHARGE OF PRESERVED MONUMENTS IN NEW DELHI.

(a) No. Monuments notified under the Ancient Monuments Preservation Act, 1904 as "protected monuments" are in the charge of the Archaeological Department. Other monuments are supervised by the Land and Development Officer, who receives no remuneration for this work. His office Superintendent receives a special pay of Rs. 75 per mensem and a conveyance allowance of Rs. 35 per mensem for periodical inspection of the monuments.

(b) No. The Honourable Member presumably refers to a letter published in the "Hindustan Times", Delhi, on the 28th June, 1938. This letter, which was signed "Pro Bono Publico", suggested that preservation of and repairs to all monuments in New Delhi should be carried out by the Archaeological Department.

(c) and (d). The comments made by the Financial Adviser were to the effect that as other work expanded it might be found that the inspection of monuments together with the charge of his office would be too much for one man. Government do not think that position has arisen yet.

Information promised in reply to starred question No. 455 asked by Bhai Parma Nand on the 19th March, 1940 and unstarred question No. 105 asked by Sardar Sant Singh on the 29th March, 1940.

ASSESSMENT VALUE OF HOUSES AND SHOPS IN THE KASAUJI CANTONMENT.

(a) and (b). No new assessment list of houses and shops in the Kasauli Cantonment has yet been prepared. Proposals, however, are under consideration of the Cantonment Board to increase the assessment of those houses and shops the owners of which, in spite of receiving the full year's assessed rent from their tenants, are demanding a proportionate refund of the house tax from the Board on the ground that the rents realised by them relate only to that portion of the year for which the buildings were occupied;

- (c) Yes, there has been a fall to some extent;
 (d) The proposed increase in the assessment resulted in certain objections in consequence of which the Board are reconsidering the matter;
 (e) and (f). Do not arise.

Information promised in reply to starred question No. 576 asked by Mr. Lalchand Navalrai on the 1st April, 1940.

RECRUITMENT OF POSTAL CLERKS IN THE SIND AND BALUCHISTAN CIRCLE.

(b) Yes. Orders were given last year that as a special case 5 unqualified candidates of the Muslim Community and one Anglo-Indian should be permanently appointed against vacancies reserved for those communities in the Sind and Baluchistan Circle. Of the 5 Muslims, 2 were below 21 years of age; the other 3 and the Anglo-Indian were above 21 but below 25 years.

(c) The reply to the first part of this question is in the negative. The second part does not arise.

(d) No. The concession was granted as a special case and was based on the consideration that the men in question had been acting in the appointments before the present examination System was introduced.

(e) Yes.

(f) Yes. 3 have already been appointed to permanent posts; 15 are working in temporary vacancies which are likely to become permanent and 7 in purely temporary vacancies.

(g) As in the case of other recruiting units in the Circle, the requisite number of candidates were selected to fill both existing and anticipated vacancies in the Karachi General Post Office, and were placed on a waiting list. Subsequently, owing to the suspension of the Empire Air Mail Scheme after the declaration of War, the anticipated vacancies did not materialise, so that some approved candidates could not be appointed. Orders have since been issued to the Director to make provision for these candidates in other units by relaxing the condition of domicile, subject, of course, to the consent of the candidates to serve in the other units and subject to the rules regarding recruitment on communal basis.

(h) No. The appointment of unqualified candidates has been discontinued.

(i) The reply to the first part of the question is in the affirmative. As regards the second part, candidates from the majority community were admitted for other units than the Karachi General Post Office; in these units there were unreserved vacancies at that time.

(j) This is a fact only in the Karachi, General Post Office where as already stated in reply to part (f) 22 candidates have still to be provided with permanent posts. The candidates admitted to the examination for other units were intended for vacancies arising there.

(k) Rs. 755.

(l) The position of qualified candidates on the waiting list who have not yet obtained appointments is always taken into consideration before holding a fresh examination in any Circle. No examination is being held in the Sind and Baluchistan Circle during the present year.

Information promised in reply to parts (e), (g), (h) and (i) of unstarred question No. 110 and parts (b), (d) and (e) of unstarred question No. 112 asked by Mr. N. M. Joshi on the 1st April, 1940.

WORKING OF THE BOMBAY MULTIPLE UNIT SERVICE ON THE GREAT INDIAN PENINSULA RAILWAY BY CERTAIN DRIVERS.

No. 110. (e) Yes; and they have been transferred to the Bombay Division.

(g) and (h). As already explained, the 47 surplus drivers were absorbed in the stages:

- (1) 24 men (the most junior) were absorbed from time to time in vacancies goods drivers up country, before general retrenchment became necessary;
- (2) 15 men, referred to in part (f), were demoted to goods drivers on the Bombay Division when general retrenchment was undertaken in 1931 on the divisional basis then adopted;
- (3) 8 men, referred to in part (d), were absorbed up-country as passenger drivers, when the divisional basis was changed to an all-line basis on the representation of organised labour.

There has been no discrimination as the drivers were dealt with in the same way other staff surplus at the same time. No orders of the Railway Board have been contravened.

(i) Does not arise.

ESTABLISHMENT OF A CENTRAL CONTROL ROOM AT KALYAN.

No. 112. (b) As there are no lower grades in the Traction (Sub-station) group which they could be demoted, the Assistant Operators would have to be discharged when surplus. As an alternative to discharge, they were offered employment as Assistant Drivers in the Drivers' group, which they accepted; they were appointed on the minimum pay of the grade in view of their lack of experience. Their emoluments have, however, suffered no serious reduction since they draw between Rs. 40 and Rs. 50 as mileage in addition to their substantive pay.

(d) The instructions referred to in (c) do not apply to the staff in question.

(e) Does not arise.

Information promised in reply to unstarred questions Nos. 119 and 120 asked by Mr. Lalchand Navarai on the 1st April, 1940.

VACANCIES OF GRADE III FIREMEN ON THE NORTH WESTERN RAILWAY.

No. 119. (a) The answer to the first part is in the negative, and the second part does not arise.

(b) The Honourable Member is referred to the Rules for the recruitment and training of non-gazetted staff on State-managed Railways, which are contained in Appendix XXII to the State Railway Establishment Code, a copy of which is in the library of the House. Under these rules, direct recruitment to the higher categories of Firemen is permitted. There is no bar to the appointment of a Cleaner as Boy Fireman provided he fulfils the conditions laid down for such recruitment, but the normal channel of promotion for a Cleaner Grade II is to Fireman Grade II.

PROMOTION OF SHUNTING STAFF ON THE NORTH WESTERN RAILWAY.

No. 122. (a) The Honourable Member has not indicated the period to which his question refers, but I understand that there was one man on the list in last September

went in December, and that three were placed on the list between 29th January 1940 and the date of his question.

(b) Yes.

(c) I am not aware what period the Honourable Member refers to, but there was one recent case in which a Shunting Jamadar, whose officiating service as a Yard Foreman had not been satisfactory, was recalled for examination and declared unfit.

(d) This depends on the examination, but an employee who has passed the Yard Foreman's examination is not ordinarily required to re-appear for it.

Information promised in reply to starred questions Nos. 588 and 589 asked by Bhai Parma Nand on the 1st April, 1940.

REDUCTION OF WATER CHARGES IN NEW DELHI.

No. 588.—(a) and (b). The present rates for the metered supply of filtered water for domestic use in Delhi and New Delhi are as follows:—

Delhi.—Annas eight per thousand gallons except in certain areas which are fully metered and in which the rate is Annas five per thousand gallons.

New Delhi.—Annas eight per thousand gallons.

Unmetered supply is charged for in Delhi at a flat rate of Rs. 2 per mensem which covers three taps; there is an extra charge of Annas four for each additional tap above three. There is no unmetered supply in New Delhi.

(c) No. The New Delhi rate has been increased to meet the liabilities of the Committee on account of sewage disposal.

REDUCTION OF ELECTRICITY CHARGES IN NEW DELHI.

No. 589.—(a) and (b). The rates for the supply of electrical energy for lighting and fans are Rs. 0-3-0 less 0-0-3 per unit in Delhi and Rs. 0-4-0 less 10 per cent in New Delhi.

(c) Delhi and New Delhi are served by different distributing licensees—The Delhi Electric Supply and Traction Company Limited and the New Delhi Municipal Committee respectively. The Company have given effect to the recommendations of the Delhi Electric Supply Enquiry Committee of 1936, but the Municipal Committee have not yet done so. The reason for the delay on the part of the Municipal Committee is that the surplus earned annually by the Electrical undertaking is a part of the Municipal revenues. The status of the undertaking was considerably changed by the transfer of the power house from the Committee's control to that of the Delhi Central Electric Power Authority, Ltd. and by the operation of the bulk supply licence granted to the Authority. The Committee wished to study the financial results of the change before embarking upon a general revision of the rates, which must involve a corresponding increase in Municipal taxation. There is a justification for higher rates in New Delhi as compared with Old Delhi, as the distribution system in New Delhi is underground, and was therefore more costly to install than the distribution system in Delhi.

(d) I understand that the question of revising the rates is already receiving the attention of the New Delhi Municipal Committee.

Information promised in reply to starred question No. 600 asked by Pandit Krishna Kant Malaviya on the 1st April, 1940.

DUMPING OF CARCASSES OF ANIMALS NEAR KAROL BAGH, DELHI.

(a) and (b). The inhabited part of Karol Bagh is at a distance of about one mile from the existing dumping ground for dead animals. The area now under development is closer to the dumping ground.

(c) No.

(d) Steps are being taken to remove the dump to the Badli Refuse Disposal ground.

Information promised in reply to starred question No. 605 asked by Sardar Sant Singh on the 1st April, 1940.

BUILDING INSPECTOR OF THE DELHI IMPROVEMENT TRUST.

(a) The Building Inspector of the Delhi Improvement Trust was appointed on the 7th May 1937 in the grade of Rs. 150—10—250 and his present pay is Rs. 160. His qualifications are :—

B.A. (Hons.), C.E. (Roorkee).

(b) Three. One Muslim, one Sikh and one Hindu.

Information promised in reply to starred question No. 608 asked by Mr. Umar Aly Shah on the 2nd April, 1940.

DIFFERENTIAL TREATMENT METED OUT TO THE INDIAN MEDICAL DEPARTMENT.

(a). Yes. The percentage of commissions in the Assistant Surgeons Branch of the Indian Medical Department was increased from 10 per cent. to 13.5 per cent. in connection with the scheme for the employment of I.M.D. personnel on duties normally performed by Indian Medical Service Officers. The scheme for various reasons had to be abandoned and the percentage of commissions has been consequently reduced from 13.5 per cent. to 10 per cent.

(b) and (c). There is no special promotion in the Indian Medical Department, either in peace or war, nor in any other branch of the service, except in the India Unattached List, where it takes the place of accelerated promotion.

(d) No.

(e) Members of the Indian Medical Department are not eligible for separation allowance in any circumstances. In this they are on the same footing as Viceroy's Commissioned Officers and other ranks of the Indian Army, and like the latter, they receive expatriation allowance when serving overseas.

(f) The differences which exist to the extent outlined above are part of the conditions of service of the Indian Medical Department. These conditions of service differ from those of other branches and units owing to the nature of this particular Department, and are partly equivalent to those of the British, and partly to those of the Indian Service.

Information promised in reply to starred question No. 610 asked by Mr. Muhammad Azhar Ali on the 2nd April, 1940.

NON-GRANT OF SEPARATION ALLOWANCE TO THE INDIAN MEDICAL DEPARTMENT.

(a) and (b). Separation allowance is granted to King's Commissioned Officers, whether of the British Service or of the Indian Army, King's Commissioned Indian Officers and Indian Commissioned Officers only when the officers are posted at stations where under Government orders families are not permitted, or in the case of officers of the Indian Army, when on field service outside India. The allowance is granted to all the above mentioned officers at the same rates on a sliding scale in accordance with their rank and service.

British Other Ranks.—Separation allowance is admissible to British Other Ranks when separated from their families owing to :—

(i) Move of families to the hills;

(ii) residence in non-family stations and during operations conducted under the Special Procedure Pamphlet;

(iii) absence on duty of instructors from schools of instruction.

There is no rule sanctioning the grant of separation allowance to British Other Ranks on field service *ex-India*.

Viceroy's Commissioned Officers and Indian Other Ranks.—No separation allowance is admissible in the case of Indian troops. Their conditions of service are totally different from those of British troops. On the other hand they are entitled to expatriation allowance when on service overseas, whilst British troops are not.

(c) No Royal Army Medical Corps and Indian Medical Service officers are entitled to separation allowance while on field service. Other ranks of the Royal Army Medical Corps are treated in the same way as other British Other Ranks.

(d) Officers of the Indian Medical Department are not entitled to the grant of separation allowance, but on the other hand they are eligible for expatriation allowance.

(e) Government do not recognize any discrimination.

Information promised in reply to part (b) of starred question No. 618 and starred question No. 619 asked by Pandit Krishna Kant Malaviya on the 2nd April, 1940.

GRANT OF ARMS LICENCES TO SPECIAL POLICE OFFICERS IN DELHI.

No. 618. (b) No arms licences were granted to Special Police Officers by virtue of their position as such during the years 1938 and 1939 and the quarter ending 31st March, 1940.

CRIMES IN DELHI.

No. 619. (a) The figures of heinous crime in Delhi during 1938 are given below :—

	1938 (Reported cases)
Murders	22
Dacoities	8
Robberies	17
Burglaries (including lurking house trespass)	605

The appointment of an Additional Superintendent of Police has not resulted in an immediate reduction of crime. The appointment was created to relieve the Senior Superintendent of Police of a part both of his routine and outdoor duties, and has produced the expected result.

(b) The increase in crime in Delhi in recent years is due to a variety of causes, such as the increase in population and unfavourable economic conditions, and not to any lack of vigilance on the part of the police. Patrolling and preventive action have, however, been intensified and extensive use made of the Goondas Act.

Information promised in reply to starred question No. 626 asked by Sardar Sant Singh on the 4th April, 1940.

GRANT OF LEAVE TO THE EAST INDIAN RAILWAY EMPLOYEES SERVING IN THE VOLUNTEER FORCES WHEN REQUIRED TO JOIN THE ARMY.

(a) Yes; certain non-gazetted employees of the East Indian Railway are members of the Auxiliary Force, India, or the Indian Territorial Force.

(b) No. Periods of military service and time spent in training, are treated as duty.

Information promised in reply to parts (a), (b) and (c) of starred question No. 628 asked by Mr. H. M. Abdullah on the 4th April, 1940.

CLERKS EMPLOYED IN CERTAIN SECTIONS OF THE RAILWAY DIVISIONAL OFFICE, LAHORE.

(a) (i). Two statements are placed below giving the information required for the Acme Section and the Establishment Section including the Acme Section of the Divisional Office, North Western Railway, Lahore.

(ii) and (iii). No vacancy has occurred in the Acme Section since 31st March 1936. Eighteen vacancies occurred in the Personnel Branch. Of these three were in grade IV, six in grade III, five in grade II and four in grade I. Eight of these vacancies were filled by promotion within the Branch; eight by transfer from other branches, one by absorption of a grade IV clerk working against a sanctioned grade III post and one by direct recruitment to grade II.

(b) This is a matter of opinion. The honourable member is referred to the statements in connection with the reply to part (a) (i).

(c) I am not clear what order the Honourable Member has in mind. There has been in recent years a substantial increase in the number of Muslims in the Acme Section, although there has been no increase in the Personnel Branch as a whole. Government understand that Muslim representation in the Personnel Branches of all Divisional Offices is reviewed periodically by the General Manager.

STATEMENT A.

Number of clerks by grades and communities in the Acme Section of Personnel Branch of Divisional Superintendent's Office, Lahore, with relevant percentages.

Date.	Grade III.			Grade II.			Grade I.			Total Percentage.		
	Hindus.	Sikhs.	Muslims.	Hindus.	Muslims.	Hindus.	Hindus.	Muslims.	Sikhs.	Hindus.	Muslims.	Sikhs.
31st March 1936	1	...	...	2	...	...	1	...	...	100	...	...
31st March 1937	...	1	...	2	...	...	1	...	...	75	...	25
31st March 1938	...	...	...	1	1	1	1	1	...	50	50	...
31st March 1939	...	...	...	1	1	1	1	1	...	50	50	...

STATEMENT B.

Number of clerks by grades and communities in "Personnel" Branch including Acme Clerks of Divisional Superintendent's Office, Lahore, with relevant percentages.

Date.	Grade V.		Grade IV.		Grade III.		Grade II.		Grade I.		Total Percentage.		
	Hindus.	Muslims.	Hindus.	Muslims.	Hindus.	Muslims.	Hindus.	Muslims.	Hindus.	Muslims.	Sikhs.	Muslims.	Sikhs.
31st March 1936	1	...	1	2	3	2	9	4	16	3	2	66.7	8.9
31st March 1937	1	...	1	1	4	1	10	4	11	3	2	67.5	10.0
31st March 1938	1	...	1	1	4	1	8	6	10	4	2	57.1	8.6
31st March 1939	...	1 (offg.)	2	1	5	1	11	5	8	2	4	61.9	23.8

DEATHS OF RAJA SIR VASUDEVA RAJAH AND MR. SURYYA KUMAR SOM.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, Honourable Members must have learnt with sorrow of the loss which the House has suffered, since it last met, by the deaths of two of its Honourable Members, namely, the Rajah of Kollengode and Mr. Suryya Kumar Som. The Rajah of Kollengode had to his credit a long period of public activity and during the last ten years, he represented in this House the Madras Landholders constituency. He was a very modest and unassuming gentleman and though he seldom took any active part in the proceedings of this House, he was a very much respected Member of it. Mr. Suryya Kumar Som was elected at the last general election to represent the Dacca Division: Non-Muhammadan Rural constituency in this Assembly and in spite of his years—I believe he was over 70 when he died—he took a very active part in the proceedings of this House and made very useful contributions to it. I am certain that the House feels keenly the loss of these two Honourable Members and would wish you, Sir, to convey to the bereaved families its sincere condolences and sympathies and I request you accordingly.

Mr. M. S. Aney (Berar: Non-Muhammadan): Sir, I rise to associate myself and my Party with the expression of sorrow over the deaths of our deceased friends and colleagues, the Rajah of Kollengode and Mr. Suryya Kumar Som. The Rajah of Kollengode was one of the old Members of this House and although as has been stated by the Honourable the Leader of the House, he was not seen taking a very active part in the proceedings of the House, in other respects, he was no doubt a very useful Member of the society. Particularly, his death will be mourned by the orthodox section of the Hindu community. He was very keen upon that aspect of work of this House and in him we could always expect to hear the opinion of the orthodox section on many questions of social reform which used to be considered in this House. To that extent this House is no doubt a great loser. Besides, most of us have had a good deal of experience of the gentleman in him. We found in him a thorough gentleman of the old aristocratic type, a type which is fast becoming extinct now-a-days.

Sir, as regards Mr. Suryya Kumar Som, he was a Member of the Party which I have the privilege to lead in this House. In spite of his old age, he was extremely active in the work that was transacted in this House, particularly whenever he found the cause of the poor at stake, he was an unusual enthusiast. The contributions that he made particularly on the Motor Vehicles Bill and the Insurance Bill, mainly in the interest of the poor new Insurance companies and the poor motor drivers and lorry drivers and owners, will be remembered by this House. I believe that much of the improvements that were made in those Bills subsequently were due not to a small extent to the labours which he took on these matters. It was really a very encouraging thing to see that in spite of his age, he kept up the joviality of youth in him which was an example for most of us younger people to follow and imitate. Besides, he was a staunch nationalist, free from any communal bias. That is another point which requires to be noted in these days. Sir, he represented a constituency and in his own province he has suffered for the sake of serving the country in more ways

DEATHS OF RAJA SIR VASUDEVA RAJAH AND MR. SURYYA KUMAR SOM. 71

than one. He had a lucrative practice at the Bar which he gave up at the call of the country and he devoted himself solely to the service of the country for a number of years. In Mr. Suryya Kumar Som we are losing a patriot of a very high order and this House a very useful and experienced Member. Sir, I entirely join with the Honourable the Leader of the House in asking you, Sir, to record the sense of sorrow of this House and also to convey the same to the members of the bereaved family.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, on behalf of my Party, I associate myself with the motion expressing the deep sense of loss of this House by reason of the passing away of two of its prominent Members, the Rajah of Kollengode and Mr. Suryya Kumar Som.

The Rajah of Kollengode, as has been very rightly remarked, belonged to the old aristocratic order and also to the old school of thought. He belonged to the type of man which is now fast disappearing. He was a most popular Member in this House on account of his genial and sociable disposition and broad sympathies and he was a very fit representative of the orthodox Hindu community in the South.

Mr. Suryya Kumar Som was among my personal friends, and we can all remember how heartily and broad-mindedly he took part in all social functions which were meant to bring together men of different schools of thought. He had very broad sympathies, gentlemanly manners and a loving disposition, and there is no doubt that the very valuable contributions which he made to the debates of this House will be long remembered and his services will be long appreciated. Sir, I associate myself with the motion to express the sympathy and sense of loss of this House and convey the sympathy of this House to the members of the bereaved families.

Mr. L. O. Buss (Nominated Non-Official): Sir, I should like to add a tribute on behalf of the European Group to what has been said by the Leaders of the other Parties about our late colleagues the Rajah of Kollengode and Mr. Suryya Kumar Som. We knew them both particularly for their unassuming courtliness and kindness and their loss to this House is a great one. Although Mr. Som did not appear in this House very frequently last Session owing to ill-health, we little thought that when we re-assembled we should see neither of these colleagues among us again. I would ask you to associate the European Group with any message of condolence that you may be sending to the families of our lost friends.

Mr. President (The Honourable Sir Abdur Rahim): I share with Honourable Members the sorrow and sense of loss which we all feel at the deaths of the Rajah of Kollengode whom I had the privilege of knowing for a long number of years and of Mr. Suryya Kumar Som who came from my own province of Bengal. I endorse the very appropriate tributes which have been paid to their memory by the Leader of the House and by other Honourable Members and I shall forward the condolence of the House to the bereaved members of their families.

MOTIONS FOR ADJOURNMENT.

FAILURE OF THE GOVERNMENT OF INDIA TO EVOKE WHOLE-HEARTED ENTHUSIASM IN THE NATION TO FIGHT THE TOTALITARIAN STATES.

Mr. President (The Honourable Sir Abdur Rahim): I have received notices of a number of adjournment motions. The first is in the name of

[Mr. President.]

Mr. G. V. Deshmukh who wants to discuss a definite matter of urgent public importance, namely, the failure of the Government of India to resort to steps to evoke whole-hearted enthusiasm in the nation and to expedite the expansion and equipment of the Indian Army, Navy and Air Forces to fight the totalitarian States which have brought war to Egypt and raised apprehensions about the external as well as internal security of India.

What steps has the Honourable Member got in mind?

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I want to say that the steps which they have taken are not the proper steps and I want to suggest certain other steps. For instance, I want to point out that the distinction between martial and non-martial classes has not yet been eliminated and there is no proper expediting of the expansion of the army. The Communiqués which are issued from time to time do not show any progress. I want to suggest some means by which it can be done. Have I to give details, Sir?

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection to this motion being discussed?

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I fail to see how this can be described as a definite matter of public importance. The words of the motion are, "steps which might evoke the whole-hearted enthusiasm of the nation". No indication is given as to what steps he considers the Government of India have not taken. It, therefore, seems to be completely indefinite.

Mr. President (The Honourable Sir Abdur Rahim): It speaks of failure of the Government of India and is, therefore, worded in the negative.

Mr. C. M. G. Ogilvie: We have yet to know what further and effective steps the Honourable the Mover has in mind. Again, the matter must be of recent date. Is there any recent failure on the part of Government or is the Honourable Member condemning the whole course of Governmental activity since the beginning of the war? As regards the failure quickly to expedite the expansion of the Indian Army, Navy and Air Force, that is a categorical statement which is based upon nothing.

Mr. President (The Honourable Sir Abdur Rahim): It seems to be somewhat vague.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the Honourable the Mover has clearly said

Mr. President (The Honourable Sir Abdur Rahim): Unless it is a point of order, the Honourable Member cannot say anything now.

As objection has been taken, I want to know how many Honourable Members are in support of leave being granted.

(Less than 25 Honourable Members rose in their seats.)

As less than 25 Members have risen in their places, leave is refused.

DACCA MAIL DISASTER.

Mr. President (The Honourable Sir Abdur Rahim): The next motion stands in the name of Pandit Lakshmi Kanta Maitra who wants to discuss the failure of the Government of India to institute a judicial inquiry or an enquiry by an impartial tribunal into the Dacca Mail Disaster near Jairampur on the Eastern Bengal Railway on the 5th August, 1940.

Is there any objection to that?

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I have no desire to burke discussion on this subject but there is another motion on the same subject which I think is in better form than this. The actual failure of Government does not occur on any specific date. There is a motion in the name of Dr. Banerjea which relates to the specific occurrence itself and I suggest that the Honourable the Mover might withdraw in favour of Dr. Banerjea.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): I have no objection to withdrawing this motion on the understanding that the other motion will not be objected to by Government.

EXPANSION OF H. E. THE VICEROY'S EXECUTIVE COUNCIL AND THE CONSTITUTION OF WAR ADVISORY COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): The next motion also is in the name of Pandit Lakshmi Kanta Maitra who wishes to discuss the failure of the Government of India to give an opportunity to this House to consider the declaration made on behalf of His Majesty's Government by His Excellency the Viceroy in August last regarding the expansion of the Viceroy's Executive Council and the constitution of War Advisory Committee. What I should like to know from the Honourable Member is how this House can discuss any action or failure on the part of His Excellency the Viceroy in matters in which he acts in his discretion or under orders of His Majesty's Government in England: that is to say, I should like to know what part the Government of India is taking in this matter or were expected to take by the Honourable Member.

Pandit Lakshmi Kanta Maitra: Sir, the issue is rather simple. His Majesty's Government made a certain offer regarding constitutional changes and that was communicated to the Indian people through the Viceroy; in other words, a declaration was made by the Viceroy on behalf of His Majesty's Government. This declaration related mainly to the expansion of the Executive Council of His Excellency the Viceroy, which is connected with this Assembly. Also the formation of the War Advisory Committee which is

Mr. President (The Honourable Sir Abdur Rahim): Let us confine ourselves at present to the Executive Council; the expansion of the Executive Council depends on the discretion of His Majesty.

Pandit Lakshmi Kanta Maitra: I quite see that. I do not challenge that. All I say is that when such a declaration was made and when it related to this Legislature—it certainly does not relate to the Provincial

[Pandit Lakshmi Kanta Maitra.]

Legislatures—the Government should have given an opportunity to this Assembly to consider the offer. My point is that the Government failed in its duty by not advising the Governor General to convene a session of the Assembly and place the declaration made on behalf of His Majesty's Government to be considered by the Assembly and get a vote recorded thereon, because, after all, if the expanded Executive Council came into existence they would be functioning here, and we, as popular representatives, will have to work with them, vote their supplies or reject them and so on . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not elaborate the point.

Pandit Lakshmi Kanta Maitra: Therefore, the point is the default on the part of the advisers of His Excellency the Governor General to advise His Excellency to convoke a session of the Assembly to consider this specific offer, because it was a momentous offer and it is surprising that instead of giving the Legislative Assembly any chance . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech.

Pandit Lakshmi Kanta Maitra: I am not making a speech. I merely say that people who are not connected with the Assembly in any way, outside people, should not have been preferred to the Legislative Assembly in the matter of the consideration of this offer and we should have been given a chance. Government has failed to do that.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, I object to this motion, as the subject matter of this motion cannot form the subject of an adjournment motion. To begin with, what is sought to be discussed is the declaration, and the declaration is the declaration of His Majesty's Government made by the Governor General; and even assuming that this motion could in some manner be shown to be in order, what is there to be discussed? The subject matter of the discussion would be the declaration of His Majesty's Government through the Governor General . . .

Mr. President (The Honourable Sir Abdur Rahim): I think what the Mover wants to discuss is the failure of the Government of India to advise the Governor General.

The Honourable Sir Muhammad Zafrullah Khan: I am coming to that. Then the Honourable Member has said that this House should have been taken into confidence before the public were taken into confidence: that is to say, before the declaration was made, this House should have been summoned and the declaration placed before it . . .

Mr. M. S. Aney (Berar: Non-Muhammadan): No, no.

The Honourable Sir Muhammad Zafrullah Khan: The declaration was made by the Governor General as Governor General. The Government of India as such need have no knowledge and do not necessarily have knowledge of matters which are entirely within the discretion of the

Governor General as such. Therefore, the adoption of any suggestion that before the public was taken into confidence,—that is what the Honourable Member said—this House should have been taken into confidence, was, so far as the Government of India are concerned, out of the question.

Next, the summoning of the Legislature is the business of the Governor General, and the Government of India as such have no *locus standi* to advise the Governor General on such matters. Therefore it comes to this, that according to the Honourable Member, either before the declaration was actually made or immediately after it was made, the Government of India should somehow or other have forced the Governor General to call a session of the Assembly and forced him to place the matter before the House.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's point seems to be that they have no duty to advise the Governor General to that effect.

The Honourable Sir Muhammad Zafrullah Khan: Not only is it not their duty, they have no business to give advice on such a matter. So far as the responsibility of the Government of India is concerned, there is no obligation laid upon them to give advice in these matters. They would be exceeding the limits of the constitution if as a matter of right they insisted upon giving advice to the Governor General in these matters.

Mr. President (The Honourable Sir Abdur Rahim): What about the constitution of War Advisory Committees? Does not that come within the scope of this Executive Council?

The Honourable Sir Muhammad Zafrullah Khan: No. The offer was made that the Governor General would constitute a War Advisory Committee to advise him: it has nothing to do with the Government of India.

Pandit Lakshmi Kanta Maitra: May I say a word by way of reply?

Mr. President (The Honourable Sir Abdur Rahim): There is no reply. As objection has been taken, those Honourable Members who are for leave being granted will rise in their places. (Less than twenty-five Honourable Members rose in their seats.) As less than twenty-five Members are for leave being granted, leave is refused.

NON-ASSOCIATION OF NON-OFFICIAL REPRESENTATIVE INDIANS WITH THE EASTERN GROUP CONFERENCE.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is also in the name of Pandit Lakshmi Kanta Maitra, who wishes to discuss a definite matter of urgent public importance, *viz.*, the failure of the Government of India to impress on His Majesty's Government at Home, the necessity of associating Non-official Representative Indians with the Eastern Group Conference held in Delhi towards the end of October last. Can the Leader of the House throw any light on this matter?

The Honourable Sir Muhammad Zafrullah Khan: In the first place, Sir, this is put the other way about. It is not the business of His Majesty's Government. But actually there are quite a substantial number of representative Indians associated with the Eastern Group Conference as Advisers in exactly the same way as advisers of the other delegations.

Pandit Lakshmi Kanta Maitra: It does not meet my point at all. My motion is based on the fact that they had no character of delegates. It is not a question of giving advice. The Conference had representative delegates from all these countries, except India

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has worded his motion as "the necessity of associating non-official representative Indians"

Pandit Lakshmi Kanta Maitra: Certainly it means in the capacity of delegates, not as advisers.

Mr. President (The Honourable Sir Abdur Rahim): It does not say so.

The Honourable Sir Muhammad Zafrullah Khan: May I explain, Sir? The Eastern Group Conference, so far as the Visiting Delegations from countries in the Eastern Group are concerned, consists of delegates who represent their Governments and Advisers to delegations. The Indian representation also consists of delegates who represent the Government of India and non-official as well as official advisers in the same way as there are advisers to other delegations. There is no distinction whatever between the two arrangements, and, as I have said, there are a substantial number of official as well as non-official Indian advisers; as a matter of fact, their number is so large that it has been freely referred to as the army of Indian advisers which the Government have associated with this conference.

Mr. President (The Honourable Sir Abdur Rahim): In view of the facts the Leader of the House has stated, this motion is disallowed as not being in order.

REFUSAL OF PERMISSION TO MR. BHULABHAI DESAI AND TO MR. ASAF ALI TO VISIT WAZIRISTAN.

Mr. President (The Honourable Sir Abdur Rahim): The next one is also in the name of Pandit Lakshmi Kanta Maitra in which he wants to discuss a definite matter of urgent public importance, namely, the refusal of permission to Mr. Bhulabhai Desai, Leader of the Opposition, and to Mr. Asaf Ali, another Member of this House, to visit Waziristan on a goodwill mission. . . . Refusal by whom?

Pandit Lakshmi Kanta Maitra: By the Government of the Frontier in consultation with the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): In consultation with the Government of India?

Pandit Lakshmi Kanta Maitra: Yes, as we read in the press reports, that these two gentlemen who are Members of this House were under the Defence of India Act prevented from entering Waziristan; the Defence of India Act has been passed by this House; and this action on the part of the Government means the curtailment of the liberties of Members of this House

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not make a speech. I want to know the facts.

Mr. O. K. Caroe (Secretary, External Affairs Department): With your permission, Sir, I wish to take the point about refusal of permission to visit Waziristan. This is a matter connected with the tribal areas, and Waziristan being a part of tribal areas, under the Legislative Rules a motion of adjournment cannot be moved without the consent of the Governor General on any matter connected with the tribal areas. The same rule which applies to Resolutions applies to adjournment motions also.

Mr. President (The Honourable Sir Abdur Rahim): Then, I suppose the Honourable Member can move it if he can get the consent of the Governor General. Does the Honourable Member object to this motion?

Mr. O. K. Caroe: Yes, Sir, unless consent of the Governor General is obtained, it is out of order. The rule is sub-clause (b) of clause 2 of sub-rule (2) of rule 23, page 111, read with clause 5 of rule 12 at page 107.

Mr. President (The Honourable Sir Abdur Rahim): That applies to adjournment motions also.

Mr. O. K. Caroe: Under rule 12, clause 5, that rule applies to adjournment motions also.

Mr. President (The Honourable Sir Abdur Rahim): As objection has been taken to this motion being moved, Honourable Members who are in support of this motion will rise in their seats.

(Less than 25 Honourable Members stood up.)

As less than 25 Honourable Members are in support of this motion, leave is refused.

Then, the next one, No. 8, is also in the name of Pandit Lakshmi Kanta Maitra.

DACCA MAIL DISASTER.

Mr. President (The Honourable Sir Abdur Rahim): Then, we come to No. 6, which is in the name of Dr. P. N. Banerjea. He wishes to move that the business of the House be adjourned to consider a definite matter of urgent public importance, namely, the Dacca Mail disaster on the Eastern Bengal Railway on the 6th August, 1940, resulting in heavy loss of life. I understand there is no objection to this motion.

The Honourable Sir Andrew Clow: I have no objection, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up either at 4 O'clock or before that, as soon as the business of the House is finished.

H. E. THE GOVERNOR GENERAL'S ASSENT TO BILLS.

Secretary of the Assembly: Sir, information has been received that the following Bills which were passed by both Chambers of the Indian Legislature, during the Budget Session, 1940, have been assented to by His Excellency the Governor General under the provision of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:—

- (1) The Registration (Emergency Powers) Act, 1940,
- (2) The Foreigners Act, 1940,
- (3) The Royal Indian Navy (Extension of Service) Act, 1940,
- (4) The Offences on Ships and Aircraft Act, 1940,
- (5) The Trade Marks Act, 1940,
- (6) The Indian Coinage (Amendment) Act, 1940,
- (7) The Reserve Bank of India (Closing of Annual Accounts) Act, 1940,
- (8) The Indian Emigration (Amendment) Act, 1940,
- (9) The Reserve Bank of India (Amendment) Act, 1940,
- (10) The Indian Arbitration Act, 1940,
- (11) The Coal Mines Safety (Stowing) Amendment Act, 1940,
- (12) The Income-tax Law Amendment Act, 1940,
- (13) The Reserve Bank of India (Second Amendment) Act, 1940,
- (14) The Parsi Marriage and Divorce (Amendment) Act, 1940,
- (15) The Excess Profits Tax Act, 1940,
- (16) The Indian Finance Act, 1940,
- (17) The Factories (Amendment) Act, 1940,
- (18) The National Service (European British Subjects) Act, 1940,
- (19) The Defence of India (Amendment) Act, 1940,
- (20) The Insurance (Amendment) Act, 1940,
- (21) The Indian Tariff (Amendment) Act, 1940,
- (22) The Indian Tariff (Second Amendment) Act, 1940,
- (23) The Drugs Act, 1940,
- (24) The Indian Mines (Amendment) Act, 1940,
- (25) The Petroleum (Amendment) Act, 1940,
- (26) The Motor Vehicles (Amendment) Act, 1940, and
- (27) The Agricultural Produce Cess Act, 1940.

CERTAIN HOME DEPARTMENT DOCUMENTS LAID ON THE TABLE.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table copies of the nine documents* named under item 1 in the list of business. I think I need not read them out.

*GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/68/39-POLITICAL, DATED NEW DELHI, THE 18TH APRIL 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, the officials attached to the Japanese Consulate in India, mentioned in the annexed list and their families so long as they hold the posts noted against their names.

List.

1. Mr. T. Inui, Chancellor, Consulate General for Japan at Karachi.
2. Mr. T. Ishidia, Chancellor, Consulate General for Japan at Calcutta.

*GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/68/39-POLITICAL (W), DATED SIMLA, THE 1ST JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Josef Luley, and his family so long as the said Mr. Josef Luley, holds the post of Secretary of the Consulate for Czechoslovakia at Bombay.

*GOVERNMENT OF INDIA, HOME DEPARTMENT, NOTIFICATION, No. 21/15/40-POLITICAL (W.), DATED SIMLA, THE 6TH JUNE 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Declarations published with the notification—

- (i) a copy of the Home Department Declaration of Exemption No. 21/68/39-Political, dated the 18th April, 1940;
- (ii) a copy of the Home Department Declaration of Exemption No. 21/68/39-Political (W), dated the 1st June, 1940;
- (iii) a copy of the Home Department Notification No. 21/15/40-Political (W), dated the 6th June, 1940;
- (iv) a copy of the Home Department Order of Exemption No. 21/2/40-Political (W), dated the 15th June, 1940;
- (v) a copy of the Home Department Exemption Order No. 21/75/39-Political (W), dated the 27th June, 1940;
- (vi) a copy of the Home Department Declaration of Exemption No. 21/68/39-III-Political (W), dated the 28th June, 1940;
- (vii) a copy of the Home Department Declaration of Exemption No. 21/18/40-Political (W), dated the 3rd July, 1940;
- (viii) a copy of the Home Department Order of Exemption No. 21/2/40-Political (E), dated the 4th September, 1940; and
- (ix) a copy of the Home Department Declaration of Exemption No. 21/18/40-Political (E), dated the 7th October, 1940.

tion of the Government of India in the Home Department, No. 21/32/39-Political, dated the 21st June 1939, namely :—

In declaration 3 of the said Declarations, after clause (d) the following clause shall be inserted, namely :—

“(dd) any French subject of non-Asiatic birth ordinarily resident in any of the French Settlements bounded by India;”

GOVERNMENT OF INDIA, HOME DEPARTMENT, ORDER, No. 21/2/40-POLITICAL (W), DATED SIMLA, THE 15TH JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of sub-rule (3) of rule 7 and of sub-rules (1) and (1-A) of rule 15 of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, Mr. Philip William Swan and Mrs. Margaret Nansen Swan, American subjects, on any occasion on which they depart from British India with the object of proceeding only to Portuguese India.

GOVERNMENT OF INDIA, HOME DEPARTMENT, EXEMPTION ORDER, No. 21/75/39-POLITICAL (W), DATED SIMLA, THE 27TH JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of sub-rule (3) of rule 7 and of sub-rules (1) and (1-A) of rule 15 of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, any French subject registered in British India on any occasion on which he departs from British India with the object of proceeding only to a place in the French possessions bounded by India.

GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/68/39-III-POLITICAL (W), DATED SIMLA, THE 28TH JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, the Administrator of French Chandernagore, or to members of his family or staff accompanying him.

GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/18/40-POLITICAL (W), DATED SIMLA, THE 3RD JULY, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of rule 10 (2) of the Registration of Foreigners Rule, 1939, shall not apply to, or in relation to, the persons mentioned in the annexed list.

List.

1. Dr. Galen Fisher Scudder, Head of the Scudder Memorial Hospital, Ranipet.
2. Dr. Paul Farr Russell, attached to the Rockefeller foundation, International Health Division, New York.
3. The Most Rev. Louis Mathias, S. C. Roman Catholic Archbishop of Madras.

GOVERNMENT OF INDIA, HOME DEPARTMENT, ORDER, No. 21/2/40-POLITICAL (E), DATED SIMLA, THE 4TH SEPTEMBER, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of sub-rule (3) of rule 7 and of sub-rules (1) and (1-A) of rule 15 of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, Mr. Richard Rhea Patton Goheen, an American subject, on any occasion on which he departs from British India with the object of proceeding only to Portuguese India.

GOVERNMENT OF INDIA HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/18/40-POLITICAL (E), DATED SIMLA, THE 7TH OCTOBER, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of rule 10 (2) of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to the Very Reverend Monseigneur L. P. Kierkels, Apostolic Delegate to the East Indies.

STATEMENT *RE* NET EARNINGS OF NEW RAILWAY LINES.

The Honourable Sir Andrew GLOW (Member for Railways and Communications): Sir, I lay on the table a copy of the statement showing the net earnings for the financial year 1938-39 of recently constructed railway lines.

Serial No.	Name of project.	Working Railway.	Gauge.	Mileage.	Date of opening.	Net income creditable to the project for 1938-39.	Percentage return of income (column 6 on capital outlay).		Estimated percentage return of income on capital outlay some years after opening as estimated originally.
							1937-38.	1938-39.	
	1	2	3	4	5	6	7	8	9
1	Tangla Rangapara	Eastern Bengal	3'-3 3/8"	52.50	6-2-1933	(c) 1,57,672	2.69	3.03	(d) 0.68
2	Lucknow Sultanpur Zafarabad.	East Indian	5'-6"	136.00	25-5-1932	3,09,322	2.87	2.38	5.80
3	Jhudo-Pithoro	Jodhpur	3'-3 3/8"	64.11	1-6-1935	1,98,673	(e) 8.74	8.59	6.12
4	Pollechi Palghat	South Indian	3'-3 3/8"	33.45	1-4-1932	(a) 16,750	(a) 0.22	(a) 0.31	5.20
5	Agastianpalli-Point Calimere	South Indian	3'-3 3/8"	5.50	20-1-1936	—19,996	(a) —3.93	(a) —5.95	(b) —10.5
6	Raipur-Parvatipuram	Bengal Nagpur	5'-6"	240.00	31-3-1932	(f) 34,17,295	(f) 11.56	(f) 6.92†	(f) 5.40

(a) Excludes net earnings of existing lines from new traffic interchanged with new railway but estimated return took into account such credit.
(b) Government were committed to the construction of the line as part of the terms of transfer of the Tanjore District Board lines to the South Indian Railway. It was estimated that a loss of Rs. 37,500 would accrue to Government on an outlay of Rs. 3½ lakhs.
(c) Actuals excluding guarantee.

(d) Government of Assam have agreed to pay the actual loss incurred in working the railway for an indefinite period subject to a maximum of Rs. 1,75,000 each year provided that, if and when, the line yields a return of over 5 per cent. on its capital cost, the balance will be utilised in repaying sums that may have been paid under the guarantee.

(e) Reference remark "Under investigation" given against this figure in the statement for 1937-38 placed on the table on 30th August 1939. This figure which was provisionally given in the statement for 1937-38 has on investigation been found to be correct; the higher percentage return in 1937-38 than in 1938-37 allowed credit for the earnings from contiguous lines in accordance with the method of framing the original estimates though this had not been provided for in the previous years.

(f) Does not take into account loss of earnings to contiguous railways from traffic previously passed over those lines, since diverted to the new branch line as it has not been possible to estimate it even approximately.
†The decline is due to heavy falling off in the through manganese ore traffic.

CERTAIN PAPERS *RE* THE AGRICULTURAL PRODUCE CESS ACT LAID ON THE TABLE.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I lay on the table:

- a copy of the rules framed by the Central Board of Revenue under section 5 of the Agricultural Produce Cess Act, 1940;
- a copy of the Central Board of Revenue notification No. 35-Customs, dated the 3rd August, 1940, embodying an amendment to the rules framed by the Board under section 5 of the Agricultural Produce Cess Act, 1940;
- a copy of the rules framed under section 9 of the Agricultural Produce Cess Act, 1940; and
- a copy of the Regulations made under section 7 (2) of the Agricultural Produce Cess Act, 1940.

CENTRAL BOARD OF REVENUE.

NOTIFICATION.

CUSTOMS.

New Delhi, the 20th April, 1940.

No. 21.—In exercise of the powers conferred by section 5 of the Agricultural Produce Cess Act, 1940 (XXVII of 1940), the Central Board of Revenue makes the following rules:—

Rules.

1. When cess has been levied on any article specified in the Schedule to the said Act exported by land, and the exporter within two months from the date on which the cess was paid applies for a refund and presents to the Land Customs Officer in charge of the land customs station at which the cess was paid, a re-importation certificate granted by the proper customs officer at the land customs station or customs port through which the article was subsequently reimported into India, the Land Customs Officer shall, if he is satisfied of the identity of the article referred to in the certificate with the article in respect of which the refund is claimed, refund the whole amount of the cess so levied.

2. If any person exporting by land any of the articles specified in the Schedule to the said Act declares that the article is subsequently to be imported into India, the Land Customs Officer may, subject to any general or special orders of the Collector of Land Customs, permit him to export the article without payment of the cess leviable thereon:

Provided that a person permitted to export any such article without payment of the cess leviable thereon shall, if the article is not re-imported into India within such period as may be fixed by the Collector of Land Customs, pay the duty on demand, and the Land Customs Officer shall refuse to pass any goods belonging to such person until the said duty has been paid.

K. G. JACOB,

Second Secy., Central Board of Revenue.

No. 21.—C. No. 231-Cus. I/40.

Copy forwarded to—

All Collectors of Customs (including the Collector of Customs, Chittagong and the Collectors of Salt Revenue, Bombay and Madras.)

The Director of Inspection, Customs and Central Excises.

The Secretary to the Financial Commissioner, Burma.
 The Collector of Customs, Rangoon.
 The Education, Health and Lands Department.
 The Commerce Department.
 The Political Department.
 The External Affairs Department.
 The Director General of Commercial Intelligence and Statistics for publication in the *Indian Trade Journal*.
 The Indian Trade Commissioner, London.
 *The Indian Government Trade Commissioner, Hamburg, Germany.
 *The Indian Government Trade Commissioner, Milan, Italy.
 The Indian Government Trade Commissioner, Japan.
 The Indian Government Trade Commissioner, Mombasa (East Africa).
 The Indian Government Trade Commissioner, New York.
 The Indian Government Trade Commissioner at Alexandria.
 The Canadian Government Trade Commissioner, Calcutta.
 The American Trade Commissioner, Calcutta.
 The British Trade Commissioners in India, Calcutta and Bombay.
 The Director, Federation of British Industries, London.
 The Hon'ble the Resident for the States of Western India.
 The Resident for Baroda and the Gujarat States.
 The Resident for the Madras States.
 The Resident for Kolhapur and the Deccan States.
 The Chief Customs Officer, Okha (Kathiawar).
 The Principal Collector of Customs, Colombo.
 The Excise Inspector, Sea Customs, Alleppy.

By order, etc.,

W. A. ROSE,

for Second Secretary, Central Board of Revenue.

CENTRAL BOARD OF REVENUE.

NOTIFICATION.

CUSTOMS.

Simla, the 3rd August, 1940.

No. 35.—In exercise of the powers conferred by section 5 of the Agricultural Produce Cess Act, 1940 (XXVII of 1940), the Central Board of Revenue directs that the following amendment shall be made in the Rules published with its notification No. 21-Customs, dated the 20th April 1940, namely:—

In rule 1 of the said Rules, for the word "two" the word "six" shall be substituted.

K. G. JACOB,

Second Secy., Central Board of Revenue.

*c/o The High Commissioner for India, London.

C. No. 35/538-Cus. I/40.

Copy forwarded to—

All Collectors of Customs (including the Collector of Customs, Chittagong and the Collectors of Salt Revenue, Bombay and Madras).
 The Director of Inspection, Customs and Central Excises.
 The Secretary to the Financial Commissioner, Burma.
 The Collector of Customs, Rangoon.
 The Education, Health and Lands Department.
 The Commerce Department.
 The Political Department.
 The External Affairs Department.
 The Director General of Commercial Intelligence and Statistics for publication in the *Indian Trade Journal*.
 The Indian Trade Commissioner, London.
 The Indian Government Trade Commissioner, Japan.
 The Indian Government Trade Commissioner, Mombasa (East Africa).
 The Indian Government Trade Commissioner, New York.
 The Indian Government Trade Commissioner at Alexandria.
 The Canadian Government Trade Commissioner, Calcutta.
 The American Trade Commissioner, Calcutta.
 The British Trade Commissioners in India, Calcutta and Bombay.
 The Director, Federation of British Industries, London.
 The Hon'ble the Resident for the States of Western India.
 The Resident for Baroda and the Gujarat States.
 The Resident for the Madras States.
 The Resident for Kolhapur and the Deccan States.
 The Chief Customs Officer, Okha (Kathiawar).
 The Principal Collector of Customs, Colombo.
 The Excise Inspector, Sea Customs, Alleppy.

By order, etc.,

KISHORI LAL,

for Second Secy., Central Board of Revenue.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

NOTIFICATION.

AGRICULTURE.

New Delhi, the 18th September, 1940.

No. F. 8/40.—In exercise of the powers conferred by section 9 of the Agricultural Produce Cess Act, 1940 (XXVII of 1940), the Central Government, after consultation with the Imperial Council of Agricultural Research, is pleased to make the following rules, namely:—

The Imperial Council of Agricultural Research Reserve Fund and Regulation of Expenditure Rules, 1940.

1. These Rules may be called the Imperial Council of Agricultural Research Reserve Fund and Regulation of Expenditure Rules, 1940.

2. In these Rules, unless there is anything repugnant in the subject or context,—

(a) 'Act' means the Agricultural Produce Cess Act, 1940 (XXVII of 1940);

(b) 'Committee' means the Standing Finance Committee constituted under section 7 of the Act;

- (c) 'Council' means the Imperial Council of Agricultural Research;
 (d) 'Financial Adviser' means the officer appointed by the Central Government as a member of the Committee under sub-section (1) of section 7 of the Act;

(e) 'Fund' means the reserve fund created under section 8 of the Act.

3. The Council shall contribute annually to the Fund such amount of the proceeds of the duty received during the financial year under section 6 of the Act may be in excess of Rs. 14 lakhs:

Provided that the annual contribution—

- (a) need not be greater than the amount necessary to bring the accumulated balance in the Fund up to Rs. 20 lakhs;
 (b) shall not exceed Rs. 2½ lakhs except on the recommendation of the Committee.

4. The Fund may be invested wholly or in part in the same manner as the other funds of the Council.

5. The uninvested balances of the Fund shall be kept with the Imperial Bank of India separately from the other funds of the Council.

6. All interest accruing on investments of the Fund shall until the accumulated balance therein amounts to Rs. 20 lakhs, be credited to the Fund, and shall thereafter be available for expenditure for the purposes of the Council.

7. (1) If in any year the net proceeds of the duty received under section 6 of the Act fall short of Rs. 14 lakhs, the Council may, on the recommendation of the Committee and with the approval of the Governing Body, draw upon the Fund to make good the deficiency.

(2) Save as provided in sub-rule (1), no money shall be withdrawn from the Fund without the previous approval of the Central Government.

8. The Council shall refer to the Financial Adviser for his advice—

- (i) the annual statement of income and expenditure of the Council, and
 (ii) such matters relating to the expenditure of the money paid to the Council under section 6 of the Act as the Central Government may by general or special order specify.

9. The Financial Adviser shall be given access to all such records of the Council as may be required by him for the purpose of advising on the matters referred to him under rule 8.

10. In the event of disagreement between the Council and the Financial Adviser in respect of any matter referred to him under rule 8, the Financial Adviser may ask the Council to bring the matter to the notice of the Central Government, and the Council shall comply with the request.

11. Save as otherwise expressly provided in these Rules, all transactions relating to the Fund shall generally be subject to such provisions of the rules and regulations and bye-laws of the Council as are applicable to the financial transactions of the Council.

G. S. BOZMAN,

Joint Secy., to the Govt. of India.

IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

NOTIFICATION.

New Delhi, the 10th September, 1940.

No. F. 46 (10)/40-G.—The following Regulations, made by the Imperial Council of Agricultural Research under Section 7 (2) of the Agricultural Produce Cess Act, 1940 are published for general information:—

STANDING FINANCE COMMITTEE REGULATIONS.

(made by the Imperial Council of Agricultural Research with the previous approval of the Central Government under Section 7 (2) of the Agricultural Produce Cess Act 1940.)

1. In these Regulations,

- (i) 'Committee' means the Standing Finance Committee constituted under Section 7 of the Agricultural Produce Cess Act, 1940, (XXVII of 1940);
 (ii) 'Council' means the Imperial Council of Agricultural Research.

Constitution of the Committee.

2. The Committee shall consist of the following members:—

- (i) the Vice-Chairman of the Council *ex-officio*,
 (ii) one member appointed by the Central Government (hereinafter referred to as the Financial Adviser),
 (iii) three members elected annually by the Governing Body of the Council, two from among themselves and one from among the representatives of the Central Legislature on that Body.

3. The elected members shall hold office for 12 months commencing on the 1st September, but shall be eligible for re-election.

4. Any casual vacancy in the Committee shall be filled by election or appointment, as the case may be, in accordance with the provisions of regulation 2.

5. The term of office of a member elected to a casual vacancy shall commence from the date of election and shall continue to the 31st August next.

6. No act or proceeding of the Committee shall be invalid by reason only of the existence of a vacancy in the Committee.

7. The Committee shall elect annually, as soon after the 1st September, as may be practicable, a President from among its members.

8. The Secretary of the Council shall *ex-officio* be the Secretary of the Committee.

Functions of the Committee.

9. The functions of the Committee are—

- (i) to scrutinise the annual statement of income and expenditure of the Council and submit it to the Governing Body with its recommendations;
 (ii) to examine the estimates of all schemes involving—
 (a) an annual expenditure of not less than Rs. 10,000 or
 (b) a total expenditure of Rs. 50,000 or more.
 (iii) to scrutinise all proposals for the creation of Class I posts;
 (iv) to scrutinise all proposals for amendment of the bye-laws of the Council affecting delegation of financial powers by the Governing Body; and
 (v) such other functions in respect of financial matters as may be assigned to the Committee by the Governing Body of the Council.

Procedure of the Committee.

10. (1) The President of the Committee shall preside at all meetings of the Committee.

(2) In the absence of the President the members present shall elect a member of the Committee to preside at the meetings.

11. Three members of the Committee shall constitute a quorum.

12. (1) Meetings of the Committee shall ordinarily be convened by the Secretary as occasion may require, and at least once a year.

(2) A meeting shall also be convened if not less than three members of the Committee make a written request to that effect.

13. Ten clear days' notice of every meeting of the Committee shall be given to each member.

14. In the case of a difference of opinion among the members of the Finance Committee the opinion of the majority shall prevail:

Provided that the dissenting members shall have the right to record minutes of dissent.

15. In case of an equality of votes on any question, the President of the meeting shall have a casting vote.

16. Notwithstanding anything contained in regulations 14 and 15, the Financial Adviser may in the event of his disagreement with the other members of the Committee in respect of any matter, require a reference to be made by the Committee to the Governing Body, and by the Governing Body to the Central Government.

17. Any business, except such as the Committee may by general or special order direct to be placed before a meeting, may be transacted by circulating papers to all members and by obtaining in writing the views of at least three of them.

18. The Secretary shall keep a record of all proceedings of the Committee and discharge such other functions as the Committee may assign to him.

S. BASU,

Secretary.

CERTAIN PAPERS RE MOTOR VEHICLES RULES LAID ON THE TABLE.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I lay* on the table:

- (a) The Motor Vehicles Rules, 1940, for British Baluchistan and two notifications, dated 24th June 1940 and 7th September 1940 amending them;
- (b) The Motor Vehicles Rules, 1940, for Ajmer-Merwara;
- (c) The Motor Vehicles Rules, 1940, for Delhi and two notifications, dated 29th May 1940, and 3rd October 1940, amending them;
- (d) The Motor Vehicles Rules, 1940, for Coorg and two notifications, dated 15th June 1940, amending them;
- (e) The Motor Vehicles Rules, 1940 for the Andaman and Nicobar Islands; and
- (f) Two notifications, dated 9th April 1940, and 9th August 1940, amending the Motor Vehicles International Circulation Rules, 1933.

MOTION RE ELECTION OF A MEMBER ON THE COUNCIL OF THE INDIAN INSTITUTE OF SCIENCE, BANGALORE.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I move:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, a member to represent this House on the Council of the Indian Institute of Science, Bangalore, for the period 1941—43 (both years inclusive) in pursuance of the provisions of clause 11 (Secondly) of the Scheme for the Administration and Management of the Properties and Funds of the Institute, which was published in the *Gazette of India*, with the notification of the Department of Education, Health and Lands, No. F. 53-1/37, dated the 2nd December 1937 as subsequently amended."

*Not included in these debates, but copies have been placed in the Library of the House—Ed. of D.

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

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, a member to represent this House on the Council of the Indian Institute of Science, Bangalore, for the period 1941—43 (both years inclusive) in pursuance of the provisions of clause 11 (Secondly) of the Scheme for the Administration and Management of the Properties and Funds of the Institute, which was published in the *Gazette of India*, with the notification of the Department of Education, Health and Lands, No. F. 53-1/37, dated the 2nd December 1937 as subsequently amended."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of a Member to the Council of the Indian Institute of Science, Bangalore, the Notice Office will be open to receive nominations up to 12 noon on Friday the 8th November, 1940, and that the election, if necessary, will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M. on Monday the 11th November, 1940. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE REPEALING AND AMENDING BILL.

The Honourable Sir Muhammad Zafrullah Khan (Law Member): Sir, I beg to move for leave to introduce a Bill to repeal certain enactments and to amend certain other enactments.

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

"That leave be granted to introduce a Bill to repeal certain enactments and to amend certain other enactments."

The motion was adopted.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I introduce the Bill.

THE INDIAN REGISTRATION (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Registration Act, 1908, for certain purposes.

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

"That leave be granted to introduce a Bill further to amend the Indian Registration Act, 1908, for certain purposes."

The motion was adopted.

The Honourable Sir Reginald Maxwell: Sir, I introduce the Bill.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908."

The motion was adopted.

The Honourable Sir Reginald Maxwell: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898.

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

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

The Honourable Sir Reginald Maxwell: Sir, I introduce the Bill.

THE INDIAN WORKS OF DEFENCE (AMENDMENT) BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Works of Defence Act, 1903.

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

"That leave be granted to introduce a Bill further to amend the Indian Works of Defence Act, 1903."

The motion was adopted.

Mr. C. M. G. Ogilvie: Sir, I introduce the Bill.

THE INDIAN NAVY (DISCIPLINE) AMENDMENT BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934, for certain purposes.

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

"That leave be granted to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934, for certain purposes."

The motion was adopted.

Mr. C. M. G. Ogilvie: Sir, I introduce the Bill.

THE INDIAN NAVY (DISCIPLINE) SECOND AMENDMENT BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934. (Second Amendment.)

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

"That leave be granted to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934. (Second Amendment.)"

The motion was adopted.

Mr. C. M. G. Ogilvie: Sir, I introduce the Bill.

THE INDIAN MERCHANDISE MARKS (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I beg to move for leave to introduce a Bill further to amend the law relating to fraudulent marks on merchandise.

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

"That leave be granted to introduce a Bill further to amend the law relating to fraudulent marks on merchandise."

The motion was adopted.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I introduce the Bill.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Companies Act, 1913.

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

"That leave be granted to introduce a Bill further to amend the Indian Companies Act, 1913."

The motion was adopted.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I introduce the Bill.

THE WAR DONATIONS AND INVESTMENTS (COMPANIES) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I beg to move for leave to introduce a Bill to enable companies in British India to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war.

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

"That leave be granted to introduce a Bill to enable companies in British India to make donations to public funds formed, and to make investments in Government loans floated for the purpose of assisting the prosecution of the present war."

The motion was adopted.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I introduce the Bill.

THE CANTONMENTS (AMENDMENT) BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Cantonments Act, 1924.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Cantonments Act, 1924."

The motion was adopted.

Mr. C. M. G. Ogilvie: Sir, I introduce the Bill.

THE RESERVE BANK OF INDIA (THIRD AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Reserve Bank of India Act, 1934.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Reserve Bank of India Act, 1934."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE MOTOR SPIRIT (DUTIES) AMENDMENT BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Motor Spirit (Duties) Act, 1917.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Motor Spirit (Duties) Act, 1917."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Indian Income-tax Act, 1922, and to make certain transitory provisions with respect to the operation of that Act on the coming into force of Part II of the Indian Income-tax (Amendment) Act, 1939.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Indian Income-tax Act, 1922, and to make certain transitory provisions with respect to the operation

of that Act on the coming into force of Part II of the Indian Income-tax (Amendment) Act, 1939."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

FINANCE MEMBER'S STATEMENT ON THE FINANCIAL POSITION.

Mr. President (The Honourable Sir Abdur Rahim): The Chair understands that the Honourable Sir Jeremy Raisman wishes to make a statement.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, in the course of my Budget speech, I emphasised the impossibility of foreseeing the future course of the War and the highly conjectural nature of many of the assumptions underlying our Estimates for the current year. In particular, I made it clear that the Budget Estimates of Defence Expenditure provided for only such emergency measures chargeable to Indian Revenues as had either already been put into force or were in train, and I also drew attention to the precarious nature under War conditions of our revenue, particularly our revenue from Customs duties.

The tremendous events of the last six months have justified these premonitions to an extent which no one could foresee last February. The overrunning by the Germans of Norway, Denmark, Holland, and Belgium, the entry of Italy into the war, and finally the catastrophic collapse of France, all within a space of less than four months, are developments of such immensity that no country, however far removed from the actual arena of war, can have escaped their disturbing influence. Their effect on the general economy of India is twofold, for apart from the wide resultant dislocation of trading activities, the sense of insecurity that these happenings engendered has compelled us to review the whole question of India's needs in the matter of defence. The threats to India's security from land, sea and air have, in the changed world conditions, become infinitely more menacing, and clearly necessitated the taking of further measures.

2. So far as the economic aspect of these developments is concerned, it is clear that the passing under German domination of many of those European countries with which India had flourishing trade relations must, for the time being, exercise a serious adverse effect on India's export and import activities. Moreover, for the purpose of conserving dollar exchange, we have had to impose certain restrictions on the import of non-essential goods from outside the sterling area. These factors, together with the dislocation in shipping caused by the entry of Italy into the war, have resulted in a marked decline in our Customs receipts. On present indications the current year's revenue from Customs and Central Excise taken together is likely to be considerably below even our conservative Budget estimates, and we now expect a decrease of Rs. 2½ crores on this account. At the same time owing to the piling up of stocks of Salt last winter, which inflated the receipts of last year, our revenue from this source in the current year is expected to be a crore less than the budget estimate. Railway receipts have continued to be satisfactory; it is now expected that

[Sir Jeremy Raisman.] they will pay to Central Revenues under the Railway convention not only their full contribution of Rs. 463 lakhs, based on 1 per cent. of the capital at charge, but also a further Rs. 79 lakhs as one-third of the excess over the first Rs. 3 crores transferred to the Railway Reserve Fund. But as the arrears in the contribution due on account of last year are smaller than anticipated, the actual increase in the Railway contribution this year is estimated at only Rs. 41 lakhs more than the budget figure. At the same time the share of the Provinces in the divisible pool of income-tax for last year has worked out at Rs. 2,81 lakhs as compared with our revised estimate of Rs. 2,88 lakhs. Rs. 89 lakhs were due as arrears from the previous year and the sum actually distributed last March was Rs. 2,79 lakhs. There will thus be a further Rs. 41 lakhs to be paid to the Provinces along with the provisional payment for the current year. The only other appreciable change is an increase of Rs. 70 lakhs under Currency and Mint from the larger profits from the circulation of coin and notes; this provides a set-off to the heavy expenditure that has had to be incurred in the Mints and the Security Printing Press. The total result is a drop of nearly Rs. 3 crores in revenue in the current year. We are, however, fortunate in having an additional Rs. 6.86 lakhs available in the Revenue Reserve Fund from the unexpectedly large surplus of last year. This was mainly due to the laying in of stocks in the closing months of the last financial year so that the abnormal receipts which then accrued from Customs, Salt and Railways, were not only temporary, but have been the cause of corresponding decreases under these same revenue heads this year.

Against this additional balance in the Revenue Reserve Fund we have to set off not only the current year's drop in revenue but also the additional civil expenditure estimated at approximately Rs. 230 lakhs which has had to be incurred this year. The greater part of this has been directly or indirectly due to the war and the schemes in question have been approved by the Standing Finance Committee or sanctioned by Government on this account. Thus there is the scheme for the training of 300 pilots and 2,000 mechanics each year for the Air Force Reserve; Rs. 30 lakhs are to be expended this year on the purchase of aeroplanes and equipment for training centres and for the payment of allowances and fees for the trainees.

Then there is the scheme for the training of war technicians designed to ensure a constantly growing supply of skilled personnel for munitions factories and other war industries. The arrangements for obtaining additional equipment for the institutions already selected for training purposes and for the calling up of volunteers are now nearing completion and there is every reason to hope that the training courses will be in operation by January and that within 6 months trainees who have had previous experience will be passing out into the technical branches of the defence services as well as into ordnance factories and civil industry. Within the next 3 months many more institutions will have been selected for training purposes and the number of trainees greatly increased, while by the end of next year it is expected to have 15,000 men trained or under training. A very large expenditure is involved, estimated at about Rs. 98 lakhs but as the bulk of this will have to be met in the financial year 1941-42, only initial payments amounting to Rs. 10 lakhs fall to be provided in the current year.

Expenditure on Air Raid Precautions, though occurring largely in the Provincial field, is to be met by the Centre through grants-in-aid to the

Provincial Governments and this is expected to cost Rs. 25 lakhs in the current year. Payments amounting to Rs. 25 lakhs are also being made to the Provinces to cover the cost of extra police employed as the result of the war for agency functions and for protective duties. The Centre has also agreed to pay one-third of the cost of the training of Civic Guards which is expected to involve payments amounting to Rs. 10 lakhs this year. The strengthening of the Frontier Constabulary in the Tribal Areas has cost Rs. 8 lakhs. A scheme for the improvement of the road from Multan to Quetta to ensure the maintenance of through communications for heavy motor transport has been sanctioned by the Standing Finance Committee; on this Rs. 20 lakhs are expected to be spent this year. In view of the danger of the interruption of supplies of quinine from abroad, the Central Government agreed to finance a large-scale purchase on behalf of the pooled requirements of the Provinces and States in India and of the Defence Services. The amount to be charged to revenue on account of the Central Civil Reserve is Rs. 15 lakhs. Another large sum has to be provided for the additional expenditure on metal, paper and machinery for the Mints and the Currency Note and Security Presses to meet the wide-spread demand for coin and notes. Of this sum, Rs. 29 lakhs is expected to be spent in the current year. Other items approved by the Standing Finance Committee include a grant of Rs. 8½ lakhs to the Tuberculosis Association of India towards the cost of establishing and maintaining a Tuberculosis Sanatorium at Kasauli, of which Rs. 2 lakhs are to be paid this year. Then in addition to a number of self-balancing items, the cost of which will be recovered later, there is the grant of Rs. 5 lakhs to the Board of Scientific and Industrial Research promised at the time of the last Budget and not provided in the grants then voted. Finally, a further Rs. 15 lakhs have had to be spent on Famine Relief works and on Medical Establishment for Famine Camps in Ajmer-Merwara which owing to the failure of the winter crops had to be extended till September of this year.

3. But it is in the field of defence expenditure that our budget has been most seriously disturbed. The increase in such expenditure over the pre-war level was estimated at Rs. 884 lakhs. The opinion has, I know, been held in many quarters that this represented a remarkably modest addition to India's defence expenditure; and if it had been intended as the measure of India's war effort for the current year, it would clearly have been grossly inadequate. But as I explained at the time it represented only so much of the cost of the commitments already undertaken as was chargeable to Indian revenues under the financial settlement with His Majesty's Government. Moreover, India's war effort was at the time very severely restricted by supply difficulties. The position in this respect has since improved enormously and it will perhaps not be out of place here to give the House a conspectus of the present situation and some indication of our future plans.

Owing to a variety of factors into which I need not enter, the provision of certain forms of equipment for which India is dependent upon overseas sources has been unavoidably delayed. The position is, however, now steadily improving and regular consignments of some of these supplies are now beginning to reach India. There are still difficulties in the way of India procuring certain types of machinery, aircraft, and some of the more specialised forms of equipment. Every possibility has been explored in our efforts to make good these deficiencies and there is no doubt that as soon

[Sir Jeremy Raisman.]

as the over-riding requirements of the United Kingdom and other active war fronts have been met, our wants can and will be supplied. As soon as this happens, and I do not think that we shall have to wait long, much heavier charges than hitherto will have to be undertaken.

Meanwhile the financial settlement with His Majesty's Government has enabled the mobilization and development of India's resources for war to be expanded with the utmost rapidity at a cost to the Indian taxpayer which represents no more than a fair charge to India for her own requirements. Indeed it is not too much to say that apart from having made invaluable contributions to the conduct of the war on many fronts, India has reached the stage when virtual self-sufficiency in matters pertaining to her local defence is no longer a distant dream. When the war began India's main assets were an enormous supply of man power and an abundance of raw materials. She has now become, in addition, a producer of a great range of manufactured stores. Starting as she did with small, though highly organised Ordnance factories, she has been enabled owing to careful pre-war planning, not only vastly to increase the output of those articles which she was already producing, but to develop new lines with success and rapidity. This progress could not possibly have been achieved had it not been for the completeness of this pre-war planning.

For reasons which I trust will be generally appreciated, we have not hitherto felt justified in describing in any detail the progress and dimensions of our war effort. The time has, however, come when we can lift the veil a little more than we have done in the past, though there is, of course, still a good deal which in the interests of security I am unable to mention.

Our schemes for the expansion of our armed forces have, of course, depended on the availability of supply both from the United Kingdom and other overseas sources and from the development of Indian industries. We are now actually engaged in producing as a first step and in a comparatively short time an army which will amount in all to close upon half a million men of all arms, properly trained, equipped and mechanised according to modern standards. On completion of this we shall proceed to whatever degree of further expansion the circumstances may dictate.

Schools for advanced training in all branches of military knowledge and in the use of the new weapons which modern armies are called upon to employ have been vastly increased. For example, the number of those undergoing instruction at the Armoured Fighting Vehicles School is more than five times what it was in August, 1939. Three quarters of these are Indians. The Signals School has more than trebled its numbers. New officers' training institutions have been formed, the maximum output of which amounts to about five thousand a year at the present rate. Mechanical transport schools have been developed and increased on a tremendous scale for the production of the necessary numbers of men capable of driving and maintaining motor vehicles. Apart from mechanised cavalry and artillery, who train their own men, the output of drivers is now about sixteen times what it was in August last year and will within a few months undergo a further spectacular increase. The increases in the training of Sapper and Miner and other technical troops are equally striking.

Recruitment for all arms has gone on steadily and at a rapidly increasing tempo as the facilities for training and equipping the men have increased. Up to date over 60,000 troops from this country have proceeded

overseas to assist in defending what have been described as the outer bastions of India and over 100,000 men of all arms, a large proportion of whom are already fully trained, have joined the colours. A modern army is a most intricate and complicated mechanism; apart from infantry, mechanised cavalry and artillery, no formation is fit to take the field without a large number of specialised ancillary troops. There are, for example, railway construction companies, railway operating companies, engineering workshops, base depots for stores, field survey companies, bridging sections, excavating machinery establishments, signals units of all kinds, ordnance workshop companies and many other units to be provided. Mechanical transport has, of course, increased enormously and, apart from existing strengths, there are now 85 new M. T. sections in process of formation. The expansion of the medical services has been planned on the fullest scale. Provision has been made for no less than 19 new general hospitals consisting of no less than 290 sections. In addition, casualty clearing stations, field ambulances, ambulance trains and hospital ships have been provided and equipped.

The Royal Indian Navy started from very much smaller beginnings than the Army and proportionately its growth and development has perhaps been even more striking. A little over a year ago, provision for local naval defence was purely on a peace-time basis; now, not only are sloops of the Royal Indian Navy assisting the Royal Navy in Indian waters, but Indian ports and harbours are watched over by a large and growing fleet of minesweepers and anti-submarine patrol boats. More new sloops of the latest pattern are being completed in the United Kingdom and will be ready for delivery in a few months. Powerful and well-armed minesweeping craft, corvettes and patrol boats are being constructed in Indian yards and also overseas. Every slip in India which is capable of accommodating the hulls of these craft, some of which are of considerable size, is occupied.

With this expansion in the scale and activities of the Royal Indian Navy there has been a concomitant notable increase in the number of ratings of all classes, officers and warrant officers.

As I have already pointed out, the difficulties to be overcome with regard to the expansion of the air force have been much greater than in the case of the other services, though in their case too they were far from insuperable. Much progress has, however, been made and we have pressed on in every possible way with our preparations so that, when machines become available, we shall be able to go straight ahead. The expansion of the Indian Air Force, of which Honourable Members are aware, is well under weigh, and Coast Defence flights of the I. A. F. Volunteer Reserve are now actually operating. I have already mentioned the scheme, which is now being actively carried out, for the training of 300 pilots and 2,000 mechanics to form a reserve for the air forces in India. The personnel of this reserve will receive their elementary training under the auspices of the Director of Civil Aviation before entering schools for intermediate and advanced training. A training school for officers has recently been opened and will provide initial flying and ground training for fifty officers at a time. One of the schools of Air Force Technical Training has been expanded to train 350 Indian airmen at a time. The work in connection with the enlargement of aerodromes for the most modern types of aircraft is proceeding rapidly and buildings to accommodate squadrons equipped with such aeroplanes have been and are being

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constructed. A new Flying Training School is in process of formation and training in it will begin in a month's time. A large number of service aircraft for training purposes are being supplied by the United Kingdom and, as soon as further supplies of aircraft are received, we shall be in a position to make immediate use of them. In this connection, I may say that the scheme for establishing aeroplane factories in India has by no means been abandoned. On the contrary, it is our intention to proceed with it as soon as the necessary plant and materials become available. Steps to increase our reserve of aviation spirit and to introduce the manufacture of aircraft lubricating oil in this country have been taken.

As far as the land forces are concerned, the development of the equipment position has been phenomenally rapid; in fact the last few months have witnessed a radical change in the position. The basically important article in a mechanised army is the motor vehicle of various types, planned and adapted for military needs. Before the war we had something like 5,000. Now we have actually in service or on the way approximately 30,000 and by next year these numbers will have doubled. The most complicated and formidable motor vehicle is, of course, the tank or armoured fighting vehicle. Most of the difficulties, and these were many, in the way of producing a suitable armoured fighting vehicle in India have now been successfully surmounted. Armour plate, which has never been produced in India before, is now after an exhaustive series of tests, being successfully manufactured and will shortly be produced at the rate of hundreds of tons a month. A suitable type of chassis has been selected by our experts here and is being imported in the necessary quantities. Plans exist for an output of something like 3,000 armoured fighting vehicles within the next year for India's own requirements and manufacture will shortly begin.

As regards the remainder of the supply position, I will not attempt to go into the details of the vast number of items of ordnance stores, apart from the M. T. stores, which are now produced in India. With the successful harnessing of civil industry to the task of war production, not only is the output being very greatly and steadily increased but new items in an ever-increasing quantity, which had previously been imported from overseas, are being produced in this country. India is already in a position to produce far more than she at present requires for herself of many classes of lethal and ordnance stores as well as of clothing and other military equipment, and the requirements of His Majesty's Government have not only enabled Indian ordnance factories to be maintained at full blast, but have enabled us to embark on a programme of greatly expanded production. I will give a few examples of what we have already been able to do in addition to fulfilling our own local requirements. Since the war began over 100 million rounds of small arms ammunition have been sent overseas and nearly 400,000 rounds of gun ammunition of various kinds. Large quantities of explosives have also been despatched including 100 tons of cordite and a quarter of million detonators. The clothing figures are also striking, for soldiers must be clad and shod as well as armed. We have sent overseas over 1½ million pairs of boots; 1½ million blankets; more than 10 million yards of khaki drill; 1·2 million cotton shirts and 2½ million pairs of socks. Our production of military uniforms and made-up clothing is already seventeen times the average pre-war production and our eventual target will be more than double this.

Much remains to be done and there is still a considerable field of Defence equipment in which the rate of our expenditure is for the present determined, not by our readiness to incur it, but by the limits of the available supplies. But considering the difficulties with which we have had to contend—the uncertainties of the early period of the war; the scarcity both of certain types of equipment and of the wherewithal to make them; and finally the events in May and June last which no one could have foretold, we can, I think, fairly claim that the results achieved and in process of achievement have been surprising. I have of course made no mention of the Eastern Group Conference, which has just commenced its deliberations. These proceedings are bound to have an important bearing on the further production of war supplies in India, but it would be beyond the scope of this statement to deal with those possibilities of the future.

4. I return now to the more immediate purpose of my speech. For that purpose it is only necessary to consider the effect of all these activities on the amounts that India has herself to provide for defence. As a result of the review of India's own defence needs to which I have already referred, a general expansion of all three Branches of the Service—Army, Air Force and Navy—was decided upon and some indication of the measures contemplated has already been given to the public from time to time in the form of press communiqués and broadcasts. These measures comprise a large expansion of the Army in India on a fully mechanised basis and equipped according to modern standards, the raising and embodiment of additional I. T. F. battalions, garrison companies and coastal defence batteries, the special training, equipment, and employment outside their States of additional I. S. F. units, measures to ensure the protection of aerodromes and raising of anti-parachute troops, the creation of an Indian Observer Corps, and the strengthening of the defences on India's land frontiers. In the R. I. N., as already indicated, an extensive programme of ship-building has been embarked upon for the provision of additional trawlers and other vessels required for local naval defence purposes, while numerous measures connected with the defensive armament and equipment of merchant vessels on the Indian register against submarines and mines have been undertaken. Lastly, there is the expansion of the Indian Air Force strength and the creation of a reserve of trained pilots and airmen to which I have referred above. All these measures, constituting that portion of India's total war effort which under the settlement with His Majesty's Government is chargeable to Indian revenues, involve heavy expenditure. The total initial outlay cannot be estimated at this stage with any accuracy but a very rough assessment indicates that it may amount to as much as Rs. 33 crores. Other large measures are under consideration and will probably come forward in the very near future.

The extra recurring expenditure involved will also be very large, that on the Army expansion scheme alone being now estimated at approximately Rs. 12 crores per annum while the remaining schemes will add a further Rs. 4 crores per annum, making Rs. 16 crores per annum in all.

Of these total commitments the amount that will come forward during 1940-41 must depend on a number of uncertain factors, and this makes it extremely difficult to frame a close estimate of such expenditure at this stage. Taking all the available information however it seems fairly certain that the total will amount to not less than Rs. 14½ crores and may possibly

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be even greater; our defence expenditure for the year is thus likely to reach at least Rs. 68 crores against the budget estimate of Rs. 53½ crores.

We are therefore in the position of having to meet an increase of at least Rs. 14½ crores in defence expenditure and nearly Rs. 2½ crores in Civil expenditure; while against the extra balance of nearly Rs. 7 crores available in the Revenue Reserve Fund has to be set off the drop of Rs. 8 crores in revenue this year. In the result we are faced with a prospective deficit of roughly Rs. 18 crores in the current year, which might easily expand to Rs. 15 crores. But a more important aspect of the matter is that we have entered into commitments in regard to defence measures involving a recurring increase of Rs. 18 crores in a full year and non-recurring expenditure of well over Rs. 30 crores to be spread over the next year or two. While I do not propose that this should be met entirely from taxation, it is obvious that with defence expenditure now running at the rate of over Rs. 20 lakhs a day, we must begin at once to raise extra revenue to cover at least a portion of the additional expenditure, the remainder being met from the proceeds of our Defence Loans.

5. I therefore propose that the provisions of the Finance Act, 1940, should now be supplemented by two simple measures of fresh taxation designed to bring in Rs. 6 crores in a full year, leaving the position to be fully surveyed at the time of the Budget next February when we shall be better able to gauge our financial position.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is going to introduce a Bill. This is only a statement on the financial position and, therefore, the provisions of the Bill cannot be discussed now. The Bill will speak for itself as to what provisions it contains.

The Honourable Sir Jeremy Raisman: With all due deference, Sir, I submit it has been the practice when making a statement on the financial position which is subsequently followed by legislative proposals to indicate how these fit in with the financial statement which has just been made.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already said that so much deficit has to be met and so much expenditure will be incurred which has also to be met and so to discuss the provisions of the Bill will not be in order now.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Do I understand the Honourable Member is going to introduce his Bill now?

The Honourable Sir Jeremy Raisman: I shall be introducing the Bill immediately after the statement which I am making.

Sir Cowasji Jehangir: Why not introduce it now and then continue the statement?

Mr. President (The Honourable Sir Abdur Rahim): That must be on a separate motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): This is in the nature of a supplementary financial statement and both revenue and expenditure should be explained in connection with this statement.

FINANCE MEMBER'S STATEMENT ON THE FINANCIAL POSITION

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Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): That should be done when the Bill is under discussion and not now.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable the Finance Member discusses the provisions of the Bill now, other Honourable Members will have no opportunity at this stage to discuss them.

Mr. M. S. Aney (Berar Non-Muhammadan): Sir, may I just point out that in this House, whenever a Finance Bill has to be introduced a general statement is made before its introduction by the Honourable the Finance Member, which not only gives us an idea of the general revenue and expenditure position for the year, but also explanations relating to particular items on which taxation is intended to be raised. That is the usual procedure followed with regard to the introduction of the Financial Bill and on this supplementary Finance Bill, I think you will be justified in permitting the Honourable the Finance Member to follow the same procedure now.

Mr. President (The Honourable Sir Abdur Rahim): If the House generally wants to hear such explanation, the Chair will allow that, but there will be no discussion of the provisions of the Bill.

Mr. M. S. Aney: There will be none today.

Mr. President (The Honourable Sir Abdur Rahim): If it is not the desire to discuss the provisions of the Bill, the Chair will allow the Honourable Member to indicate the provisions he is making in the Bill.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): It is not the practice to discuss the statement. It is merely a statement.

Mr. President (The Honourable Sir Abdur Rahim): If it is the general desire of the House, the Chair will allow the Finance Member to indicate what provisions he proposes to make to meet the financial position, but there shall be no debate at this stage.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, may I suggest that an early date should be fixed for discussing this important statement and the taxation proposals made?

Mr. President (The Honourable Sir Abdur Rahim): The Bill is going to be introduced now. That Bill will give Honourable Members an opportunity to discuss it.

Babu Baijnath Bajoria: Will the whole of the statement be open to discussion?

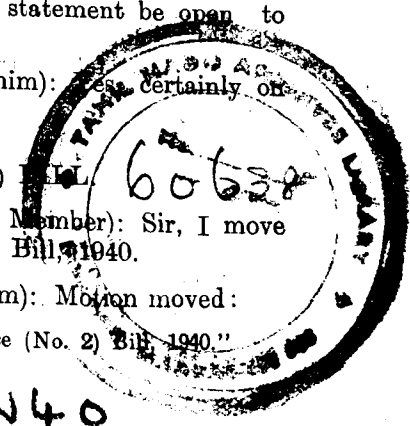
Mr. President (The Honourable Sir Abdur Rahim): Certainly on consideration of the Bill.

THE INDIAN FINANCE (NO. 2) BILL

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce the Indian Finance (No. 2) Bill, 1940.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That leave be granted to introduce the Indian Finance (No. 2) Bill, 1940."



Sir Owasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, may I know whether the usual procedure with regard to all Finance Bills will be followed in this case? Will the same time be allowed for consideration and discussion and for voting?

The Honourable Sir Jeremy Raisman: It will be the same as the Finance Bill but there is no voting of demands for grants.

Mr. President (The Honourable Sir Abdur Rahim): The only thing for discussion will be the Finance Bill.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): On the Finance Bill is it not open to every Member to discuss the expenditure for which the provision is being asked for?

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

"That leave be granted to introduce the Indian Finance (No. 2) Bill, 1940."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

FINANCE MEMBER'S STATEMENT ON THE FINANCIAL POSITION—*contd.*

The Honourable Sir Jeremy Raisman (Finance Member): My first proposal is to impose a 25 per cent. surcharge for Central purposes on all taxes on income including Super-tax and Corporation Tax, which for the current year, will work out as an increase of $8\frac{1}{8}$ per cent. on account of the last four months of the year. In the case of incomes other than salaries there will be a supplementary assessment increasing the tax already assessed for 1940-41 by one-twelfth and in the case of incomes from which tax is deducted at source, that is salaries, interest on securities and dividends the previous deductions will be treated as short by one-twelfth, so that for the remaining 4 months of the year deductions will be increased by 25 per cent. This surcharge is imposed as a Federal surcharge for Central purposes so that the entire proceeds will go to the Centre for the financing of the war effort. I have already mentioned that the provincial share of income-tax for last year has turned out to be Rs. 2.81 lakhs as compared with the budget estimate for 1939-40 of Rs. 1.78 lakhs and our revised estimate on the basis of the amended Niemeyer formula of Rs. 2.38 lakhs. The Provinces will thus be receiving nearly double the amounts that fell to their share on account of each of the two preceding years and considerably more than they could ever have expected to get but for the war.

I now come to my second taxation proposal, which is to increase the postal rates to a limited extent to bring in Rs. 1 crore in a full year. The initial rate for inland letters is to be raised from 1 anna to 1 anna 8 pies, for letters to Burma from 1 anna 6 pies to 2 annas, and for letters to Empire countries from 2 annas 6 pies to 3 annas 6 pies, while that for book packets is to be raised from 6 pies for the first $2\frac{1}{2}$ tolas to 9 pies for the first 5 tolas.

All other postal rates including that of the post-card, are to remain unchanged. These increases are expected to bring in Rs. 83 lakhs. The remaining items are the levy of a surcharge of 1 anna on each ordinary and 2 annas on each express inland telegram and a surcharge of 10 per cent. on trunk telephone bills, which together are estimated to yield a further Rs. 17 lakhs. The actual increases will be brought about by notification after the passing of the Bill which provides for the raising of the maximum rates to enable this to be done.

That, Sir, brings me to the end of my statement. It is a truism that in time of war Finance is the handmaiden of Defence, for no country can afford not to take the measures necessary for its own survival. In relation to the needs of the present situation, the sacrifices which I have to ask of the community at this stage are not excessive. Clearly they are not the last that we shall be called upon to bear if India is to play a worthy part in securing the victory of civilisation over the dark forces that would engulf it.

RELINQUISHMENT OF SIMLA FOR SITTINGS OF THE LEGISLATIVE ASSEMBLY.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, before you adjourn the House, I would ask permission to seek your ruling on a question raised by the relinquishment of Simla as the scene of the sittings of this House. In a ruling delivered on the 25th March, 1934, your predecessor observed incidentally that unless otherwise specifically directed by the Assembly, the meetings of Select Committees should be held within the precincts of the House. There are now no precincts of the House in Simla, but, for so long as Government continue to move to Simla, there will inevitably be occasions on which it will be desirable for a Select Committee to meet in Simla. If your predecessor's ruling is strictly construed, it will be impossible for a Select Committee to meet in Simla unless the House, in setting up the Select Committee, specifically directed it to sit in Simla. I submit for your consideration that Simla should continue to be regarded as the normal scene for meetings of Select Committees and that express direction should be required only when it is desired that a Select Committee should meet elsewhere than in New Delhi or Simla.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, before you give your ruling, you should give us an opportunity to discuss this matter. Government gave us clearly to understand that they would be going up to Simla only for a short term and come down in September. Now they have been staying there for six weeks longer. The amount of saving they said

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not go into the saving.

Dr. Sir Ziauddin Ahmad: When our houses in Simla have been taken away from us, it is desirable that Government Members should come down here to hold these meetings. They should not have all the advantages of Simla and drag Honourable Members to Simla and give no convenience of accommodation and of office to them and even refuse the Sessions to be held there. Therefore, this matter requires serious consideration.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, the remarks made by the previous speaker are very pertinent and Government should have given some explanation for the departure which they made from their laid-down policy. This House cannot say anything unless we know from what time to what time Government propose to remain in Simla. Of course there will be inconvenience if Government Members do not find sufficient time to come down from Simla from May to August, and postpone meetings of the Select Committees to take place here just before the Session. I think some kind of explanation is due from Government as to the course of action they are going to adopt in future. Let the matter be settled for the present year but for the future some kind of indication must be given before any decision can be taken on this motion.

Mr. Muhammad Ashar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): There is one point more which I would like to put

Mr. President (The Honourable Sir Abdur Rahim): Two Honourable 1 P.M. Members from his Party have already spoken.

The Chair has had occasion to consider this matter. There is no doubt that it is the practice in the British Parliament that meetings of the Select Committee or of committees analogous to Select Committees should be held ordinarily within the precincts of the House, unless otherwise desired by the House itself. It is really a matter of consulting the convenience of the House and also how best the Select Committee under particular circumstances can discharge its duties. For instance, suppose a member of the Select Committee is too ill to attend the House of Parliament, the Select Committee has been ordered by the House to hold its meeting in his place to enable him to participate in the deliberations; again where some inquiries may have to be made and witnesses summoned or examined in certain localities, under those circumstances the members of the House have specially authorised the holding of the meeting in those localities. The Chair thinks under the circumstances there can be no doubt that the proper course for the Government would be, when a motion is moved for the constitution of a Select Committee, to ask the House at the same time if it is so desired, to authorise the meetings of that committee in Simla. If that is done, the Chair does not think there will ordinarily be very much difficulty in obtaining the authority of the House on the point. That is the ruling of the predecessor of the Chair, and that is in accordance with the parliamentary practice, and the Chair thinks it is a course of action which would meet the convenience of ordinary members of the House as well as the members of the Government. The Chair, therefore, rules that whenever it is desired, under the present circumstances now that there is no Assembly House in Simla, that a meeting of any particular Select Committee should be held there, to obtain beforehand the consent of the House to that effect.

Dr. Sir Ziauddin Ahmad: Then we will impose a condition that the office should be permitted to move up.

Sir Muhammad Yamin Khan: May I ask, Sir, what has happened to the Council House that was built there specially for the Assembly? Without the consent of the House it cannot be given away to any other body.

It was in charge of you, Sir. Sanction was obtained from this House to build that House in Simla for the purpose of holding meetings of the Assembly, and, therefore, it was property which was vested in the President and not in the Government of India, and it cannot be given out without the consent of the President.

Mr. President (The Honourable Sir Abdur Rahim): What has happened to the Council House—the Chair is not quite sure whether it was called the Council House or the Assembly House—the Chair is not in a position to say; but according to the statement made by the Leader of the House it is no longer ordinarily available for the meeting of the Assembly.

Sardar Sant Singh (West Punjab: Sikh): Was it done with your consent or not?

Mr. President (The Honourable Sir Abdur Rahim): As regards the adjournment motion which the Chair said would be taken up at once as soon as the business on the agenda is terminated, the Chair forgot to consult the House whether it will suit their convenience as to what hour they would like to meet to discuss that motion—at 4 P.M., as usual, or at 2-30 P.M. or shall we begin at once?

Mr. M. S. Aney (Berar: Non-Muhammadan): After the lunch interval.

Mr. President (The Honourable Sir Abdur Rahim): Is that the general desire of the House, to take up the discussion at 2-30?

Honourable Members: Yes.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, **Mr. President** (The Honourable Sir Abdur Rahim) in the Chair.

MOTION FOR ADJOURNMENT.

DACCA MAIL DISASTER.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I beg to move that the House do now adjourn. The facts relating to this unfortunate accident on the Eastern Bengal Railway are these. On the 5th August, 1940, the Dacca Mail met with a very serious accident at about 3 A.M., that is, at 3 O'clock in the morning. While approaching Jairampore station, about 80 miles from Calcutta, the engine and three bogies went down the bank and three more bogies were derailed. Thirty-four persons were killed outright and 59 injured persons were taken to the Calcutta Medical College hospital. Of these injured persons, several subsequently succumbed to their injuries

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Not several.

Dr. P. N. Banerjee: Yes, several.

Sir Abdul Halim Ghuznavi: How many?

Dr. P. N. Banerjee: I don't remember the exact number; I think it was four, five or six.

Sir Abdul Halim Ghuznavi: Not more than three.

Dr. P. N. Banerjee: However, I say "several", you need not object to that. When the dead bodies were taken to the Sealdah Station, the scene was indescribably pathetic. The relatives of the dead persons who came to identify them were in utmost distress, and when they found that it was their own relations who were dead or dying, you can easily imagine what was the state of their mind. Sir, our hearts go out in sympathy to the relatives of the deceased persons in their dire distress.

But mere sympathy will not do. What is wanted of us is to find out the cause and apply a suitable remedy. It was mentioned in the papers a few days later that an inquiry had been made and the engineering authorities of the Eastern Bengal Railway said that a rail had been removed, and this was the cause of the derailment. So, in their view, sabotage was the cause of the disaster. But, Sir, sabotage has been regarded as the cause of so many other disasters, and, subsequently, when independent inquiries were made, it was found that sabotage was not the real cause. And why should there be any sabotage? No reason has been assigned for this. I hold in my hand two letters from very respectable gentlemen who were on this ill-fated train. One letter is from Mr. Profulla Chandra Das Gupta, a pleader of Dacca. Another is from Mr. Priya Nath Sen, a well-known public man of Eastern Bengal. Mr. Sen, although he is a public man, does not belong to the Congress Party, and so it may be said that his testimony is not a tainted one

An Honourable Member: Is that so?

Dr. P. N. Banerjee: So far as the Government are concerned, whatever comes from congress source is supposed to be tainted

Another Honourable Member: No, No.

Dr. P. N. Banerjee: I am speaking of the official mind, and not of the public mind. The public, of course, give greater credence to anything that comes from the Congress Party than to anything that comes from other parties. However, let us not discuss that matter for the present. Now, this gentleman, Mr. Gupta, says

Sir Abdul Halim Ghuznavi: Let us first hear what Mr. Priya Nath Sen says:

Dr. P. N. Banerjee: Mr. Sen says

Sir Abdul Halim Ghuznavi: Where is the letter? Please read that.

Dr. P. N. Banerjee: If I were to read out the whole letter you will get tired. I shall make it over to you later on.

Sir Abdul Halim Ghuznavi: I also want to quote from it, and so I should like to know what he has said to you.

Dr. P. N. Banerjee: This gentleman says that the mail steamer from Dacca and another steamer arrived at Goalando very late, so that the Dacca Mail was unable to start before one hour after the scheduled time, and as the line between Narayanaganj and Poradah is single, there was not much chance to make up the loss of time. The loss of time was actually made up within a distance of 21 miles from Poradah and Jairampur, and, therefore, he says that the driver drove his engine at a very high speed . . .

Sir Abdul Halim Ghuznavi: But what was the distance and what was the speed?

Dr. P. N. Banerjee: He says the distance was between 20 and 21 miles.

An Honourable Member: What is the speed limit?

Dr. P. N. Banerjee: The ordinary speed limit is 35 miles, but it is probable that the engine was driven at a speed of 55 miles in order to make up the loss of time. That is his version. He further says that there was so much jolting in that train that people could not sleep. Besides, the ground at this particular place was soft with the result that the engine went off the rails.

This version is corroborated by Mr. Das Gupta, who is a pleader of Dacca, and who was also a passenger on the ill-fated train

An Honourable Member: Not a congressman, I suppose?

Dr. P. N. Banerjee: No, he is not a congressman.

• He says that this train arrived punctually near Jairampur station although it had started one hour later, and that accounted for the high speed at which the engine was driven.

These two independent witnesses further say that no proper enquiry was made. An official enquiry, it is true, was made, but these passengers were not asked to give their evidence. Mr. P. N. Sen gave his evidence before the Superintendent of Police, but when the enquiry actually took place he was not asked to attend. The opinion of the general public is that this enquiry which was made was a white-washing enquiry; it was not a true enquiry.

Sir, what was really the cause? This is one version—that the engine was driven at a very high speed, and to that is added the cause that at that particular place the ground was soft and the rail-road gave way. There may be some other causes also. Perhaps, the line was not in a proper state of repair. We must also consider whether the physical and mental condition of the driver was what it ought to have been. This was one of the matters for enquiry which I mentioned in connection with another disaster which took place last year on the East Indian Railway, and exception was taken to my remarks. On that occasion I did not suggest that the driver was drunk. What I suggested was that it might be one of the possible causes of the disaster. There is no harm in making a proper enquiry. There is no harm in making an enquiry into all the possible causes.

[Dr. P. N. Banerjea.]

Then, Sir, there is another matter which should be sufficiently considered. Was adequate relief given to the passengers? My information is that the relief train came nearly five hours later, and in the meantime several persons died. Further, no anti-tetanus injections were given and it is held by some that if such injections had been given a few more lives could have been saved.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Dr. P. N. Banerjea: Before I conclude, I should like to urge that what is needed at the present moment is to find out the real causes, and the real causes can only be found out by referring the matter to an independent and impartial tribunal.

As for compensation, we have in Sir Andrew Clow a very sympathetic Member and I hope he will realise the distress in which the families of the bereaved persons have been placed and that adequate compensation will be granted to these persons.

Railway disasters have now become things of ordinary occurrence. During the last four or five years, no less than fifteen disasters of a very serious character have taken place. The time has now come when the question should be taken seriously in hand and every step taken in order to prevent a recurrence of such disasters in future.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Assembly do now adjourn".

Sir Abdul Halim Ghuznavi: Mr. President, I am glad that my Honourable friend gave me an opportunity to speak on this motion which he has moved.

Mr. M. S. Aney (Berar: Non-Muhammadan): Why? You have a right to speak.

Sir Abdul Halim Ghuznavi: He has given me this opportunity, because, if he had not had moved this motion, I could not have spoken, I could not get an opportunity to speak on this subject. That is the thing. I am an elected Member from Dacca cum Mymensingh constituency, and as soon as this disaster took place, the first step that I took to find out the facts was to put in an advertisement in all the vernacular newspapers calling for evidence from whosoever had any evidence, and asking them to see me with their evidence so that I might know the facts. To that advertisement, I received half a dozen answers... (An Honourable Member: "only?")... yes, only. I was then up in Simla. I went back to Calcutta and made first hand enquiries about this disaster. My Honourable friend will admit that the Honourable the Communications Member of the Bengal Government referred to this disaster in the Bengal Legislative Assembly, and he spoke in most eloquent terms of the way in which the General Manager of the Eastern Bengal Railway, treated the wounded and the dead, and their relations.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): And their sympathisers also?

Sir Abdul Halim Ghuznavi: No use interrupting me, because my friend does not know the facts which I know. The Honourable the Communications Member said on the floor of the Bengal Legislative Assembly that he was personally satisfied that the cause was that of a sabotage and nothing else.

Pandit Lakshmi Kanta Maitra: He never said that.

Sir Abdul Halim Ghuznavi: He has said that in the Legislative Assembly.

Dr. P. N. Banerjea: One person's testimony is not sufficient.

Sir Abdul Halim Ghuznavi: Immediately after, half a dozen accidents at least have happened in Bengal, and I have been at the stations, but never did I hear of the amount of trouble that the Railway Administration took on the occasion of this accident to give relief to the people suffering from wounds. The first thing that the Administration did was, they gave free orders for all kinds of drinks and eatables to the wounded persons and those who were attending on them on the spot. Train after train went with food and medicine and appliances and doctors. I am awfully sorry that my Honourable friend referred to the relief train arriving there too late.

Dr. P. N. Banerjea: Did it not arrive nearly five hours after the accident?

Sir Abdul Halim Ghuznavi: My Honourable friend is not correct, and I am not going to give details as to why that is not correct, because my time is very short.

Dr. P. N. Banerjea: All right. Go on.

Sir Abdul Halim Ghuznavi: The fact of the matter is that every person, every public man, every newspaper in Calcutta admired the way in which the Administration carried out the difficult duties of giving relief to the wounded and their relations. My Honourable friend referred to anti-tetanic injections. I am amazed at his colossal ignorance. Not only had special arrangements been made in the hospitals which had never been made before by any railway, but additional expenditure has been incurred by the Eastern Bengal Railway in giving relief. Further, free passage was given to the friends and relations of the wounded and free food was given to those who came to look after the comforts of the wounded, and still my friend says that the Railway Administration did not do the duty which they owe to the wounded. Then, special nurses were engaged. I could go on like that, but I would now come to the facts about the accident. The Honourable Member has forgotten them. Public memory is very short. The Members of the Legislative Assembly who travelled by that train, including Mr. P. N. Sen, who made a statement to the General Manager, said that it was a case of sabotage and nothing else. It had appeared in the *Amrita Bazar Patrika*, the *Star of India* and also

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Mr. Sen's letter. If my friend had taken the trouble to read that letter, he would have seen that it was a case of sabotage.

Mr. Ghulam Bhik Nairang (East Punjab: Muhammadan): Mr. P. N. Sen said that!

Sir Abdul Halim Ghuznavi: He told me that it was a case of sabotage. He is a colleague of mine in the Central Jute Committee. That is the reason why my friend would not read his letter. He would only give an extract here and there.

Dr. P. N. Banerjea: I will give the whole thing to you.

Sir Abdul Halim Ghuznavi: You may give it to me, but you never mentioned what the contents of the letter were.

Dr. P. N. Banerjea: I read out portions.

Sir Abdul Halim Ghuznavi: There is a notorious gang.

Pandit Lakshmi Kanta Maitra: Captained by whom?

Sir Abdul Halim Ghuznavi: That gang is responsible for that disaster, the later disaster. It has been proved

Pandit Lakshmi Kanta Maitra: Where?

Sir Abdul Halim Ghuznavi: by the different Railways, and my friend will soon hear that that gang will be arrested for committing what they have done in the Eastern Bengal Railway. Why they did it, is the question. That gang is not a terrorist movement.

Mr. M. Ghiasuddin (Punjab: Landholders): Non-violent?

Sir Abdul Halim Ghuznavi (addressing Mr. M. Ghiasuddin): The object is to steal people's goods and money.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should address the Chair.

Sir Abdul Halim Ghuznavi: I have found out that the object of that gang is to make money by taking away the jewellery from the ladies who travel, when they are dead and also loot the train. That has been proved.

Dr. P. N. Banerjea: At Majdia also?

Sir Abdul Halim Ghuznavi: That was a clear case where the driver did not mind the signal, but here it is a clear case that it is nothing but sabotage. Nevertheless, the position that the Railway Board finds itself in is that, in the case of sabotage, no compensation is paid, and it is a great pity that in the case of sabotage no compensation is given. After all, it is a railway accident, whatever may be the cause, and there should be compensation in every case. If the Honourable Member announces that even in case of sabotage they shall be given compensation, you will

find that in nine cases out of ten people declare that it is sabotage and nothing else. Because there is no compensation, people do not want to say that it is a case of sabotage.

Then, my Honourable friend said that the train was running very fast, at a higher speed, because the two Dacca steamers arrived an hour and a half late. I find that it is not the case. I have read the diary kept by the guard and the station masters in regard to that particular train. It showed no faster speed than was allowed by the timing. Is my Honourable friend prepared to say that the timing was changed right up from Goalundo up to that spot where the sabotage had taken place?

Dr. P. N. Banerjea: Did that train start at the scheduled time?

Sir Abdul Halim Ghuznavi: The time of arriving at that point shows that the train did not run at more than the speed allowed. That is the point.

Dr. P. N. Banerjea: If the train started one hour later?

Sir Abdul Halim Ghuznavi: Then it will arrive one hour later. The point is whether the time had been recovered. I say that it is not so. The driving shows that it did not recover the speed that you say was lost at the start. They had made no attempt to run faster in order to recover the loss of timing owing to the late arrival of the steamers. That is what I read from the diaries. Records are kept from the start up to the time of reaching the destination. They have been shown to me. I was entitled to see them as a member of the Standing Finance Committee.

Mr. M. S. Aney: You have seen what the records are?

Sir Abdul Halim Ghuznavi: Yes.

Sardar Sant Singh: May I ask one question of the Honourable Member? Is he prepared to say that the time taken between the two intermediate stations, the station of departure and the station of arrival, was the same as is taken usually under the ordinary normal speed or had been less or more.

Sir Abdul Halim Ghuznavi: I have not been able to follow you.

Sardar Sant Singh: Suppose the train starts from station A and goes to station B. Did the train take the same time which it ordinarily takes if the speed is normal, or was it less or more?

Sir Abdul Halim Ghuznavi: It must have been the same. My friend has made one mistake because of his ignorance. The allegation was that the train was driven at a faster rate between Jairampur and Poradah or one station above that, which I forget. The allegation was that the distance covered was only five miles, and some of the passengers said that at that particular time the train was jerking terribly, that is, at the time when those five miles were being covered, but the records clearly show that the train was not running faster than usual—not from Poradah, but from one station above Jairampur, where the accident took place. The records are there. Not only that there is further evidence

Mr. M. S. Aney: How did it reach Jairampur in time?

Sir Abdul Halim Ghuznavi: It did not reach in time. The time at which it left the station above Jairampur is recorded.

Sardar Sant Singh: What is the time?

Sir Abdul Halim Ghuznavi: I cannot say from memory. It was some time in the early morning, of course.

Then, at the time of the accident, the inquiry shows that the train was not running fast. But I am coming to further facts which clearly prove that it was a case of sabotage, and appeal to the Honourable Member for Communications that he must consider the question of paying compensation, because it is not a case of colossal deaths, and the Government of India would not lose much. They ought to consider this as to who is responsible for the sabotage as it is the Government of India which runs the trains, because, there is no policing on the way, and then why does he not provide the police

The Honourable Sir Andrew Clow (Member for Railways and Communications): The police are not under me.

Sir Abdul Halim Ghuznavi: Why do you not provide the police? You will find that accidents are going on every month, it is a daily occurrence and that should be taken into account when you present your Budget. Provide your own police to police the lines so that there may not be sabotage; and then, if you do not provide that, then provide this: even in the case of sabotage, you must give compensation,—and they are entitled to compensation in the case of sabotage also.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sir Abdul Halim Ghuznavi: Very well, Sir. In the circumstances which I have stated, I hope my Honourable friend will ask the leave of the House to withdraw this motion.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, my friend, Sir Abdul Halim Ghuznavi, last year mentioned the very important motto that "travel by A. F. R. and see the world, and travel by the E. I. R. and see the next!" Today he has come forward with the opposite proposition, and, instead of attacking the Railways, he is now defending them. The points which my Honourable friend, Dr. Banerjee, raised, are important and should be answered. The first point that was made was that the train was running at a tremendous speed. I think it would be well if we could answer this question very simply, and I hope the Honourable Member for Communications will explain this point which can easily be decided; he must have got possession of the time when the train left the last station and the time when the train arrived at this station and the distance between the two, and then anybody can calculate the speed easily.

The Honourable Sir Andrew Clow: Sir, to save the time of the House, I may say that the train travelled about four and a quarter miles since it left the last station and covered that distance in eight minutes.

Dr. Sir Ziauddin Ahmad: So this thing can be decided very easily by the facts and there is no question of any argument about this particular point. Now, the second thing is whether the engine driver was drunk. This is a point which can be inquired into by the people who are on the spot and it is very difficult for us to express our opinion on this question. Now, the third thing is whether it was a question of sabotage or it was a question of some kind of mistake on the part of the railway servants. That is a point which really also we cannot answer on the floor of the House. Dr. Banerjee's point was that these points ought to have been inquired into by some independent and impartial committee of inquiry, and we have always insisted that there ought to be a kind of judicial inquiry in all cases of accidents and should not depend entirely on the opinions of Railway Inspectors. Of course, a judicial inquiry may not be an inquiry by means of a judge but it should be an inquiry by a committee presided over by a gentleman of the rank of a High Court Judge or a District and Sessions Judge.

We have always pressed this particular point on the floor of the House that whenever there is any accident of a very great importance in which there is a loss of life, then immediately there ought to be an impartial inquiry conducted by the Government. Now, we expected on this occasion as well as on the occasion of the accident on the Bombay, Baroda and Central India Railway that there would be an immediate Government communique on this particular point, but probably I missed the particular copy of the statement, and I saw no such communique. I hope my Honourable friend in the reply to this question will mention the dates of the accidents and the dates of the communiques issued by the Railway Board or by the Government of India. Now, all that my friend wanted was that this particular thing on which we are raising questions ought to be inquired into and some authoritative opinion given to the public. Now, I hope the Government will appreciate the point of view which we have in our mind. We want that the railways should command the confidence of the travelling public and it is essential that the public carrier should command the confidence of the travelling public and this confidence can only be restored if a court of inquiry is held and the persons who are really guilty are properly punished,—and this is all we want: and therefore, the demand on this side is for the benefit of the Railways themselves,—that is, all kinds of doubts about negligence and irregularity should be removed and should be properly explained by the Government. Now, a further question was also raised about the frequency of these accidents. I have got before me the last report of the Railway Board, and I find that in the year 1938-39 there were no less than 18,811 accidents in a whole year, some of them smaller, some of them greater, and the total loss of life during the same period was 3,474, and the number of injured was 15,809.

The Honourable Sir Andrew Clow: These are not all accidents to running trains.

Dr. Sir Ziauddin Ahmad: These are accidents of all kinds; it may be running over by cattle, it may be broken rails, it may be flooding of the permanent-way, so there are twenty-four different items under which they are classified, and I only gave the total. This total appears to be very great, but if you consider the percentage, then it is small considering the amount of travelling involved. But in spite of all that, I think it is very desirable that there should be as

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few accidents on Railways as may be possible and I think greater care should be taken by the Railway Board and the Government so that the confidence of the public should be maintained; and in any big accident where there is a loss of life, the matter should be inquired into and thoroughly thrashed out and an authoritative opinion should be given to the public about the causes of the accident and the action they have taken to punish the persons whose neglect of duty resulted in this accident. Since these are all the things which the public want the Government to inquire into and I think it is in the interests of the Railways themselves that they should command the confidence of the travelling public. With these few words I resume my seat.

Mr. M. S. Aney: Sir, the point which a motion like this is intended to raise is this,—whether there is a reasonable case for the inquiry demanded in the motion or not. Now, my Honourable friend, Sir Abdul Halim Ghuznavi, has given us a very valiant defence of the Railway Administration in regard to what has been done by the Railway after the accident. He also thinks that the inquiry has completely and satisfactorily established that it was a case of sabotage. How he is satisfied we do not know, but he says that somebody else is satisfied, somebody else has made the statement in the Assembly somewhere that it was a case of sabotage, and on that testimony of some third man my friend, Sir Abdul Halim Ghuznavi, seems to have been completely satisfied. He also gave us a very graphic description of the promptness with which arrangements for the relief of the people were made by the Railway Administration after the accident. But one thing is quite clear, *viz.*, that there are two versions about this matter which are presented to this House. One is the version which is given by my Honourable friend, Dr. Banerjee. He has, on the testimony of a very respectable gentleman whose letter he holds in his hand, shows that between certain stations certain passengers were feeling that the train was running at a very unusually high speed. There was another point made out—and this was not met by anything which has been said by my Honourable friend, Sir Abdul Halim Ghuznavi, and I have not been able to follow him,—and that point is this, that the train actually started late by an hour from the original station. I only want to know whether the hour at which the accident took place at a certain place near the Jairampur station is the ordinary hour of its arrival there or was it an hour late?

The Honourable Sir Andrew Clow: The train left the preceding station up to time.

Mr. M. S. Aney: My point was this and I should like to explain it in order that I may be perfectly understood. I do not know whether it is a fact or not but I take the fact as it has come out from the letter which my Honourable friend has read out, namely, that the steamer came late by an hour and I take it that the train left the original station an hour later than it should ordinarily have done. If it started late by an hour, then it is expected that it should reach the other stations an hour late if it goes by the normal speed. So, the real point is, what was the time when the train was ordinarily due at Jairampur station and whether the accident took place about the same time or an hour later? That is one of the criteria which the Railway Administration should bear in mind in

deciding the question of the speed at which the train was running. On that point, somehow or other Sir Abdul Halim Ghuznavi has not been able to satisfy me or any Member on this side. He said that there is a record maintained in the diaries. The record may be there but the point is this that the hour at which the accident took place is known to everybody. The point is whether that is the usual hour at which the train comes there. If it is the usual hour, then it means that the train had been running at a higher speed prior to that station, otherwise it could not have arrived there at that time. If it is really an hour later than that, then the question is ordinarily eliminated out of the consideration. That is the point on which up to this time no satisfactory explanation has been offered.

Now, it is perfectly true that the explanation with regard to sabotage is generally regarded by the public outside with great suspicion. The main reason for this suspicion is, as my Honourable friend, Sir Abdul Halim Ghuznavi, has himself explained, that that is the only way by which the Railway can escape paying compensation to the injured persons. If the explanation comes from the Railway Administration that it was a case of sabotage, it is considered to be coming from an interested quarter, which wants to be relieved of the liability which they have to pay on account of the injuries sustained by the passengers in the train. Therefore, that explanation is always and very naturally regarded with a great deal of suspicion by the people. The only way to remove that suspicion and to give a convincing explanation to the public is to hold an inquiry by or entrust the inquiry to some independent tribunal which commands the confidence of the public. In this case who made the inquiries? I do not know. We have not yet got the statement of the Honourable Member in charge. I do not know who has made the inquiries and what the Government think about them. But if the inquiries have been made simply by the Railway Administration or somebody representative of the Railway Administration and no judicial officer or some independent Tribunal was there to go into these details, then the conclusion will always be regarded with a good deal of suspicion by the public.

As my Honourable friend, Dr. Sir Ziauddin Ahmad, has stated, railways are a matter of public concern. They are the public carriers and their running should be of such a nature as to command universal confidence of the public. On the basis of the facts that have been put before us I maintain that there is a *prima facie* case for an inquiry. But I would like to suspend my judgment till I hear the Honourable Member in charge. For the time being, I am inclined to hold that a good case has been made out by my friend, Dr. Banerjee, in support of the adjournment motion.

Pandit Lakshmi Kanta Maitra: Mr. President, Sir, as one who was perhaps the earliest to bring this matter to the notice of this House, I think I owe it to myself and to my constituency to place certain facts that arise out of this Adjournment Motion. My Adjournment Motion was based on the failure of Government to institute a judicial inquiry or an inquiry by an impartial tribunal into this Dacca Mail disaster. But as my Honourable friend, Sir Andrew Clow, was more disposed to accept the phraseology of my Honourable friend, Dr. Banerjee, I had to withdraw mine. The details of this disaster have been given by the previous speakers and I do not want to repeat them but I will place certain facts which emerge out of

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this disaster and which have not been brought to the notice of this House. It may not be known to many Members of this House that on the Eastern Bengal Railway as many as five disasters had taken place during the course of the last few years.

The Honourable Sir Andrew Clow: How many?

Pandit Lakshmi Kanta Maitra: I think there were three disasters on the Dacca Mail and altogether there were five disasters on that line.

The Honourable Sir Andrew Clow: In how many years?

Pandit Lakshmi Kanta Maitra: In about 12 years' time, or, say, in the course of the last decade and a half. Anyway, this disaster and the one which preceded it about 15 months ago happened in my own constituency, about 40 miles from the headquarters in which I live, and, naturally, I am interested in it. I am interested to know why these accidents have a knack of taking place in this particular locality? If they are to be attributed to sabotage, why is this particular locality and this particular train selected for this sabotage and who are the persons involved in it? These are the questions that would naturally arise in the mind of any sensible man. The fact is that the Railway track between Poradah Junction and Ranaghat Junction on the main line of the Eastern Bengal Railway, a distance of about 60 miles, has been the scene of these disasters. My learned friend, Dr. Banerjea, suggested, and, for ought I know, it is a fact, that the track on this side is not strong enough to bear the strain of the heavy pressure of the huge locomotives which were introduced on that particular section about 15 years back. The point that suggests itself to the mind of a layman is this: if it is due to the misdeeds of saboteurs or mischief mongers where are they? Why have they not been traced out so far? In the absence of a satisfactory reply we are left to make our own guesses and to form our own judgment.

My Honourable friend, Dr. Banerjea, read a letter from a very esteemable friend of his, Mr. P. N. Sen. It was his personal letter and I am not going into it. But I will place before the House some extracts from letters which have been printed in the newspapers. One letter is from one Khan Bahadur Aulad Hossain, M.L.A. of Manickgunge, who was travelling in the ill-fated train and narrating his experiences of the disaster he said: "After the train had left Chuadanga, it began to run at top-speed. There was considerable jerking, so much so that I had to sit up. One man who was sleeping on the bunk was about to fall owing to jerking when other passengers secured him." That is the statement of one gentleman which appeared in the Press.

Now, let us turn to another. This was the statement of one Mr. Chintaharan Roy, an Advocate of the High Court residing in Kalighat, Calcutta. He told a representative of the *Amrita Bazar Patrika* that he with Mr. S. M. Sen Gupta, Pleader and Chairman of Goalpara Municipality of Assam, had been travelling in the same train in an Inter class compartment of the Dacca Mail on the 5th instant when the disaster took place. At about 2 A.M. feeling something unusual, he woke up and it appeared to him that the train was running at a very high speed and seemed to be bulging at times. He and his fellow travellers felt uneasy and could not go to sleep. Mark his statement.

Here is yet another statement from Mr. Surendra Mohan Sen Gupta, Chairman, Municipal Board, Goalpara and he said that he and other passengers of his compartment woke up at about 2-30 A.M. by the tossing of the train which seemed to have been running at a very high speed.

These are the views given to the Press by people who travelled by the same ill-fated train and published in the *Amrita Bazar Patrika* of the 6th August. In the face of these statements by highly respectable and responsible persons would it lie in the mouth of any supporters of the Government, like my Honourable friend, Sir Abdul Halim Ghuznavi, who I find is not in his seat and who has not had the courtesy to remain and listen to what I was going to say, to say that the accident is due only to sabotage and to nothing else? Would it be easy for any ordinary sensible man to believe that there was no other cause behind the disaster but that of sabotage by some unknown persons? Let it be remembered that the danger zone on the Eastern Bengal Railway is the portion of line—between Poradah and Ranaghat junctions. Several accidents had taken place there. Strangely enough, before this accident took place, another train—the North Bengal Express,—passed over this scene of occurrence a few minutes before and nothing happened to that train. There was only a very short interval between the passing of these two trains—the Dacca Mail and the North Bengal Express. Sir we are told at a subsequent enquiry which was conducted by the Government agency that the railway track of about 42 feet long had been removed. I want the House to bear in mind that 42 feet of railway track was missing. Who removed it? For aught we know, there was no strike on the Eastern Bengal Railway, there was no discontent among the railway labour force at the time. No report is there about these things. Moreover, for ordinary laymen, for ordinary mischief makers, it is extremely difficult to remove rails within such a short time, as it requires a lot of time, technical knowledge and skill, let alone the appropriate tools and appliances. If people with such technical knowledge and skill were lurking about the spot, the police should have been able to trace them. After the accident took place, where did they disappear? I was indeed shocked when I heard the news of this accident in my constituency and I was myself proceeding to the scene of occurrence when reports came to me that the District Magistrate of Nadia and the Superintendent of Police, had taken the earliest opportunity to run to the spot.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): May I just seek some information? The Honourable Member said that 42 feet of railway track was removed and before this disaster actually took place, another train actually passed on this track without any accident and within the interval of a few minutes, 42 feet of rails were removed?

Pandit Lakshmi Kanta Maitra: That is the story. Immediately before this mail, the North Bengal Express passed on this track without any accident. Where were the miscreants lurking then?

As I was saying, the District Magistrate and the Superintendent of Police of Nadia rushed to the scene of occurrence. Curiously enough at the Ranaghat junction station, these two gentlemen were held up. They could not get any railway conveyance by which they could proceed to the scene of the disaster. But the railway authorities had already gone there. After some difficulty the District Magistrate and the Superintendent of Police

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managed to reach the spot. The newspapers say that a joint enquiry with the District Magistrate and the Superintendent of Police on the one hand and the Senior Government Inspector of Railways on the other was started. Now, Sir, the public was not taken into confidence, people were not allowed to give evidence in this enquiry. It was held in a manner not calculated to inspire confidence in the minds of the public or to allay their suspicions. Rather some interested witnesses travelling in the train were examined and their version was taken as the only truth in the matter. What I am suggesting to this House is this. If after major disasters of this kind which take a heavy toll of human lives and limbs almost every year, the Government do not think it necessary to institute impartial enquiries by which confidence and faith could be restored in public mind, is that not the saddest commentary on the railway administration in this country?

This morning we heard a statement from the Honourable Sir Jeremy Raisman depicting in glowing terms the returns from railways during the past few months. What are the Government doing to safeguard human lives travelling on these railways? There is absolutely no security in these days for the travelling public. If it is a case of accident pure and simple, nobody will blame the Government for it. We must all submit to accidents in life. But to say immediately after an accident that it has been due to sabotage is something which cannot be swallowed so easily by people however gullible they might be.

In this connection, I should like to draw the attention of the House to an editorial which appeared in the *Statesman* immediately after the disaster. We very often do not see eye to eye with the *Statesman*, but on occasions the Editor talks a good deal of sense. Here is an extract from the editorial of the *Statesman* which appeared in the Calcutta edition of 7th August:

"The assertion that a rail had been removed is so common, emerges so promptly and spontaneously in India after an accident on a railway that caution would suggest the desirability of waiting for authenticated news. . . . The removal of a rail is not an easy matter for the ignorant. It requires some skill and practice as well as the appropriate implements."

I think, Sir, this part of the House at least would endorse every word of this editorial, this brilliant editorial of the *Statesman*. Now, Sir, an enquiry was held. By whom? In this Government-managed Railway enquiry was held by the Senior Government Inspector of Railways. This is not a Company-managed Railway where the Government Inspector holds the enquiry. I want the House to realise the position.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Pandit Lakshmi Kanta Maitra: You will please allow me a little more time in view of the interruptions.

Mr. President (The Honourable Sir Abdur Rahim): No.

Pandit Lakshmi Kanta Maitra: So, Sir, this enquiry was held. But it is widely reported that there have been two distinct reports. The District Magistrate could not perhaps agree with the Government agency, I mean the Senior Government Inspector, in his findings. He made another report. I would now request the Honourable the Railway Member to call for these

two reports—the report submitted by the District Magistrate of Nadia on this matter to the Government of Bengal, as well as the report submitted by the Senior Government Inspector of Railways to him—and place them before the House so that we may form our own judgment and decide who is right and who is wrong, on the facts recorded therein.

After all a clear and distinct procedure must be laid down for such enquiries in future. At such enquiries facilities should be given for cross examination of witnesses by experienced lawyers because however brilliant a man may be holding such an enquiry and in the present case at least the District Magistrate of Nadia was an exceptionally brilliant man belonging to the Indian Civil Service, with all his brilliance, it is difficult for him to tackle technical questions, and Government should allow the assistance of experienced lawyers to sift evidence.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is over.

Pandit Lakshmi Kanta Maitra: Unless a proper and regular procedure is laid down, the public mind will never be re-assured by such slip shod enquiries. I, therefore, hope, that the Honourable Sir Andrew Clow will consider this suggestion of mine, and also circulate these two reports of this disaster to us. I am grateful to the Honourable Member that he immediately sent a message of sympathy for the victims and their relations and I appreciate that. I hope he will follow it up and see to it that in future simply white-washing reports are not furnished but only such reports as inspire confidence in the public mind. With these words, I support the motion for adjournment.

Maulana Zafar Ali Khan: Sir, certain people seem to have run away with the idea that everything about the doings of the executive is sacrosanct. The gentlemen who are gracing the Treasury Benches and their henchmen seem to me to be of the opinion that they can commit no mistake and if any mistake does take place, to admit it would be suffering a loss in prestige. On this side of the House it is our duty to point out to them that after all they are human like us and that they can commit mistakes. The motion of my friend, Dr. Banerjee, was a very simple and very plain one and there was nothing controversial about it. It is a fact that railway accidents have been happening in India very frequently. It is also a remarkable fact that certain areas in India seem to have a peculiar attraction for these accidents,—the area surrounded by the Grand Trunk Road and the area through which the East Indian Railway runs. The texture of the soil is such that it is susceptible of attracting accidents; and these engines,—XB engines specially,—with their hunting proclivities have a peculiar knack of jumping off the rails. These are all admitted facts and we have all gone through them. Now occurs this terrible disaster in Dacca in which many men lost their lives. It was the plain duty of Government to at once issue a communique which would make the whole situation clear, and thus take the people into their confidence. They have done nothing of the sort. They have not appointed an independent commission of inquiry to go into all these details. My friend, Pandit Maitra, has very clearly and lucidly pointed out and proved to the hilt that the story of the removal of this 40 ft. long rail is all bunkum, and that the engine must have

[Maulana Zafar Ali Khan.]

jumped off the track while it was running at a tremendous speed. That has also been proved. Where is the harm in appointing a commission of inquiry? We want to know for certain whether the story of sabotage is correct, whether the rail was really removed or whether it is a pure fiction. We want to know whether the engine was being driven at an excessive speed, and if so, who was responsible for it. If the driver was responsible, why was he not taken to task? This is a State railway and not a Company railway and when the officials of a State railway make a mistake their superiors want to shield and protect them. If this kind of protection goes on there will be no protection for the public and, railway travel instead of a pleasure will be a great calamity. The only department which we can call our own and a public department is the Railway Department. Eight hundred crores of rupees have been invested in it and when we lose our lives and there are terrible crashes, then come Government prestige and all sorts of stories. So I want that this kind of thing should cease at once. We have a long-standing grievance against Government that they are very irresponsible and are not responsible to this House. At least in this House, since the Congress has committed the greatest blunder of their life by remaining aloof, we have seen that they do what they like. By mere force of numbers they carry everything; there is no logic, no argument and no reasoning; so many votes on this side and so many on that side. If the Congress had not committed this mistake Government would have realised that there are some people here who can give them a tough fight. We, on this side, are few in number but it is our duty to see that there are no differences among us, that at least a band of 24 or 25 people can give them a fight; and I hope that men like Mr. Lalchand Navalrai will not move Resolutions which would make it necessary for us to oppose them. Let us put our shoulders together and fight the manifestation of bureaucracy there. Sir, I strongly support the motion.

Mr. Lalchand Navalrai (Sind: Non-Muhammiadan Rural): Sir, I had an intention in the beginning to speak on this motion, but when I saw that there were allegations and counter-allegations and the Honourable Member for Railways had not yet given us his version, I thought I might not get up to speak. But the last speaker has made a reference to me, and he has done it most unjustifiably. He does not know what kind of adjournment motion I may move with regard to the safety of my own province. He would have known that I have no intention to say anything of a communal nature, and he would have sympathy with us just as sensible Muslims have sympathy with us.

With regard to the present motion I make no assertion or counter-assertion, nor contradict any of the Honourable Members who have spoken today. These disastrous accidents with so much loss of life and property have become very common, and very often they have been found to be due to negligence or lack of proper precautions. Today an assertion has been made by the Honourable the Mover that this accident was due to excessive speed. We know there has been excessive speed on such occasions, and engines have gone beyond the prescribed speed. Therefore, this allegation cannot be lightly brushed aside. With regard to softness of the ground, there have been instances of that nature also where trains have run off the track on account of the softness of the

track. That is also a point to be considered. The third point made was that adequate help was not given. Whether it was given or not can be found out very easily. It is said that the relief train arrived five hours late; this can be easily found out. On the other hand, I have heard Sir Abdul Halim Ghuznavi making a counter allegation—he even made a dogmatic assertion—though he was at Simla at the time of the accident—that this was due to sabotage. It is easy to find out if it is a case of sabotage; but evidence has been placed before the House to show that a previous train passed without being derailed or injured. But if it is sabotage, who is responsible for it? In my humble opinion, if sabotage takes place because the railway has not taken proper precaution or care, then the railway is responsible. Whichever way we look at it, whether the allegation of Sir Abdul Halim Ghuznavi is correct or the other allegation is correct, the point is, why should not a judicial inquiry be made? In matters like these involving questions of life and death, and when travelling conditions have become such that these accidents are shamelessly common, and nothing has been done to prevent them, we must find out what are the causes of these accidents. If it is proved that there has been sabotage, it must be found out whether there was any negligence on the part of the department. I am told—though I do not know if it is a fact—that there is a rule that in cases of sabotage, there is no question of compensation. I do not know if that rule is a fair one. It is for the railways to find out who are the real culprits, and it is for the railways to take proper care to see that no sabotage takes place: otherwise they can always say “We are not responsible: some people are doing this mischief, and, therefore, we will not give any compensation.” I know the Honourable Member in charge is a very sympathetic man and he will not shirk even throwing the responsibility on his own subordinates if it comes to that: and, therefore, when it is alleged that there have been two inquiries and the District Magistrate’s report is different from the railway officer’s report, he must consider whether an impartial and judicial inquiry should not be ordered to find out the truth. It concerns similar accidents which have happened and which might happen. Otherwise, the railways will always say “This is sabotage: we are not responsible.” Therefore, I support the Adjournment Motion as a *prima facie* case has been made out.

The Honourable Sir Andrew Olow: Sir, there is only one matter, I am afraid, on which I am in agreement with Dr. Banerjee and that is in my distress at this affair. I am sure that all Members of the House will realise that to any one who has any responsibility for railways, a matter of this kind must be deeply distressing, both because of the grief which it causes to innocent persons and because of the repercussions on the railways. Unfortunately, the debate has proceeded almost entirely on the basis of speculation and not on facts, and I have heard nothing which suggests that this accident is not due to deliberate derailment. I do not like the word sabotage: it is a bad word and it does not really mean what happened here: it is a word in which we have set a bad example in using: it is far better to use the word murder—cold, calculated and deliberate murder. We do not give compensation normally when passengers are murdered

Mr. Lalchand Navalrai: Murder without any fault of the railway?

The Honourable Sir Andrew Olow: I have heard only two suggestions of alternative causes. Some observations were made on the subject of speed. The train stopped at the preceding station: it had stopped there at the correct time. It took eight minutes to reach the site of the accident—4½ miles away: and the Senior Government Inspector finds that the speed could not have been more than in the neighbourhood of 40 to 42 miles an hour, against a maximum permissible speed of 60 miles. There is no reason for supposing that it was due to speed or to the engine or to the track in this case.

A great deal has been made of coincidences and one Honourable Member referred to the fact that there have been two accidents close together in his own constituency in little more than an year. The previous accident was at Majdia, one in which I do not think any one on the railways or anywhere else ever suggested that it was sabotage. Nor are the railways accustomed to suggest sabotage where it does not exist. In one case, the Bhita case, there were suggestions that the accident was due to sabotage. There was evidence pointing in that direction, and there are still facts about that case which I am unable to explain; but the railway after further experiments withdrew the suggestion of sabotage before the case went to the judicial inquiry at all. I know of no other case and if Honourable Members will give me other cases where railways attributed accidents to sabotage and it was afterwards proved incorrect, I will be glad to hear them.

Now, let me briefly give the evidence for this murder,—this derailment. I will give just a few facts which I would ask Honourable Members to bear in mind. Of course, some Honourable Members have tried to discount those facts from the start by impugning the impartiality of the Senior Government Inspector. They seem to forget that certain allegations were made in this House in regard to previous derailments, that there was a previous demand for judicial inquiries to which no reference has been made today and that a tribunal sat under Justice Broomfield to inquire into those accidents and found that these allegations were unsubstantiated. Let me quote one observation from Mr. Justice Broomfield's report:

"A suggestion has been made in certain quarters that these Government Inspectors should be regarded as in a sense partisan witnesses, on the ground that it may be in their interest to fall in with the views of the railway administration and that their training and previous association with railway work on the railways dispose them to accept sabotage as the explanation of an accident rather than some cause reflecting discredit on some one connected with the railways. We think it right to say emphatically that we are not at all impressed with this insinuation."

Now let me turn to the Report presented by the Senior Government Inspector, who is not by the way responsible to the Railway Administration at all. I will mention just a few facts which, to my mind, incontrovertibly proved, that this train was deliberately derailed. In the first place, the engine in derailling made marks on the sleepers below the position which would have been occupied by the rail which was removed. In the second place, the rail just beyond that was twisted by the engine and bogies impinging against it, and although it was twisted all out of place the fish bolts which held it to the preceding rail were undamaged, which it would have been quite impossible if the preceding rail had been in its position. In the third place, there was hammering on the end and marks on the edge of that rail; there were also marks on left wheels

of the engine and the leading coach. In the fourth place, a postal van derailed, and a steel box or well which protruded from below it actually came to rest on the top of the rail. I am very sorry I have not been able to send round copies of the printed Report which reached me only in the interval today, because we are going to incorporate in them two photographs which the Senior Government Inspector has appended to his Report, and this will show that the well actually rested on the rail.

Then it was suggested that the previous train went over this track so immediately before the accident that there could be no time to remove a rail. The time was 24 minutes in which the rail could easily be removed. On the other hand, there was no time for removing a rail after the accident from under the postal van, and the report proves this. The Senior Government Inspector says this: "I have absolutely no doubt that the rail had been removed before the arrival of the No. 8 Down".

Pandit Lakshmi Kanta Maitra: Why was it not noticed by the driver of the engine which had very powerful searchlights?

The Honourable Sir Andrew Olow: A searchlight does not unfortunately find back. Now, Sir, suggestions were made that there was neglect shown after the accident. I am very surprised to hear this. Actually, I think everything was done that could have been done and there are independent testimonies as to that. There were actually some doctors on the train; one of them Dr. Maizuddin Khan is one of them mentioned as having rendered valuable help. The Chief Medical Officer was very near; he was there at about 4/50. The first relief train came at six o'clock.

An Honourable Member: It came six hours later.

The Honourable Sir Andrew Olow: It came in about three hours. The second relief train from Calcutta arrived at 8 O'clock. Let me mention a few more facts. It was stated by the Honourable the Communications Member from Bengal that the arrangements made by the General Manager were excellent. The other testimony is, from what Dr. Banerjea would call a tainted source, the *Amrita Bazar Patrika*. It says:

"The railway authorities not only promptly sent relief trains, with food and medical equipments to the scene of the accident, but also made adequate arrangements for broadcasting the latest Report to those who had gathered at the station. Even cold drinks, we are told, were supplied to them. The Railway authorities deserve to be thanked for what they did."

Now, Sir, what were the grounds on which the institution of a judicial inquiry is suggested? Maulana Zafar Ali Khan said that it was proved that the removal of the rail was all bunkum: it was proved that the train was going at a very high speed

Maulana Zafar Ali Khan: I did not say that. Somebody else had said so.

The Honourable Sir Andrew Olow: I am glad to accept the Honourable Member's withdrawal of the phrase. I will only ask the Honourable Member to refer to the record kept by the Reporter. However, if the

[Sir Andrew Clow.]

Honourable Member did not imply this, then I gladly accept what he says. I would say that it was not merely not proved, but it is mere speculation based upon no evidence at all. There was one suggestion made which I much resent, and that is the suggestion that the driver might have drunk. That suggestion was made in connection with a previous accident, and neither the Honourable Member nor any others came before the Broomfield Committee to support with any shred of evidence

Dr. P. N. Banerjee: I did not suggest that he was drunk; I said that might be one of the causes.

The Honourable Sir Andrew Clow: The train was not driven at high speed. I do not know if the Honourable Member drives a car. But suppose he drives a car, and in doing so he runs in peril of his life through the malice of any individual, and if we say that we had better inquire if Dr. Banerjee was drunk, I am sure he would resent it doubly, and would resent it rightly, and I do resent insinuations of that kind.

Sir, there have been references to the question of compensation, and I hope I have answered Mr. Lalchand Navalrai's question. Some one suggested, I think, that sabotage was put forward because the Railway wanted to avoid the liability of compensation. I am afraid that suggestions occasionally are put forward on the other side because persons want to secure compensation. I would only quote again from Mr. Justice Broomfield's Report where, after referring to what he describes as the unpopularity of the East Indian Railway, he says:

"We only mention it because it may explain, what otherwise is rather difficult of explanation, the reluctance to accept the results of the Government Inspector's inquiries into the cause of the derailments.

Of course, it is also to be borne in mind in this connection that a finding that the accidents were due to negligence of the railway authorities, directly or indirectly, might have an important bearing on the question of compensation to the injured and the families of the killed."

Sir, the suggestion has been made that we should pay compensation in cases where passengers are murdered through no fault of ours. I wonder if the House will be prepared to extend it to all common carriers. Accidents occur far more frequently on the roads, but I did not hear any suggestion that every accident, the cause of which is clear, should be made the subject of a judicial inquiry. I have examined that suggestion as I do all suggestions that are made in this House, but I must confess that I see considerable difficulties in the way of rendering a corporation or a Railway liable to an accident, to which they have not contributed.

Sardar Sant Singh: May I ask one question, Sir?

The Honourable Sir Andrew Clow: No, Sir; I have very little time. The Honourable Member must table a question.

Sardar Sant Singh: The only question is whether the Railway has obtained the opinion of its law officers as to whether in the case of admitted sabotage, the railway is not liable to pay compensation for lives lost.

The Honourable Sir Andrew Clow: The Honourable Member is a lawyer, and if after reading the Senior Government Inspector's Report he chooses to advise his clients to claim compensation, I cannot prevent him from doing so, and my friend can thereby get an opinion of far greater value than mine on that question from a judicial inquiry and a Court.

I would only say, in conclusion, that any suggestions that the House may make towards preventing sabotage would receive my very careful consideration. The suggestion was made that we should police all the lines. That is quite impracticable even if it were not a matter primarily concerning the Provincial Governments. We are considering measures,— I am not going to disclose anything in that direction at the moment,— but we are considering possibilities of making sabotage in this manner a great deal more difficult, and I hope, and I would appeal that we should have public support, and that the condemnation in these cases should be directed not against the Railway Administrations to whom they are deeply distressing but against those who plot these vile crimes.

Mr. M. S. Aney: I should like to know whether the three or four gentlemen who have published their experiences in the press were summoned and examined by the Inquiry Committee?

The Honourable Sir Andrew Clow: I had no time to deal with the matter, but the Government Inspector examined 12 witnesses from outside the Railways, and refers to some of the men here mentioned, including Khan Bahadur Aulad Hussain Khan. I will only read without comment an extract from what the Senior Inspector says:

"Unfortunately the law as it stands may in some cases also tend unconsciously to vitiate an accurate estimate in this connection, for if the accident is established to have been brought about by defective track or rolling stock, the injured and the relations of the dead can legally claim compensation from the Railway."

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Assembly do now adjourn."

The Assembly divided:

AYES—20.

Abdul Ghani, Maulvi Muhammad.	Lalchand Navalrai, Mr.
Aney, Mr. M. S.	Maitra, Pandit Lakshmi Kanta.
Azhar Ali, Mr. Muhammad.	Manavedan, Raja T.
Bajoria, Babu Baijnath.	Murtuza Sahib Bahadur, Maulvi Syed.
Banerjee, Dr. P. N.	Parma Nand, Bhai.
Bhatto, Mr. Nabi Baksh Illahi Baksh.	Raza Ali, Sir Syed.
Das, Pandit Nilakantha.	Sant Singh, Sardar.
Deshmukh, Mr. Govind V.	Umar Aly Shah, Mr.
Ghiasuddin, Mr. M.	Zafar Ali Khan, Maulana.
Ghulam Bhik Nairang, Syed.	Ziauddin Ahmad, Dr. Sir.

NOES-43.

Abdul Hamid, Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Ayers, Mr. C. W.
 Bewoor, Sir Gurunath.
 Boyle, Mr. J. D.
 Bunyad Hussain, Khan Bahadur Sayad.
 Buss, Mr. L. C.
 Caroe, Mr. O. K.
 Clow, The Honourable Sir Andrew.
 Daga, Seth Sunderlal.
 Dalal, Dr. R. D.
 Dalpat Singh, Sardar Bahadur Captain.
 Dumasia, Mr. N. M.
 Frampton, Mr. H. J.
 Gidney, Lieut.-Colonel Sir Henry.
 Griffiths, Mr. P. J.
 Gwilt, Mr. E. L. C.
 Ikramullah, Mr. Muhammad.
 Imam, Mr. Saiyid Haider.
 Ismaiel Ali Khan, Kunwar Hajee.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Kamaluddin Ahmed, Shams-ul-Ulema.

Kushalpal Singh, Raja Bahadur.
 Lawson, Mr. C. P.
 Maxwell, The Honourable Sir Reginald.
 Miller, Mr. C. C.
 Muazzam Sahib Bahadur, Mr. Muhammad.
 Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
 Mukherji, Mr. Basanta Kumar.
 Ogilvie, Mr. C. M. G.
 Ormiston, Mr. J. F.
 Pillay, Mr. T. S. S.
 Rahman, Lieut.-Col. M. A.
 Raisman, The Honourable Sir Jeremy.
 Scott, Mr. J. Ramsay.
 Sheehy, Mr. J. F.
 Sivaraj, Rao Sahib N.
 Spence, Sir George.
 Staig, Mr. B. M.
 Thakur Singh, Captain.
 Tyson, Mr. J. D.
 Zafrullah Khan, The Honourable Sir Muhammad.
 Zaheer, Mr. Saiyid Hasan.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 6th November, 1940.

LEGISLATIVE ASSEMBLY

Wednesday, 6th November, 1940

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock. Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

ASSIGNMENT BY THE A. E. G. INDIA ELECTRIC COMPANY, LIMITED, INCORPORATED IN GERMANY, OF THEIR BUSINESS, ASSETS, ETC., TO CERTAIN PARTIES IN BOMBAY.

5. *Mr. J. D. Boyle: Will the Honourable the Commerce Member be pleased to state whether it is a fact:

- (a) that on the 29th August, 1939, the A. E. G. India Electric Company, Limited, a Company incorporated in Germany, entered into an agreement with Martha Bertsch of Bombay, a Swiss inhabitant, Eugen Hemmer of Bombay, a British inhabitant and Jeejeebhoy Nanabhoy Marshall of Bombay, a Parsi inhabitant, whereby the latter parties agreed to pay and discharge debts, liabilities and obligations of the Company to the extent of Rupees three lacs and no more, in consideration of the transfer to them of the Company's goodwill, plant, machinery, stock-in-trade, book and other debts, goods, furniture and all other assets and property of the Company in India;
- (b) that the reason given in the Indenture of Sale for closing down the business of the A. E. G. India Electric Company, Limited, and the disposal of its assets, was recorded as being the impending hostilities between Great Britain and Germany;
- (c) that the Controller of Enemy Property in Bombay objected to the transfer being made and passed orders cancelling the Deed of Assignment; and
- (d) that despite this recommendation from the Controller of Enemy Property in Bombay, the Government of India recognised the transfer of this Company's assets and allowed the new partnership firm to trade free of any supervision from Government?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) to (d). The position stated by the Honourable Member is substantially correct.

Mr. J. D. Boyle: With reference to part (a), is it a fact that if the deed of assignment had not been made, the assets and liabilities of this company would have vested in the Custodian of Enemy Property?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That is so.

Mr. J. D. Boyle: Have Government got any reason which would explain why the German Company was prepared to hand over the assets of the company with no *quid pro quo* to the employees of the company, when by having it vested in the Custodian of Enemy Property, at the close of hostilities they might have stood to gain something back?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The deed of assignment is a long document and I believe it contains a *quid pro quo*. In any case that document has been the subject of investigation and study by the best legal advisers of the Government and their advice is that the agreement is valid.

Mr. J. D. Boyle: What I was trying to get at is this. The A. E. G. Co., Ltd., have a lot of machinery in this country. It is in operation in big mills in the Bombay Presidency. By keeping this company going, with its machinery still there, the transfer would merely enable the company to keep this concern warm until the end of hostilities, when they can return to it.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That is exactly the question that was referred to the legal advisers and they were of opinion that the agreement was not a fictitious transaction or a colourable transaction and Government are bound to respect the opinion of their legal advisers.

Sir Cowasji Jehangir: May I ask, if the Custodian of Enemy Property had got the assets of this company, would he not also have supplied the customers of the old German Company with such material and machinery as may have been in stock in India at the time and is that not being done with other German companies whose assets are now under the control of the custodian?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That is perfectly true, but we had to act according to the Defence of India Act which says that if on the outbreak of war, that is the 2nd of September, the concern is an enemy firm, then the property of that firm vests in the Controller of Enemy Property, but this firm, on that date, according to our legal advisers, was not an enemy firm, and that is the narrow point that has to be considered from the technical and legal aspect of the question.

Sir Cowasji Jehangir: Whatever happened, the circumstances would have been the same today, so far as the clients of the old company were concerned. Whether the Controller supplies the goods or this new company supplies the goods, it makes no difference to my Honourable friend behind me.

Maulana Zafar Ali Khan: I should like to know whether the Government of India are anxious to erect a fifth column with their own hands in Bombay.

Mr. J. D. Boyle: May I ask one more supplementary question? I do not doubt the opinion given to the Honourable Member by the legal advisers of Government, but is there no means of stopping transactions

of this kind, under the Defence of India Act, whereby an enemy can transfer his business to a new partnership firm only five days before the outbreak of the war?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I can answer that question generally and not with specific reference to this particular company for obvious reasons. If, in the course of business, it comes to the notice of Government that the transfer, though legal in form, works out in practice as a colourable transaction, Government have got the power and would use the power by resuming control of that property.

Mr. J. D. Boyle: I take it that Government saw no difficulty or danger in allowing this to continue.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That must be the implication.

Sir Cowasji Jehangir: Is it an Indian company or an European company?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am answering that a little later.

Mr. Lalchand Navarai: Has the present company to which the business has been transferred any interest in Germany now with regard to the assets?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Presumably not.

Dr. Sir Ziauddin Ahmad: In view of the fact that the Germans knew much earlier that war was coming on and some bogus transactions were made, may I know whether Government made enquiries whether this transaction was a bogus one?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It must be obvious that we made inquiries on that point.

ASSIGNMENT BY THE A. E. G. INDIA ELECTRIC COMPANY, LIMITED, INCORPORATED IN GERMANY, OF THEIR BUSINESS, ASSETS, ETC., TO CERTAIN PARTIES IN BOMBAY.

6. ***Mr. J. D. Boyle:** Will the Honourable the Commerce Member be pleased to state whether it is a fact:

- (a) that the three parties mentioned in the preceding question are now trading under the name of A. E. G. Electric Company, in Bombay;
- (b) that these parties were employees of the A. E. G. India Electric Company, Limited, incorporated in Germany; and
- (c) that the new company was compelled by agreement to employ the same solicitors in Bombay as were employed by the late company?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes, Sir.

(b) Government understand that two of the partners were employees and one was an agent.

(c) There is a clause to that effect in the Deed of Assignment.

ASSIGNMENT BY THE A. E. G. INDIA ELECTRIC COMPANY, LIMITED, INCORPORATED IN GERMANY, OF THEIR BUSINESS, ASSETS, ETC., TO CERTAIN PARTIES IN BOMBAY.

7. *Mr. J. D. Boyle: (a) Will the Honourable the Commerce Member be pleased to state the nature of the debts and obligations taken over by the new A. E. G. Electric Company of Bombay?

(b) What is the total amount of the company's book debts and what proportion of those debts may be considered good?

(c) What amount of the debts has so far been collected by the new company?

(d) What was the book value of the stock and other assets taken over by the new company?

(e) To whom will any surplus, if realised, belong?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) to (e). Government do not consider that they should disclose matters which relate to the affairs of a private concern.

Mr. J. D. Boyle: The object of the question has been practically answered by you in some degree in reply to the supplementaries to question No. 5. The point I want to elicit is whether in fact the new company did pay anything to the old company for taking over the assets of the old company?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Agreement contains all the conditions under which the transfer took place and the legal advisers are of opinion that the agreement is valid, that is to say, that there is a consideration for the agreement.

Mr. Muhammad Azhar Ali: With regard to these questions, may I know whether Government cannot separate the legal aspect from the political aspect?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: There is no political aspect at all.

Mr. Muhammad Azhar Ali: Suggestions were made about the fifth column.

DELAY IN HOLDING THE AUTUMN SESSION OF THE LEGISLATIVE ASSEMBLY.

8. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Leader of the House please state why the meeting of the Legislative Assembly was not held in the month of September as in previous years?

(b) In view of the extraordinary world situation, did Government consider the desirability of early consultation with the Members of the Legislature?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The exigencies of what the Honourable Member refers to as the extraordinary

world situation may have precluded the holding of a Session of the Legislative Assembly in September. He may take it that all relevant factors must have received due consideration at the hands of His Excellency the Governor General in coming to his decision.

Dr. Sir Ziauddin Ahmad: May I know whether the considerations created by the war were more emergent in the month of September than they are now, when we have got the Eastern Group Conference?

The Honourable Sir Muhammad Zafrullah Khan: That is a matter of opinion.

Dr. Sir Ziauddin Ahmad: The Honourable Member said that on account of the political situation the Assembly could not be held in September. I ask what are the political circumstances now, and how have they changed since September. If this argument holds good, we shall never have an Assembly Session at all.

The Honourable Sir Muhammad Zafrullah Khan: I neither mentioned the political situation nor made any reference to any political situation.

Sir Muhammad Yamin Khan: The question is, why it was not held in Simla as usual. There is no insinuation. Usually the meetings are convened in Simla in September. This year it has been convened in November, that is more than two months after the usual period. What was the reason why the Session was not held in Simla in September and had been postponed by two months?

The Honourable Sir Muhammad Zafrullah Khan: There is no question of Simla or Delhi, and I believe the Honourable Member who put the question is himself protesting against any reference to Simla, but all sorts of considerations might have influenced His Excellency's mind in calling the Session later rather than earlier, and I have said that the consideration referred to in part (b) of the question might itself have been one of the main factors.

Sardar Sant Singh: What are the considerations? That is the question.

The Honourable Sir Muhammad Zafrullah Khan: I do not know all the considerations that influenced the Governor General's mind in calling the Session in November.

Sir Muhammad Yamin Khan: Was the Honourable Member not consulted for the purpose of convening a Session of the Assembly?

The Honourable Sir Muhammad Zafrullah Khan: That scarcely arises out of this question. I have raised this point on previous questions, and it arose on adjournment motions also. In no case can it be disclosed to Honourable Members what consultations take place between the Governor General and the Members of the Executive Council, particularly with regard to matters which are entirely within the discretion of the Governor General.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member wanted to know not what consultation took place, but whether the Governor General sought his advice; that was perhaps the question.

The Honourable Sir Muhammad Zafrullah Khan: Even that I am not prepared to disclose, not that there could be any doubt with regard to these matters generally, but, once the principle is admitted, one would have on each occasion to say whether one was consulted or not, and that is a matter which cannot be disclosed.

Sir Muhammad Yamin Khan: My question is clear, viz., in those matters where this House is directly concerned and which concern the procedure of this House, I want to know whether there the Government of India, as such, are consulted by the Governor General. I take it the Governor General has only got to issue the orders for convening a meeting, but really the decisions are taken by the Government of India, in consultation with the Honourable the President, as to when a Session is to be held and what the business is going to be. Now, having regard to these points, was the Honourable Member consulted on the point as to whether a meeting would be held in September or not, and, if so, what advice was given by him? I should like to know whether the Honourable Member was consulted and whether there were certain considerations in the mind of the Government of India or not.

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member was not correct in stating that the decision had to be arrived at by the Government of India; the decision had to be arrived at by the Governor General. It is one of those matters which he decides at his discretion and it is open to him to consult the Government of India to whatever extent he likes,—(Interruption)—may I finish—and to come to his own decision on the matter; and I must again repeat that I am unable to inform the House what consultations if any have taken place and what was the advice given or whether any consultation did or did not take place.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member kindly enlighten us as to whether, as a matter of fact, advice is actually tendered to His Excellency the Governor General? I do not want to know what advice is tendered, but I want to know the constitutional position, viz., whether the Members of the Executive Council of the Governor General do tender any advice to the Governor General.

The Honourable Sir Muhammad Zafrullah Khan: They tender advice on all sorts of matters on which they are asked to tender advice.

Pandit Lakshmi Kanta Maitra: Including this particular matter concerning a Session of this Assembly?

The Honourable Sir Muhammad Zafrullah Khan: I have answered that. In matters which are the business of the Governor General alone it is for him to decide whether, in order to enlighten his own mind and in order to have all the considerations affecting the matter before him, he will or he will not consult his Council or the Members of his Council or anybody else that he chooses to consult over the matter, but that is

purely for him to decide. There is no obligation upon the Council to tender advice on matters which are within the discretion of the Governor General.

Sardar Sant Singh: Sir, on a point of order, I say the question has been repeatedly put about this particular instance and I do not know why it has not been answered. Is it open to the Leader of the House to evade the question?

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

Sir Cowasji Jehangir: May I know whether Simla has been given up for good so far as this Assembly is concerned?

The Honourable Sir Muhammad Zafrullah Khan: This does not arise.

Mr. President (The Honourable Sir Abdur Rahim): Yes, it does not arise.

Sir Cowasji Jehangir: May I know whether the Government are prepared to come to Delhi whenever it is necessary to hold a meeting or Session of the House whatever the time of the year it may happen to be?

The Honourable Sir Muhammad Zafrullah Khan: Wherever a Session of the Assembly is summoned by the Governor General, there the Government of India will go.

Dr. P. N. Banerjee: Is it not a fact that the British Parliament has been in almost continuous session since the commencement of the war?

The Honourable Sir Muhammad Zafrullah Khan: That does not arise out of this question.

Mr. President (The Honourable Sir Abdur Rahim): Yes, that does not arise.

Pandit Lakshmi Kanta Maitra: I raised a specific question and I want a specific reply. I want to know from the Honourable the Leader of the House whether it is a fact that he tendered any advice to His Excellency the Governor General with regard to this particular Session of this House.

The Honourable Sir Muhammad Zafrullah Khan: I have tried to explain that the Honourable Member is not entitled to know that.

Mr. M. S. Aney: On a point of order, on the point if he was consulted, he may be within the privilege of not disclosing that fact and the nature of the advice, but has he got the privilege of not admitting or denying the fact that he was consulted or not?

Mr. President (The Honourable Sir Abdur Rahim): I have had occasion to point out more than once that I cannot compel a Member of the Government to satisfy by his answer any particular Member. A Member of Government is at liberty to give any answer he considers appropriate.

Mr. Muhammad Azhar Ali: Is it within the knowledge of the Honourable Members of this Executive Council that the Honourable the President of the Assembly was consulted in this matter?

The Honourable Sir Muhammad Zafrullah Khan: I have already said that the Honourable Member is not entitled to know that—certainly not from me.

Sardar Sant Singh: May I know if the Leader of the House has been consulted in this matter or not?

The Honourable Sir Muhammad Zafrullah Khan: That is what I have declined to answer.

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

INDIGNITIES SUFFERED BY INDIAN LASCARS IN SOUTH AFRICA.

9. ***Mr. Lalchand Navalrai:** (a) Will the Secretary for Education, Health and Lands be pleased to state if his attention has been drawn to the news published by the Associated Press, Bombay, on the 12th September, 1940, under the caption "Indignities in South Africa, Indian Lascars Imprisoned"?

(b) Is the Honourable Member prepared to make a statement on what Mr. Kurup, the President of the Indian Workers Emigrants League, has stated with regard to the indignities suffered by the Indian lascars and their being put to greater exploitation?

(c) What steps do Government propose to take and what guarantees do they ask for against such a treatment?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes.

(b) The incident to which Mr. Kurup refers is probably the prosecution of the lascar crew of the S. S. "Baron Scott". The Government of India are informed that these men were found guilty of continued wilful disobedience of orders and sentenced to a short term of imprisonment at Durban under the Merchant Shipping Act. Of the 22 seamen convicted, 18 pleaded guilty to the charge.

(c) Does not, therefore, arise.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether it was within their rights to offer any indignities whatever to these men (part one of the question)?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No one has got the right to offer any indignity to any other person in this world.

Mr. Lalchand Navalrai: May I know whether any indignities were offered or not in this case?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: To the best of my knowledge, no indignities were offered.

Mr. Lalchand Navalrai: May I know if the Honourable Member has made inquiries about it or not or the Honourable Member is simply presuming? If so, will the Honourable Member make inquiries so that there may not be any recurrence of such indignities?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, inquiries have been made by the Agent General in South Africa to whom certain complaints were made, and inquiries will be made as regards any indignities on certain specific complaints when these lascars reach Calcutta or an Indian port.

Mr. Govind V. Deshmukh: What is the nature of the indignities offered to these men?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Honourable Member who has put the question refers to an article which contains the nature of the complaint. The nature of the complaint is that they were not entitled to be transferred to this S. S. "Baron Scott". They were transferred from one ship to another. One of the complaints was that they were not required to be transferred to this particular vessel. The reply I have got is that they signed on an agreement for twelve months to serve in any vessel which would go to India and that, therefore, there was no substance in that complaint. That was the main reason why they declined to pursue their voyage and they were prosecuted under the Merchant Shipping Act.

Mr. M. S. Aney: What is the indignity?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That I cannot understand.

Mr. Govind V. Deshmukh: Was that the only complaint?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That is the only complaint for which they have been prosecuted.

Mr. N. M. Joshi: May I ask whether, under the Indian Merchant Shipping Act, lascars are asked to sign agreements to be transferred to any part of the world or to any ships belonging to the same owner, or whether there are any limitations under the agreement?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Am I to understand that it is a general legal question that the Honourable Member wants me to answer, or is it with reference to this particular question?

Mr. N. M. Joshi: As regards the particular question under discussion, the Honourable Member told us that they had made an agreement to serve on any ship belonging to any company?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I said on any ship that would travel back from the United Kingdom to an Indian port belonging to the same company.

Mr. N. M. Joshi: The Honourable Member did not say that. May I ask whether the Government of India have considered the question that a lascar can be asked to sign an agreement to be transferred as if the lascar was not a human being and to serve under any master, and whether the Government of India agree that it is a right thing to do, because I

feel that the Government of India must have considered that to ask a human being to be transferred to another person as if it was a chattel is a wrong thing and is considered to be slavery?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: All this indignation is understandable by me. The lascars sign certain agreements before they are taken on. There are in some cases limited agreements. What the limitation is refers to the voyages and the country to which they can go. Within the management of the same company transfer from one ship to another is one of the most natural transfers that takes place and I fail to see where the question of slavery comes in as the master is the same master, the Managing Agent of the same Company.

Mr. N. M. Joshi: May I ask whether the Government of India have considered whether under the British Merchant Shipping Act a seaman can be transferred from one ship to another without the consent of the seaman himself?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: In any case, this agreement is an agreement which is entered into by the Indian lascars whereby he agrees to be transferred from one ship to another of the same Company.

Mr. N. M. Joshi: May I ask whether the Government of India is aware that there are certain agreements which on account of their being against the public policy are wrong?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of argument.

ALLOTMENT OF DUFFRIES' QUARTERS IN NEW DELHI.

10. ***Maulana Zafar Ali Khan:** (a) Will the Honourable the Labour Member be pleased to state the total number of Duffry's quarters in New Delhi available for allotment during the winter seasons 1926-27, 1930-31, 1936-37, 1938-39, 1939-40 and 1940-41?

(b) How many of them were allotted by the Estate Office to the duffries and record lifters of the Director General, Posts and Telegraphs' Office, during each year mentioned in part (a) above?

(c) How many duffries and record lifters were left unprovided for?

(d) Has there been gradual decrease in the number of quarters allotted each year? If so, what is the reason for such decrease?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) to (c). The information relating to the years 1926-27 and 1930-31 is not available as the records have been destroyed. A statement giving the information required in respect of the years 1936-37 and 1938-39 to 1940-41 is laid on the table.

(d) Yes. The Duffries' quarters are allotted on a *pro rata* basis. If the total demand of all Departments for them increases, the number falling to the share of a particular Department, proportionately decreases. The total demand has been gradually increasing and accordingly there

has been a gradual decrease in the number of quarters allotted to the Director General, Posts and Telegraph's office.

Statement.

	1936-37.	1938-39.	1939-40.	1940-41.
1. Total No. of Duffries quarters available for allotment.	220	234	234	234
2. No. of quarters allotted to Duffries and Record lifters of the Director General, Posts and Telegraphs office.	21	17	13	9
3. No. of Duffries and Record lifters to whom quarters were not allotted.	7	9	15	16

ALLOTMENT OF PEONS' QUARTERS IN NEW DELHI.

11. ***Maulana Zafar Ali Khan:** (a) Will the Honourable the Labour Member be pleased to state the total number of Peon's quarters in New Delhi available for allotment during the winter seasons 1926-27 to 1940-41?

(b) How many of them were allotted by the Estate Office to the peons of the Director General, Posts and Telegraphs' Office, during each year mentioned in part (a) above?

(c) How many peons were left unprovided for?

(d) Has there been a gradual decrease in the number of quarters allotted each year? If so, what is the reason for such decrease?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) to (c). The information relating to the years 1926-27 to 1931-32 is not available as the records have been destroyed. A statement giving the information required in respect of the years 1932-33 to 1940-41 is laid on the table.

(d) No. It does not, therefore, arise.

Statement.

	1932-33.	1933-34.	1934-35.	1935-36.	1936-37.	1937-38.	1938-39.	1939-40.	1940-41.
1. Total No. of Peons' quarters available for allotment.	964	976	984	1,134	1,134	1,134	1,134	1,134	1,134
2. No. of quarters allotted to Peons of the D. G. P. & T.'s office.	6	3	3	3	3	3	3	3	3
3. No. of Peons to whom quarters were not allotted.	20	..	..	..	..	..	1	4	4

Mr. Lalchand Navalrai: May I ask if they get anything by way of rent if no quarters are allotted to them?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I should like to have notice of that question.

STANDARD AND GRADATIONS OF GHEE ADOPTED BY THE GOVERNMENT OF INDIA.

12. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Law Member please state what the meaning is of gradation in ghee?

(b) How many grades have the Government of India adopted in ghee?

(c) Is it not a fact that the standard and gradations are different in different provinces, and that the Food Adulteration Acts of various provinces do not tally?

(d) Have the Government of India fixed its standard by testing raw ghee or wild ghee?

(e) What is the quantity on which these experiments are made?

(f) Has the attention of the Government of India been drawn to the quantity of ghee exported from Gantur (Madras Presidency)?

(g) Is it not a fact that the total quantity exported from Gantur is more than the total quantity of milk which the cattle of Gantur can yield?

(h) What materials are used in Gantur to produce the so-called ghee?

(i) Have the Government of India satisfied themselves that they can purchase pure ghee from the United Provinces? If so, are they prepared to undertake to purchase pure ghee for the Members of the Assembly?

(j) What steps, if any do the Government of India propose to take to stop adulteration?

Mr. J. D. Tyson: (a) and (b). Under the Agricultural Produce (Grading and Marking) (Ghee) Rules, 1938, packers may use the "Agmark" label on ghee having the qualities prescribed in the rules. Under the rules two grades are prescribed viz: "Special" and "General"; under "Special" provision is made for two types of ghee—"Cow" and "Buffalo".

(c) and (j). Prevention of adulteration of foodstuffs is a provincial subject under item 30 of Part II of the Seventh Schedule to the Government of India Act, 1935. The standards prescribed for pure ghee under the Provincial Food Adulteration Acts are not uniform. This question was examined by an *ad hoc* Committee of the Central Advisory Board of Health. The report of the Committee was adopted by the Board at its meeting held in Poona in July last. Efforts are being made on the basis then accepted to secure uniformity in the standards prescribed under the Provincial Acts.

(d) The phrase "wild ghee" is not understood. Government fixed the standards for "Agmark" ghee in consultation with the producers and the trade after testing both raw and refined ghee.

(e) The numbers of ghee samples so far analysed under the "Agmark" scheme are:

Raw ghee—200.

Refined ghee—9500 (approximately).

The latter represents a total quantity of more than 1½ lakh maunds sampled. The minimum quantity of each sample is six oz.

(f) Yes.

(g) No.

(h) In Guntur as elsewhere pure ghee is made from milk fat.

(i) Yes. The Honourable Members of this House can purchase their requirements of "Agmark" ghee in the market without the intervention of Government.

Dr. Sir Ziauddin Ahmad: My question was with reference to the purchase of ghee by the Government of India. In view of the fact that it is not possible to purchase good ghee in any market in the United Provinces, may I ask why the Government of India are paying higher prices for the adulterated ghee?

Mr. J. D. Tyson: The Department for which I speak is not a purchaser of ghee at all.

Dr. Sir Ziauddin Ahmad: May I ask the Law Member to reply this question?

The Honourable Sir Muhammad Zafrullah Khan: Does the Honourable Member expect me to answer a supplementary question on a question which ought to be answered by another Department?

Dr. Sir Ziauddin Ahmad: In view of the fact that it is humanly impossible to purchase pure ghee in the United Provinces

The Honourable Sir Jeremy Raisman: Not even the wild ghee in the savage state!

Dr. Sir Ziauddin Ahmad: . . . may I ask why the Government of India are purchasing the adulterated ghee from the markets of Khurja, Chandausi, Hathras and other places and paying the price of pure ghee when it is not pure?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member had better put down a question to that effect and I shall try to give a reply.

DESIRABILITY OF ENLARGING THE APPELLATE JURISDICTION OF THE FEDERAL COURT.

13. *Dr. P. N. Banerjee: (a) Will the Honourable the Leader of the House please state whether the attention of Government has been drawn to the decision of the Judicial Committee of the Privy Council in *Horiram Singh versus King-Emperor* reported in the *All India Reporter* 1940 Privy Council 54, which makes the appellate decisions of the Federal Court final for all practical purposes?

(b) Are Government aware that important questions of constitutional law have been raised in appeals in the Federal Court whose decisions are practically final according to the Privy Council ruling?

(c) Do Government propose to remove the anomaly that, while practically final decisions are given by the Federal Court in appeals involving important questions of constitutional law, appeals under ordinary civil law must be taken to a higher tribunal, namely, the Judicial Committee of the Privy Council? If so, how?

(d) Are Government aware of the dissatisfaction among the litigant public that there should be two forums for final appeals, and that while a few can get their appeals decided in India, others are forced to go to England?

(e) Are Government prepared to consider the advisability of bringing into operation section 206 of the Government of India Act, 1935, and investing the Federal Court with the powers permissible under that section with the least possible delay?

The Honourable Sir Muhammad Zafrullah Khan: The question should have been addressed to the Honourable the Home Member.

UNSTARRED QUESTIONS AND ANSWERS.

APPOINTMENT OF COMMITTEES OF PILGRIMS AND *AMIR-UL-HAJ* BY PORT HAJ COMMITTEES ON PILGRIM SHIPS.

28. Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Secretary for Education, Health and Lands please state whether Port Haj Committees can appoint committees of pilgrims or *Amir-ul-Haj* on pilgrim ships leaving their ports?

(b) Are any such appointments made on ships returning back from Jeddah full of pilgrims? If so, who makes those appointments?

(c) How many committees and *Amir-ul-Haj* were appointed during the last two years?

(d) Did they submit any reports making suggestions for the improvements in shipping arrangements?

(e) If so, how many of their suggestions have been accepted by Government and how many rejected?

Mr. J. D. Tyson: (a) Yes.

(b) Appointments are made by His Majesty's Legation at Jeddah.

(c) 82 *Amirs-ul-Haj*. No Committees of pilgrims were appointed.

(d) Yes.

(e) Reports of the *Amirs-ul-Haj* are examined by the Port Haj Committees who forward to the Government of India their recommendations. These recommendations are scrutinised by the Government of India and action is taken where this is possible and justified: if they relate to matters of policy, the Standing Haj Committee is consulted before appropriate action is taken. In view of the practice just described, the report of each *Amir-ul-Haj* is not separately examined by the Government of India and it is not, therefore, possible to comply with the Honourable Member's request.

APPOINTMENT OF MUSLIM STAFF ON INDIAN PILGRIM SHIPS.

29. Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Secretary for Education, Health and Lands please state whether any provision has been made in the Indian Pilgrim Ship Rules that shipping companies should appoint Muslim staff on their pilgrim ships?

(b) If the answer to part (a) be in the affirmative, how many Muslims and non-Muslims are employed on the ships of the Mogul Line?

(c) Are Government aware that there is a keen demand for nurses on pilgrim ships? If so, what steps have Government taken to compel the shipping company to employ such nurses?

(d) Is it one of the functions of the Port Haj Committee to provide Muslim staff for employment on board the pilgrim ships?

(e) If the answer to part (d) be in the affirmative, on how many occasions have the services of the Committees been utilised by the Mogul Line?

Mr. J. D. Tyson: (a) The attention of the Honourable Member is invited to sub-rule (1) of rule 84, sub-rules (2), (4) and (5) of rule 156 and rule 165 of the Indian Pilgrim Ships Rules.

(b) 527 Muslim and 472 non-Muslim crew.

(c) Yes. The matter is under examination.

(d) Yes.

(e) Figures are not available but the Bombay Port Haj Committee frequently sends to Messrs. Turner, Morrison & Co., Muslims for employment and if there are vacancies and the applicants are found suitable they are invariably employed.

SHIPPING ARRANGEMENTS FOR THE NEXT HAJ PILGRIMAGE.

30. Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Secretary for Education, Health and Lands please state whether Government have under consideration the question of shipping arrangements for Indian pilgrims who wish to perform the next Haj Pilgrimage? Do Government propose to consult the Port Haj Committees in the matter?

Mr. J. D. Tyson: The attention of the Honourable Member is invited to the press communique, dated the 31st October, 1940. Government propose to consult the Port Haj Committees as and when occasion arises.

RATIFICATION OF THE INTERNATIONAL SANITARY CONVENTION OF PARIS.

31. Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Secretary for Education, Health and Lands please state whether the Government of India have ratified the International Sanitary Convention of Paris, 1926?

(b) If the answer to part (a) be in the negative, are Government under any obligation to comply with its provisions?

(c) If the answer to part (b) be in the affirmative, have Government arranged any quarantine stations or hospitals at the ports in this country for dealing with cases of infectious diseases mentioned in the Convention?

(d) Do Government charge any fee from outgoing and incoming passengers for the maintenance of those institutions?

(e) If the answer to part (d) be in the negative, is not the cost met from Government funds?

(f) If the answer to part (e) be in the affirmative, are Government prepared to apply the same principle to the quarantine arrangements at Kamaran and discontinue the fee which is at present taken from pilgrims?

Mr. J. D. Tyson: (a) and (b). The Government of India have not ratified the International Sanitary Convention of 1926 and are therefore under no legal obligation to enforce its provisions, but, in practice, the requirements of the Convention are followed as far as possible.

(c) and (e). Arrangements for dealing with cases of infectious diseases mentioned in the Convention exist at the provincial hospitals maintained at ports. The Government of India do not incur any expenditure on these arrangements except at Karachi Air Port where they maintain an isolation hospital for cases of yellow fever. This hospital is not maintained under the Convention but because of the imperative need of protecting India from the incursion and ravages of a highly dangerous disease.

(d) No.

(f) Kamaran dues are levied in accordance with the Anglo-Dutch Agreement and not in pursuance of the International Sanitary Convention.

SHIPPING FARES FROM INDIAN PORTS TO JEDDAH AND LOW SPEED OF CERTAIN PILGRIM SHIPS.

32. Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Secretary for Education, Health and Lands please state the fares charged by shipping companies for their pilgrim ships from Indian ports to Jeddah and back during the last four years?

(b) Will the Honourable Member please state the speed of pilgrim ships of the Mogul Line?

(c) Have Government received any complaints about the low speed of those ships?

(d) If the answer to part (c) be in the affirmative, what action has been taken to improve their speed?

Mr. J. D. Tyson: (a) A statement showing the maximum steamer fares fixed by the Shipping Companies concerned during the past four pilgrim seasons is appended.

(b) The speeds of pilgrim ships of the Mogul Line are as follows:

Name of vessel.	Contract speed.	Speed on trials.
"Islami"	11½ knots.	14.1 knots.
"Rizwani"	11 "	13.0 "
"Rahmani"	11 "	12.9 "
"Khosro"	11 "	12.9 "
"Akbar"	11 "	13.2 "
"Alavi"	10½ "	12.9 "
"Jehangir"	10½ "	12.6 "

(c) Yes.

(d) The possibility of taking any action is under examination.

Statement showing the maximum fares charged by Shipping Companies.

1936-37 and 1937-38 pilgrim seasons.

		Single with food.	Return with food.
		Rs. A. P.	Rs. A. P.
From Bombay to Jedda	First class	412 0 0	626 0 0
	Second class	287 0 0	451 0 0
	Deck	118 0 0	178 0 0
From Karachi to Jedda	First class	400 0 0	602 0 0
	Second class	275 0 0	427 0 0
	Deck	115 0 0	172 0 0
From Calcutta to Jedda	First class	449 0 0	700 0 0
	Second class	324 0 0	525 0 0
	Deck	147 0 0	231 0 0

For children under 10 years of age these fares were reduced by the following amounts on account of food charges :

		Single.	Return.
		Rs. A. P.	Rs. A. P.
From Bombay	First class	19 8 0	39 0 0
	Second class	19 8 0	39 0 0
	Deck	5 0 0	10 0 0
From Karachi	First class	13 8 0	27 0 0
	Second class	13 8 0	27 0 0
	Deck	3 8 0	7 0 0
From Calcutta	First class	25 8 0	51 0 0
	Second class	25 8 0	51 0 0
	Deck	7 0 0	14 0 0

1938-39 pilgrim season :

		Single with food.	Return with food.
		Rs. A. P.	Rs. A. P.
From Bombay	First class	407 0 0	621 0 0
	Second class	282 0 0	446 0 0
	Deck	113 0 0	173 0 0
From Karachi	First class	395 0 0	597 0 0
	Second class	270 0 0	422 0 0
	Deck	110 0 0	167 0 0
From Calcutta to Jedda (and back to Calcutta in case of return fare).	First class	444 0 0	695 0 0
	Second class	319 0 0	520 0 0
	Deck	142 0 0	226 0 0
From Calcutta to Jedda and back to Bombay.	First class	..	658 0 0
	Second class	..	483 0 0
	Deck	..	199 8 0
From Calcutta to Jedda and back to Karachi.	First class	..	646 0 0
	Second class	..	471 0 0
	Deck	..	196 8 0

For children under 10 years of age these fares were reduced by the following amounts on account of food charges :

		Single.	Return.
		Rs. A. P.	Rs. A. P.
From Bombay	First class	19 8 0	39 0 0
	Second class	19 8 0	39 0 0
	Deck	5 0 0	10 0 0
From Karachi	First class	13 8 0	27 0 0
	Second class	13 8 0	27 0 0
	Deck	3 8 0	7 0 0
From Calcutta	First class	25 8 0	51 0 0
	Second class	25 8 0	51 0 0
	Deck	7 0 0	14 0 0

1939-40 pilgrim season.

		Single.	Return.
		Rs. A. P.	Rs. A. P.
From Bombay	First class	..	621 0 0
	Second class	..	446 0 0
	Deck	..	173 0 0
From Karachi	First class	..	597 0 0
	Second class	..	422 0 0
	Deck	..	167 0 0

For children under ten years of age these fares were reduced by the following amounts on account of food charges :

		Single.	Return.
		Rs. A. P.	Rs. A. P.
From Bombay	First class	..	39 0 0
	Second class	..	39 0 0
	Deck	..	10 0 0
From Karachi	First class	..	27 0 0
	Second class	..	27 0 0
	Deck	..	7 0 0

NOTE.—During the 1936-37 and 1939-40 pilgrim seasons the Scindia Steam Navigation Company did not operate.

GRANT OF ALLOWANCES TO NON-RESIDENT MEMBERS OF THE PORT HAJ COMMITTEES FOR ATTENDING MEETINGS.

33. **Khan Bahadur Shaikh Fazl-i-Haq Piracha:** (a) Will the Secretary for Education, Health and Lands please state whether any members of the three Port Haj Committees belong to places other than the ports concerned?

(b) If the answer to part (a) be in the affirmative, are those members given any travelling and subsistence allowances for attending meetings of the Committees?

(c) If the answer to part (b) be in the negative, are Government prepared to grant them suitable allowances?

Mr. J. D. Tyson: (a) Yes.

(b) and (c). No.

MOTIONS FOR ADJOURNMENT.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Thirumala Rao has given notice of a motion for adjournment.

Honourable Members: He is not here.

FAILURE TO CALL A SESSION OF THE LEGISLATIVE ASSEMBLY BETWEEN THE PERIOD APRIL 9 TO OCTOBER 1940.

Mr. President (The Honourable Sir Abdur Rahim): The next motion for adjournment stands in the name of Pandit Lakshmi Kanta Maitra. He wants to discuss a definite matter of urgent public importance, namely:

"Callous indifference of the Government to Indian public opinion as evinced by its failure to call a Session of this Assembly during the period commencing from April 9, 1940,—the date of German invasion of Denmark to the end of October, 1940, when momentous events vitally affecting the interests of India as a belligerent country in the war were taking place and during which the British Parliament had been in almost continuous session."

Is there any objection to it?

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, I object to the motion. As I pointed out yesterday, the Legislature is summoned by His Excellency the Governor General. It is not summoned by the Government of India or by the Government as is stated in the motion. Obviously if the motion were to be discussed the matter under discussion would be the failure of the Governor General to call the House earlier.

Mr. President (The Honourable Sir Abdur Rahim): Do I understand the Honourable Member to contend that the Government of India are not concerned in the matter?

The Honourable Sir Muhammad Zafrullah Khan: It is not primarily the concern of the Government of India. The motion says "by its failure", that is to say, the Government's failure to call a Session of the Assembly and I wish to point out that that is a mis-statement of the position. It is not the Government which calls the Session.

Mr. President (The Honourable Sir Abdur Rahim): The Government of India may not call a Session, but I suppose what the Honourable Member has in mind is that there ought to have been a Session during that period.

The Honourable Sir Muhammad Zafrullah Khan: What I am respectfully submitting is that the matter then under consideration would be that the Governor General ought to have summoned the Legislature and the matter under discussion would be the failure or the omission of the Governor General to call the Session. The Honourable Member cannot get away from that. There is no responsibility laid upon the Government as such with regard to the calling of the Session, the responsibility being entirely that of the Governor General.

Mr. President (The Honourable Sir Abdur Rahim): Do not the Government of India advise the Governor General on this matter?

The Honourable Sir Muhammad Zafrullah Khan: Would the House then wish to discuss this: what advice did the Government of India give the Governor General? Did the Governor General accept that advice or did the Governor General act contrary to that advice? And then which Members of the Executive Council gave what advice and which other Members gave what other advice and so on?

Mr. President (The Honourable Sir Abdur Rahim): The substance of the motion is that there was no Session of the Legislature and the Honourable Member says there ought to have been a Session.

The Honourable Sir Muhammad Zafrullah Khan: Therefore, the whole question is, who could call a Session and who has failed to call a Session. Assuming, that one should have been called, it is not the Government of India who could do so but the Governor General. You cannot discuss this matter without reflecting upon the Governor General in the matter of his not having called a Session earlier, as Honourable Members desire that it should have been called. Therefore, this question cannot be discussed in this House. I may draw your attention to two rulings which you have been pleased to give on matters like this. One is at page 379, Vol. VI (1938), Legislative Assembly Debates:

"I have no hesitation in holding that so far as this motion of Mr. Satya Narain Sinha is concerned, it is not in order on the substantive ground that no motion like that can be moved without speeches reflecting on the conduct of the Governor of Bihar and it is not permitted under Standing Order 29."

The motion related to the conduct of His Excellency the Governor of Bihar for taking active part in organizing parties to fight the Congress in the forthcoming elections of the local Assemblies. If that was a matter which in its discussion would necessarily call for speeches reflecting upon something done by a Governor, which is prohibited under Standing Order 29, it equally prohibits anything the discussion of which would reflect upon what has been done or what has not been done by the Governor General. Such matter cannot form the subject matter of an adjournment motion.

Mr. President (The Honourable Sir Abdur Rahim): That was a motion directly challenging the conduct of the Governor of Bihar.

The Honourable Sir Muhammad Zafrullah Khan: So is this. Here the motion is that the Governor General did not call a Session earlier. This motion directly challenges the failure of the Governor General to call a Session. I submit it is not the duty of anybody to call upon the Governor General or ask the Governor General to call a meeting at any particular time.

Then, Sir, on another occasion you gave a ruling and that refers to the Governor General. This is at page 721, Vol. I (1938), Assembly Debates:

"**Mr. M. Asaf Ali:** * * * I am certainly within my rights to discuss even the actions of the Governor General because I am not referring to him as distinct from the Government of which he happens to be the head. He is the head of the Government of India and he has taken that action."

Mr. President: The Honourable Member is confusing the two—the Governor General and the Governor General in Council. These are two distinct constitutional entities."

Well, Sir, in the present motion for the alleged default of one constitutional entity, it is proposed to censure another constitutional entity.

Some Honourable Members: No, no.

The Honourable Sir Muhammad Zafrullah Khan: The motion which was referred to in the ruling which I quoted just now was "the dangers of the constitutional crisis occasioned by the exercise of the powers conferred by section 126 of the Government of India Act." The ruling appears on page 722:

"There is no doubt at all that this motion is entirely misconceived. The action taken in this case is purported to have been taken by the Governor General acting in his discretion under sub-section (5) of section 126 of the Government of India Act and there cannot be the least doubt that any such action cannot be discussed or criticised on the floor of the House. A matter like this cannot be discussed here without calling in question the action which has been taken by the Governor General acting in his discretion and the very intention of the Government of India Act in permitting the Governor General in certain matters to act in his discretion is that such action cannot be called in question by the Legislature or by the Government."

Mr. President (The Honourable Sir Abdur Rahim): What action was challenged at that time?

The Honourable Sir Muhammad Zafrullah Khan: I believe, Sir, it was some direction issued by the Governor General to the Governors of two provinces with regard to the detention of certain political prisoners. There again it cannot be said that the Government of India were not interested or not concerned but the constitution has devised authorities in that way. There are certain matters which are vested in the Governor General. It is open to the Governor General to consult Members of Council or anybody else that he chooses to consult over these matters; but that is not a duty or an obligation which is laid either upon the Governor General himself or upon the Members of Council. It is open to him to consult them but he is not bound to consult them. I, therefore, submit that this matter or any such matter where action has been taken or has not been taken with reference to something which is within the discretion of the Governor General as such cannot form the subject matter of an adjournment motion.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, the Honourable Member as a good lawyer has taken shelter behind the technicalities of law. But the simple point here is that the business of the House is prepared by the Governor General in Council and then the Session is summoned. So the Governor General as such is consulted for the summoning and only the issue of summons is done in the name of the Governor General. So it is only one part of the thing which is done by the Governor General. If the Honourable Member had said that the Governor General in Council placed the matter before the Governor General and he refused to act on their advice, he could surely take that plea. But here we are not concerned with the Governor General or the issuing of the summons; our only concern is whether there was material for the House to go on from day to day during this time or not, and whether or not this House as the representative body for the whole of India which is a belligerent country involved in the war should be consulted for the prosecution of the war. We say it is the Governor General in Council who has failed and not the Governor General.

Mr. President (The Honourable Sir Abdur Rahim): From the wording of the motion it appears that the Honourable Member was under the impression that it is the function of the Government of India to call a Session of this House.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammad Rural): This motion was worded like that, but I subsequently amended and gave notice of another motion.

Mr. President (The Honourable Sir Abdur Rahim): Certainly the motion, as worded, is out of order as it is not the function of the Government of India to summon a Session of the Assembly.

FAILURE OF GOVERNMENT TO ENABLE MR. SUBHASH CHANDRA BOSE TO ATTEND THE SESSION OF THE LEGISLATIVE ASSEMBLY.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of the same Honourable Member, Pandit Maitra, who wanted to discuss the failure of Government to take steps to enable Sri Subhash Chandra Bose recently elected to this House to attend this Session in response to the summons of the Governor General and discharge his duties to his constituency.

Was it under the orders of the Government of India that he has been prevented from attending the Assembly?

Pandit Lakshmi Kanta Maitra: Yes, Sir.

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Pandit Lakshmi Kanta Maitra: My contention is that Sri Subhas was detained originally under the Defence of India Act at the instance of the Government of India, and during his detention he offered himself as a candidate for election. He was duly elected and a summons was issued from the Government of India inviting him to attend the Session.

Mr. President (The Honourable Sir Abdur Rahim): At the present moment, is he under arrest?

Pandit Lakshmi Kanta Maitra: He is an under-trial prisoner. He has been under detention since the 2nd August in connection with the Holwell Monument agitation.

Mr. President (The Honourable Sir Abdur Rahim): Is it the gist of the Honourable Member's complaint that he is not allowed to attend the Session?

Pandit Lakshmi Kanta Maitra: It is that the Government of India have not taken steps to facilitate his attendance here. He has been detained since the 2nd August under the Defence of India Act in connection with the Holwell Monument agitation.

Mr. President (The Honourable Sir Abdur Rahim): Was that order passed by the Government of India?

Pandit Lakshmi Kanta Maitra: Yes, Sir.

The Honourable Sir Muhammad Zafrullah Khan: No, Sir, that is untrue.

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks this motion is out of order. Mr. Subhash Chandra Bose was not detained under any order issued by the Government of India, and, therefore, they are not responsible for his inability to attend the Session.

Mr. President (The Honourable Sir Abdur Rahim): The next motion stands in the name of Sir Henry Gidney. Does the Honourable Member wish to move it?

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I have come to an agreement with the Honourable Member

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member moving it? He cannot make a speech.

Lieut.-Colonel Sir Henry Gidney: I do not want to do so. But will you not allow me to explain why I am withdrawing it?

Mr. President (The Honourable Sir Abdur Rahim): There is no question of withdrawing. Is the Honourable Member going to move his motion?

Lieut.-Colonel Sir Henry Gidney: No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The next motion standing in the name of Mr. Deshmukh is substantially the same as the one which the House rejected yesterday and is, therefore, out of order.

LAWLESSNESS IN SIND.

Mr. President (The Honourable Sir Abdur Rahim): Then, Mr. Lalchand Navalrai has given notice of a motion to discuss the failure of Government in not exercising their special powers of responsibility by not taking law and order into their own hands for safeguarding the legitimate interest of safety and security of the minority community in Sind, during the present continued lawlessness resulting in a series of murders and in not preventing grave menace to the peace and tranquillity of the province of Sind, specially the Sukkur district.

Has the Government of India any power to intervene?

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): My case is different from the point that has been raised about the powers of the Government of India and of the Governor General. I have not invoked the power of the Governor General in his discretion. I have said that there is no peace or tranquillity in Sind, which is a part of India and I submit that the Government of India have got general powers. . . .

Mr. President (The Honourable Sir Abdur Rahim): Where do you get that? I think the general powers of superintendence, direction and control had been taken away by the Act of 1935.

Mr. Lalchand Navalrai: I may refer to section 7 of that Act; the executive authority has been given to the Governor General by His Majesty's Government: it says:

"Subject to the provisions of this Act, the executive authority of the Federation shall be exercised on behalf of His Majesty by the Governor General either directly or through officers subordinate to him. . . ."

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member know that this part of the Act is not in operation at all? It has not been applied.

Mr. Lalchand Navarai: General powers under the Federation have been in force: we have been using the whole of the Government of India Act.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is quite wrong.

Mr. Lalchand Navarai: Then I would submit that it is the primary duty of the Government of India to maintain peace and tranquillity in the whole country, and when no steps are being taken to protect the lives and property. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said all that. I cannot allow him to make a speech: this is only a point of order. The Honourable Member's motion is quite out of order. He has failed to satisfy me that the Government of India have any power, supposing the facts are correctly mentioned, to resume the administration of law and order and to ensure peace thereby in the province of Sind. The motion is, therefore, disallowed.

PLACING OF LARGE ORDERS OF PURCHASES WITH A FEW INDIVIDUALS.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member, Sir Ziauddin Ahmad, wish to move his motion?

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member wishes to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely:

"The policy now pursued by the Government of India in placing large orders of purchases in a few individuals and thus discouraging the development of cottage and small industries, and encouraging the system of sub-contracts, involving financial loss to the country."

The Honourable Sir Muhammad Zafrullah Khan: Sir, I object to this motion being admitted. To begin with, it does not deal with a specific matter of recent occurrence. It seeks to discuss a question of policy in which all sorts of factors will be involved. . . .

Mr. President (The Honourable Sir Abdur Rahim): It states "the policy of the Government of India in placing large orders with a few individuals". That is the gist of his complaint.

The Honourable Sir Muhammad Zafrullah Khan: I am coming to that. It says "the policy now pursued by the Government of India", trying to make the matter out as one of recent occurrence. If the policy is to be judged from what has actually happened, a much larger number of firms and individuals are receiving orders from the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): That is on the merits.

The Honourable Sir Muhammad Zafrullah Khan: Therefore, I submit that it would mean going into details of all sorts.

Mr. President (The Honourable Sir Abdur Rahim): At present I can in such a case as this only proceed on the facts as stated in the notice. You can point out during the argument what the real facts are.

The Honourable Sir Muhammad Zafrullah Khan: I do submit that this is not a matter either specific or of recent occurrence. Whatever the Government of India are doing, they have been doing for over sixteen months now. The House has since sat twice in long Sessions and there has been no change in what the Government are doing in this respect. The matter should have been raised at the earliest opportunity.

Dr. Sir Ziauddin Ahmad: May I reply?

Mr. President (The Honourable Sir Abdur Rahim): There is no question of reply: on the point of order, you can mention what your contention is.

Dr. Sir Ziauddin Ahmad: As regards the objection raised that the question should be of recent occurrence, I would just remind that during the last Session of the Assembly they repeatedly gave us to understand that they will not allow sub-contracts; and I think they are still following the policy of placing large orders in the hands of a few individuals and the system of sub-contracts is still continuing. . . .

Mr. President (The Honourable Sir Abdur Rahim): You mean in spite of the assurance of the Government given in the last Session of the Assembly?

Dr. Sir Ziauddin Ahmad: Yes; and they are still discouraging these smaller industries.

Sir Muhammad Yamin Khan: The Honourable Member says they are not of recent occurrence; but he has not shown that they are of old occurrence, that these things occurred when the Assembly was in Session last time.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought really to have worded it more definitely. He says "The policy now pursued": this is somewhat vague. The Honourable Member does not say that this has occurred only since the last Session of the Assembly.

Sir Muhammad Yamin Khan: He means "since the last Session of the last Assembly was over".

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member in whose name this motion stands says his grievance is that the old policy is being continued. If he was on the point that a certain assurance which was given, which would have made the matter quite specific, has not been carried out, he should have framed the motion, drawing attention to that assurance. According to him, we are now pursuing the same policy which we had been pursuing previously.

Dr. Sir Ziauddin Ahmad: You are continuing the policy which you promised to change.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable the Leader of the House is perfectly right in pointing out that the motion as now worded is unsustainable. The motion is about the policy now pursued. Dr. Sir Ziauddin Ahmad explained that what he meant was the policy pursued since the last meeting of the Assembly, in spite of certain assurance given by the Government to the contrary. But in his notice he has not mentioned what that assurance to the contrary was, or that the present policy, that is the policy pursued since the last meeting of the Assembly, was in violation of that assurance. In these circumstances, I must rule that the motion is out of order.

FINANCIAL ARRANGEMENTS WITH HIS MAJESTY'S GOVERNMENT RE PAYMENT
FOR THE PURCHASE OF MATERIALS FROM INDIA.

Mr. President (The Honourable Sir Abdur Rahim): Dr. Sir Ziauddin Ahmad next wishes to move for adjournment of the House in order to discuss the failure of the Government of India to make any public announcement in regard to the financial arrangements with His Majesty's Government relating to the payment for the purchase of materials from India. Any objection?

The Honourable Sir Jeremy Raisman (Finance Member): Yes, Sir. I object to this for the simple reason that in my last budget speech I made a very careful statement of the arrangement with His Majesty's Government regarding all forms of defence expenditure and supply connected with defence.

Dr. Sir Ziauddin Ahmad: Will the Honourable Member explain whether it is a fact that the orders given by His Majesty's Government are executed by the Supply Department and the price is subsequently debited to the Defence Department, subsequently to be settled between the Defence Department and His Majesty's Government? Is that a fact?

The Honourable Sir Jeremy Raisman: What I explained in my budget speech was that all expenditure on defence including expenditure on supplies connected with defence was in the first instance debitable to His Majesty's Government and that India would bear a certain share which I explained consisted firstly of former normal defence budget *plus* a certain element to allow for the increase of prices, and, secondly, the cost of certain measures of India's local defence. The cost of materials consumed in connection with Indian local defence measures was debitable to India; all the rest was debitable to His Majesty's Government. The statement was perfectly clear and was made in great detail.

Dr. Sir Ziauddin Ahmad: May I know, Sir, if the entire cost of all the purchases is first debited to the Defence Department?

The Honourable Sir Jeremy Raisman: In the first instance all such expenditure is first debited to His Majesty's Government, but such expenditure as belongs to the measures concerned with the local defence of India is then debited to India and credited to His Majesty's Government.

Dr. Sir Ziauddin Ahmad: I am talking of the orders placed

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is really arguing. The Honourable the Finance Member's objection is that he had explained this arrangement at the last Session. If that is so, then this motion would be out of order as it would not be a matter of recent occurrence. Having regard to the fact that, as stated by the Honourable the Finance Member, the financial arrangements with His Majesty's Government relating to payments for purchase of materials were fully explained by him at the last Session, I hold that the motion does not relate to an urgent matter of recent occurrence within the meaning of the rules.

OPINIONS OF THE HONOURABLE MEMBER FOR RAILWAYS AND COMMUNICATIONS
ON THE D'SOUZA REPORT.

Mr. President (The Honourable Sir Abdur Rahim): Then, we come to the next motion which is in the name of Dr. Sir Ziauddin Ahmad. He wishes by this motion to discuss a definite matter of urgent public importance, namely, the premature and misleading opinions expressed about the D'Souza Report and the position of the Mussalmans by the Honourable Member for Communications in his speech before the Indian Railways Conference Association on the 26th October, 1940.

The Honourable Sir Andrew Clow (Member for Railways and Communications): I take objection to this motion. I am not sure what the Honourable Member wishes to discuss, but I made no premature statement, nor did I express any misleading opinion.

Mr. President (The Honourable Sir Abdur Rahim): Misleading is only his adjective?

The Honourable Sir Andrew Clow: I think it is, Sir. I understand that the statement which my friend wishes to discuss was in substance a repetition of a statement that I made in this House in the course of the budget debate last year. The statement to which the Honourable Member refers is the gist of that statement.

Dr. Sir Ziauddin Ahmad: No, Sir; I have got before me a copy of his speech. The Honourable Member said that on Mr. D'Souza's Report he had reached no conclusion; and perhaps if he had stated he would come to no conclusion until the public and the Railway Administrations have had an opportunity of studying that Report, it would have been all right. But he goes further and says:

"Another important and difficult question is whether Mr. D'Souza's proposals for appointments are in consonance with the principle of communal considerations. . . ."

Further on he says:

"I am quite clear in my mind, and I feel sure that this Conference will agree with me, that we must not allow promotions to depend on communal considerations. . . ."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member for Communications says that he had expressed that opinion before.

Dr. Sir Ziauddin Ahmad: Not in these words; not on the D'Souza Report. The D'Souza Committee was not appointed at the time when the Honourable Member for Communications expressed his opinion.

Mr. President (The Honourable Sir Abdur Rahim): But he says he had enunciated that principle before and he only re-affirmed it.

Dr. Sir Ziauddin Ahmad: The Honourable Member for Communications has to give his opinion for the Government of India on the recommendations of the D'Souza Report. By giving his opinion on one issue raised in this Report and asking his subordinates to agree with him he is really prejudicing the whole case.

Mr. President (The Honourable Sir Abdur Rahim): What do you mean by prejudicing the whole case? Do you mean to say that the Government of India are not entitled to come to any decision on this point until the Assembly has had an opportunity to discuss it? Is that the suggestion?

Dr. Sir Ziauddin Ahmad: When he says 'I am quite clear in my mind, and I feel sure that this Conference will agree with me',—on that one issue he asks the conference to agree with him; and all the members of the conference are his subordinates, and, therefore, he is really prejudicing the opinion of these people. He ought to have received their opinion first.

The Honourable Sir Andrew Clow: The opinion which my friend has cited is not an opinion on an issue connected with the D'Souza Report at all. The opinion which I expressed was really a re-affirmation in rather less strong terms of the principle which I affirmed in the course of the debate on the Railway Budget last year.

Dr. Sir Ziauddin Ahmad: But he did discuss this question, and this was one of the issues raised in that connection, and on that issue the Honourable Member expressed his opinion very definitely

Mr. President (The Honourable Sir Abdur Rahim): Why should he not express his opinion?

Dr. Sir Ziauddin Ahmad: The Government of India means Sir Andrew Clow, and everybody knows it, and he expressed that opinion before the Railway Conference in the presence of his subordinates.

Mr. President (The Honourable Sir Abdur Rahim): Was it not open to him to express that opinion?

Dr. Sir Ziauddin Ahmad: If it is open to him to express that opinion, then it is open to us to say that he should not sit in judgment of that Report without giving us an opportunity to express our view.

Mr. President (The Honourable Sir Abdur Rahim): This opinion was not recently expressed. As the Honourable Sir Andrew Clow pointed out, that was a matter raised at the last Session, and before the Conference took place he had already affirmed that principle. Under the circumstances I disallow the motion as it does not relate to a matter of recent occurrence.

DELAY IN HOLDING THE SESSION OF THE LEGISLATIVE ASSEMBLY.

Mr. President (The Honourable Sir Abdur Rahim): Then, we come to the next one. Maulana Zafar Ali Khan wishes to discuss a definite matter of urgent public importance, namely, the incorrect advice given by the Government of India to His Excellency the Viceroy for postponing the Assembly Session by two months in spite of important political developments in the country.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): This matter has come before the House before, and arguments have been advanced in support of the contention

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is asserting that the Government of India did give advice to postpone the Assembly Session. I want to know what the Honourable the Leader of the House has got to say on that point.

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member says that the Government of India gave the advice to postpone the Assembly Session. He assumes that the Government of India gave advice; but the Government of India as such gave no advice. The Government of India is the Governor General in Council. The whole object of these adjournment motions is to bring under discussion and discover what any Member of Government may have told the Governor General with regard to this matter.

Some Honourable Members: No, no; not at all.

Sardar Sant Singh (West Punjab: Sikh): You are avoiding us.

The Honourable Sir Muhammad Zafrullah Khan: I have plainly stated that in these matters Government are unable to disclose anything that may have happened.

Mr. President (The Honourable Sir Abdur Rahim): Then the House may take it that this statement is not challenged.

The Honourable Sir Muhammad Zafrullah Khan: I object to it on the ground that there being no obligation upon the Government of India to give any advice, they have not failed in any respect.

Mr. President (The Honourable Sir Abdur Rahim): Objection having been taken to this motion being moved, the Chair should like Honourable Members who are in support of leave being granted to rise in their seats.

(Less than 25 Honourable Members stood up.)

As less than 25 Honourable Members are in support of leave being granted, leave is refused.

HUGE EXPENDITURE WITHOUT SANCTION OF THE LEGISLATURE.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Muhammad Azhar Ali has given notice of a motion for adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, namely:

"spending large sums of money not already budgeted without any reference to Legislature."

It seems to be rather vague.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): On the 4th March, 1940, a statement was laid before the Council of State showing the names and emoluments of the Gazetted Officers in the Department of Supply, and I have taken that as the ground for my motion. That is a matter of definite public importance and it is not vague at all.

The Honourable Sir Jeremy Raisman (Finance Member): The question of salaries of officers of the Supply Department was actually discussed in this House in the last Session. It was raised in this House in the last Session. In any case, the motion as moved is in the vaguest possible terms: "spending large sums of money not already budgeted without any reference to Legislature".

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks this motion must be disallowed. It is very vaguely worded and the Chair does not think that the Honourable Member has been able to shew that the matter is one of recent occurrence within the meaning of the rules.

NON-HOLDING OF THE SESSION OF THE LEGISLATIVE ASSEMBLY FOR A LONG TIME.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Pandit Lakshmi Kanta Maitra. It is the same as adjournment motion No. 16.

Pandit Lakshmi Kanta Maitra: No, Sir. It is differently worded.

The Honourable Sir Muhammad Zafrullah Khan: I have not received notice of it so far.

Mr. President (The Honourable Sir Abdur Rahim): Then, it will have to be disallowed.

Pandit Lakshmi Kanta Maitra: No, Sir. I gave him notice.

Mr. M. S. Aney (Berar: Non-Muhammadan): When the last motion was discussed, my Honourable friend, Pandit Lakshmi Kanta Maitra, said, that he had a differently worded motion later and he withdrew his first motion. This motion must be considered by the House.

The Honourable Sir Muhammad Zafrullah Khan: Before we go into this, I submit I have not received any notice.

Pandit Lakshmi Kanta Maitra: I gave you notice.

The Honourable Sir Muhammad Zafrullah Khan: I have not received any.

Pandit Lakshmi Kanta Maitra: Day before yesterday I gave notice here.

The Honourable Sir Muhammad Zafrullah Khan: I believe the President himself did not receive it till after 11 o'clock yesterday.

Pandit Lakshmi Kanta Maitra: It is on the official file. I gave notice to your office.

Mr. President (The Honourable Sir Abdur Rahim): Very well. The gist of the adjournment motion is that a Session of the Assembly was not

called between certain dates. Was not that the complaint also of Maulana Zafar Ali Khan and the House refused leave to his motion?

Pandit Lakshmi Kanta Maitra: I just want to reply in a few words the points raised by the Leader of the House.

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member had better address himself to the point raised by the Chair.

Mr. President (The Honourable Sir Abdur Rahim): Maulana Zafar Ali Khan's motion was to discuss the question of "the incorrect advice given by the Government of India to His Excellency the Viceroy for postponing the Assembly Session by two months in spite of important political developments in the country". Pandit Lakshmi Kanta Maitra wants to discuss "callous indifference of the Government to Indian public opinion as evinced by its failure to advise the Governor General to call a Session of this Assembly during the period commencing from April 9, 1940,—the date of German invasion of Denmark, to the end of October, 1940, when momentous events vitally affecting the interests of India as a belligerent country in the war, were taking place and during which the British Parliament had been in almost continuous session".

The Honourable Sir Muhammad Zafrullah Khan: I would submit that the position is substantially the same in both the cases. In the one case, Maulana Zafar Ali Khan wanted to discuss the "incorrect advice given"—that is to say, the advice being, according to the Honourable Member who wanted to move the adjournment motion, that the Session need not be called earlier. And here, in this motion, Pandit Lakshmi Kanta Maitra wants to discuss the failure to give advice, that is to say, again, not securing or not giving advice, that the Session should be called earlier. Both are substantially the same.

Mr. President (The Honourable Sir Abdur Rahim): The first one dealt with "political developments in the country", while Pandit Maitra points out that certain developments in the war situation had taken place between certain specific dates and his idea apparently is that the Assembly should have been given an opportunity to discuss that situation. I think there is a difference.

Will those Members who are in favour of leave being granted, please rise in their places?

(More than 25 Honourable Members rose in their seats.)

As not less than 25 Honourable Members have risen in their places, I allow the motion. The motion will be taken up at 4 O'Clock.

RESOLUTION *RE* FISCAL POLICY OF THE GOVERNMENT OF INDIA—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the following Resolution moved by Sir Syed Raza Ali on the 27th March, 1940:

"That this Assembly recommends to the Governor General in Council to appoint a committee of officials and non-officials to examine the present fiscal policy of the Government of India and recommend suitable modifications."

[Mr. President.]

The Honourable Member has already spoken for five minutes on that day.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Sir, the House will remember that when I moved this Resolution on the 27th March this year, the world situation was very different indeed from what it is today. On that day, the progress of the war which had already continued for some months was on very different lines. Honourable Members will remember that on that day Nazi aggression had not overrun Denmark or Norway. Nor had Belgium and Holland and Luxemburg been invaded. The House will also note that the powerful country of France had not collapsed on that day nor had Italy joined in the war. Lately, some more important events have taken place, namely, the dark shadow of Nazism has been cast on Rumania. What is more, we find that without any justification whatsoever, the ancient country of Greece has been invaded by the Axis powers. All these are grave and momentous developments.

My object in resuming the discussion on this Resolution is not, let me point out very clearly, to divert attention in any way from India's war effort. I must further point out that my object indeed is, by going on with this Resolution, to strengthen our war effort on the one hand and to place India in a position which would enable her to take advantage of the situation when peace is restored after the defeat of the Axis powers on the other. We know that much money and time was spent on setting up a number of industries during the last war, from 1914 to 1918. We also know that a number of those industries, for the simple reason that no machinery had been set up at the time, came to grief. I am very anxious that we should profit by our past mistakes and not commit again the mistakes that were committed by certain industries 20 years and more ago. In my speech on the 27th March, I referred to the work that had been done by the Indian Fiscal Commission that sat in 1921-22. It produced a very carefully considered document which again has come under the consideration of the Government of India from time to time. In consequence a number of Tariff Boards were appointed to inquire into the position of a number of industries and those Tariff Boards made their recommendations in due time. Now, we find that as a result of the inquiries made into certain industries by various Tariff Boards a number of industries were accorded discriminating protection; amongst them the following important industries may be named, iron and steel industry, cotton textile industry, woollen textile industry and sugar industry. It is true that public opinion is not unanimous on the question as to whether the measure of discriminating protection that has been accorded by Government to some of these industries does not err on the side of too much liberality. That question is one into which I do not think it is necessary for me to go this morning. The report of the Fiscal Commission is there and that report lays down some very wholesome principles which should be carefully borne in mind in deciding the question as to whether a certain industry is entitled to any discriminating protection or not. Now, three cardinal principles have been laid down by the Fiscal Commission to which I would make a reference, in passing, in order to show that whatever differences of opinion may exist on the quantum of protection afforded there is no doubt that if these principles are carefully

borne in mind there is not much chance of the Government of India, assisted by the Legislature, coming to a wrong decision generally.

The three principles that were laid down by the Fiscal Commission of 1921-22 were: firstly, the industry must be one possessing natural advantages such as abundant supply of raw material, cheap power, a sufficient supply of labour or a large home market; secondly, the industry must be one which without the help of protection either is not likely to develop at all or is not likely to develop so rapidly as is desirable in the interests of the country; lastly, the industry must be one which will eventually be able to face world competition without protection.

Now all these, Sir, are very wholesome provisions. The present position, as I indicated briefly at an earlier stage, is that, if it is proposed to consider the question of any industry in connection with the grant of protection, a very elaborate inquiry has to be undertaken through a Tariff Board. The Tariff Board examines witnesses, visits a number of places, and, after going through the whole thing carefully, makes a report which ultimately goes to the Government of India. The Government of India for obvious reasons are not bound to accept the recommendations of the Tariff Board, but have the right to make such alterations or modifications in the report as they think suitable. Now, my main criticism of this provision is that the whole thing involves a very cumbrous procedure. Quite apart from the question of cost, which again is quite appreciable, a lot of time is taken up, and, now that quite a number of important industries have already been carefully inquired into by the Tariff Boards, do not, on the whole, think that it is necessary to appoint a Tariff Board in the case of newly developed or newly developing minor industries or in the case of those industries which have already been examined at a previous stage by a Tariff Board. It seems to me that the necessary cost can be avoided and the procedure can certainly be speeded up by the appointment of a committee of official and non-official Members to advise the Government of India.

I do not mean to say that in no case should a Tariff Board be appointed. But we do not know what the position after the war will be. It may be, and I do hope that as a result of India's war effort, quite a number of new industries will come into being and will attain to a stage of sufficient development to warrant the Government of India extending to them a helping hand. At the same time, it is extremely difficult, if not absolutely impossible, to foresee today what the country's industrial position will be after the war. The point is this. Is it to the advantage of this country, or does it facilitate India's effort in prosecuting this war, to do nothing for the present and cast the entire responsibility of execution on the Government of India? My submission is this, whether we look at the problem from the point of view of the country's earnestness to help England to win the war or whether we look upon it from the point of view of the country's industrial development, it is very important indeed that no valuable time should be wasted in refusing to associate the non-official element with our effort in these two directions. Let me make quite clear that nothing is further from my mind than to suggest anything which will prejudice our war effort. Rather, I should say that we have a committee of the kind outlined in my Resolution appointed

[Sir Syed Raza Ali.]

and if the Government of India seek the assistance of this Committee from time to time between now and the conclusion of peace, it will be all to our good and to our advantage.

Sometimes people fear that capital in this country is shy and does not readily come forward to the help of industries. Sir, I have no first-hand experience of the development of Indian industries. All the same I can claim that if we carefully remember what happened in 1914 and subsequent years this charge of the shyness of capital will be found unjustified. In fact, for reasons into which I need hardly go since they are present to the mind of every Honourable Member, as a consequence of the great industrial development that has taken place during the last twenty-two years, capital is much more ready to come forward now than it was some years ago. But one thing one naturally has to consider. Those who invest large sums of money either in founding fresh industries or in developing existing ones are very anxious that some years after the war is won and peace is restored the fate of the money thus invested will not become precarious. Now, I think it is up to the Government of India to reassure the public and capitalists and industrialists on that very important point. If the quarters affected are reassured on that point and if they feel a sense of security that the Government of India will not leave them in the lurch when peace is restored, and if they are assured that the Government of India will give due consideration to all those industries which may have come into being or may have developed between the outbreak of the present war and the conclusion of peace, I am sure that many will come forward readily to found new industries or help existing industries. I would, before I finish, just like to know as to what the attitude of the Government of India is. I understand, Sir, that in the past the Government of India on suitable occasions have made necessary modifications in the recommendations of the Tariff Boards; in other words, by executive action they have accomplished what could not have been achieved without the appointment of a fresh Tariff Board. I am not complaining. On all those suitable occasions when proper action was taken by the Government of India, they are entitled to claim credit and I certainly would be prepared to give them that credit. What I would like to know is the present policy of the Government of India. Have they any objection to the appointment of such a Committee as is outlined in my Resolution during the progress of the war? I need not repeat the familiar arguments that the country is far too advanced to be prejudiced by the appointment of a Committee of this character. In fact, instead of prejudicing our war effort, the Committee would, on the one hand, accelerate the pace of our war effort and would, on the other hand, help the Indian industries being placed on a satisfactory footing in the light of the experience gained between now and the conclusion of peace.

Now, Sir, I do not think I have much to say except to point out that I have not used the expression 'fiscal policy' in any limited or restricted sense. Time will not allow me to develop the theme, but the expression 'fiscal policy' embraces, according to me, such important questions as the question of the railway rates policy which, I have no doubt, should be further revised and improvement in railway facilities effected with a view to the transportation of our manufactured goods. I should also add that, according to me, our fiscal policy ought to include the question of

shipping, at any rate, coastal shipping rates, which should be lowered and an effort should be made against a monopoly through shipping rates being established or continued . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Sir Syed Raza Ali: I will finish my speech within that time. On the other hand, if we find that any such monopoly through shipping rebates exists, every effort should be made by the Government of India to do away with that system. So, by 'fiscal policy' I mean the policy to be pursued by the Government of India with reference to our manufactured goods coming into competition with goods imported into India from foreign countries.

Sir, the Resolution is a very simple one. If this Resolution is accepted by the Government of India, whatever else they may think of it today, they will find that in course of time this Committee will be of great help to them in arriving at a decision on broad questions with reference to war industries as also India's internal industries for the latter require every legitimate help and encouragement being given to them without delay. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council to appoint a committee of officials and non-officials to examine the present fiscal policy of the Government of India and recommend suitable modifications."

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, before I develop my argument in favour of this Resolution, I want to make two points quite clear. The one is that the word 'fiscal' in this Resolution does not mean tariff. The word is used not in the narrow sense but in a very broad sense, as was made clear by the Honourable the Mover of the Resolution himself. The second point which I want to make quite clear is that the war condition should not be put forward as a plea against the appointment of such a Committee. May I remind the House that the Government of India during the Great War appointed an Industrial Conference, the necessity of which they felt on account of the war conditions. Whatever situation existed during the Great War, the situation is much more acute on the present occasion. In fact, the war condition clearly shows that we do require a Committee of this kind to discuss the whole problem. New industries are now springing up on account of the war requirements and an announcement was made the other day that these industries will not be allowed to die when the war is over. We do not understand what is the significance of this and how the whole thing will be materialised. If we could make any announcement in this direction, I am sure more capital will be coming forward, industries will develop more rapidly and the war material will be available in large quantities.

Sir, the policy of taxation of the Government of India is based on the Fiscal Commission's report. As I pointed out some years ago, it is just like the surgery of one system of medicine based on the surgical operations which Abusina performed on one monkey. Many things have happened since that time and the art of surgery has undergone a great deal of improvement. But that system still follows the surgery of Avicenna. The

[Dr. Sir Ziauddin Ahmad:]

same is the case with the taxation policy of the Government of India. The Fiscal Commission's report was written in 1922 and many things have happened since then. The one very important thing that happened during this time is that the systems of combines and monopolies of sale are now being actively pursued and are very widely followed by businessmen. There is no freedom of sale and there is no freedom of purchase. If I want to sell a particular article and if there is a combine in regard to it, I will not be able to do it. If I want to purchase anything, I can only purchase it through one particular firm and in a particular locality. Therefore, there is now a great restriction both with regard to the sale and the purchase of various articles and, therefore, the freedom of trade which these businessmen shout at the top of their voices is destroyed by themselves. But this thing is acting against the interests of the consumers. There are all kinds of loots, which I mentioned some time ago in connection with the story of Haji Baba. By means of combines and the monopoly of sales they are collecting large sums of money from the poor consumers. Now, what is the difference between the Finance Member and these magnates of combines and monopolies? The Finance Member collects funds from the rich people for the benefit of the public. Now, Sir, these people collect funds from the public for the benefit of the rich men. It is really the reverse process, but in both cases the poor consumers are very much handicapped and they suffer in both ways. This system of combine may be defended in case of general commodities, but it cannot be substantiated in the case of protected industries. Here I may be permitted to quote from the Fiscal Commission report from which my Honourable friend, Sir Syed Raza Ali, also quoted. As regards this point the report says:

"The matter should be investigated by the Tariff Board which we propose should be established and if the Board reports that the protection is in effect injurious to the interests of the Indian consumer and the legislature accepts the view that protection given to the industry should be lowered and withdrawn or possibly special legislation should be introduced in order to deal with the matter."

Therefore, the Fiscal Commission suggested a method to get out of this difficulty, but unfortunately the methods suggested by them were not practised by the Government of India on account of an error of nomenclature into which they have fallen. Now, Sir, they clearly suggested a periodic examination of the protection and they contemplated very clearly that this should be examined and their report should be laid before the legislature and the legislature should have a right to express their opinion. The Government of India fell into the error and they have not solved that problem whether there should be a permanent tariff board to do the work which I have just mentioned or there should be an *ad hoc* tariff board. These are really the two distinct problems and I think every Commerce Member from 1930 onwards had been devoting a considerable portion of his time to solve this question whether the tariff board should be *ad hoc* or permanent body. I think the Government have misunderstood the entire recommendation of the Fiscal Commission. They say that whenever you want to give fresh protection or extend period of protection to any industry, this should be decided by an *ad hoc* tariff board. That is one thing. But once protection is given, then it should be examined periodically by a permanent body of men, call that body of men tariff board, and it is unfortunate that the Fiscal Commission used the same word "tariff board" for entirely two different bodies which led the Commerce Department to fall into a confusion or

into a kind of conundrum. It is very important that the Commerce Department should immediately appoint an officer and a body of men, some non-officials, be associated with him and call them by whatever name you like. They should examine the effect of this protection given to any industry. Had this permanent body been in existence, then all the difficulties with regard to sugar which we had during the last 18 months would not have existed. This permanent body would have drawn the attention of the legislature in 1937, 1938 and 1939 about the actions taken by the Governments of Behar, of the United Provinces and they would have drawn our attention to the action taken by the Sugar Syndicate, to the action taken by the Sugar Mill-owners Association and the enormous difficult positions into which they have fallen, would have been avoided had timely action been taken on this particular question.

The next thing on which this Board will be exceedingly useful and which expresses the interest of the consumers is they would fix a fair selling price. Whenever an industry is protected and when the industry wants to raise the selling price, they should get the permission of this permanent body. The protected industry should not have the power to raise the price arbitrarily beyond the fair selling price fixed by the Tariff Board as it is doing at present by means of combines and monopolies and so on. So this will also be one of the duties of the permanent body to examine whether the increase in the fair selling price is necessitated by circumstances.

I again press this point that in every question of protection, in every question of fixing of price, we have to consider all the interests—the interest of the consumer should not be left out of consideration. Whenever any question relating to any industry is discussed, my Honourable friend, Mr. Joshi, puts forward the interest of labour and he is perfectly right. I think he should have a second string to his bow and he should take up the cause of the consumers also.

I will now briefly mention about the method of new taxes which the Government of India are adopting. This is quite novel without any parallel in any other country. First, there is the theory of giving temporary shelter to certain industries. The Commerce Member in December, 1933, startled the whole of the Legislature by bringing forward a Bill in which he artificially put specific duties and raised the customs duties on articles which he selected at his sweet will presumably on the representation of certain individuals. Now, Sir, he did not tackle the problem, but the problem tackled him. So he started a new theory that is about giving temporary shelter. Then later on he started another theory, that is, giving of over-protection and about this he said:

"When you give these industries over-protection, then cut-throat competition will follow and this will also lower the prices."

So he takes for granted that in giving over-protection there will be no combine, but whenever there is a combine and they fix the prices by mutual consent at a higher rate, then this over-protection really acts not to the benefit of the industries, but very often against the industries and certainly it is prejudicial to the interests of the consumer. Therefore, this theory of over-protection, that is, protection over and above the quantum recommended by the Tariff Board is really neither in the interests of the industry nor in the interests of the consumers. This theory also is absolutely wrong.

[Dr. Sir Ziauddin Ahmad.]

The next theory that the Government of India started is like the poll tax. This is really a tax which you can levy on your own account without reason and justification. This is what is called 'cess duty'. The Government have now started the system of taxation under the name of cess duty. Nobody knows what happens to this duty. The Government also tabled Resolutions recommending cess duty in the case of coffee, in the case of tea and so on, but we do not know what happened to the duties so collected. The accounts are not submitted to the Commerce Department about the method of working of this cess.

There is another burden on consumers, high tariff wall combined with the quota system. I can understand your having a high tariff wall for protection to an industry. I can understand if you have a quota system. But the Government have adopted the policy of having both high tariff wall and quota system so that the effect of this is there is double protection to the industry, but it is really high taxation to the consumers of the country. So that the protection is there, but on account of the quota, the prices are increased to the great disadvantage of the consumer.

The next point to which I wish to refer is the surcharge. This system of surcharge was started during the time of Sir George Schuster who was popularly known in the House as *sur-charge* Schuster. He raised the price of all articles irrespective of any consideration by 25 per cent. This thing ought to have been examined scientifically but no effort was made in this direction. Now, Sir, we have got the same method adopted by the present Finance Member. Instead of trying to find out fresh sources of revenue he is only putting a surcharge on articles which are already there. Therefore, the important thing is that the Government of India should now find out fresh methods of raising revenue. For example.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Dr. Sir Ziauddin Ahmad: Very well, Sir. I was just coming to the principal arguments in support of this Resolution.

Mr. J. Ramsay Scott (United Provinces: European): Sir, the views I am going to express are my own personal views, and not necessarily those of my Group.

I would like to thank my Honourable friend, Sir Raza Ali, for bringing up this Resolution on the fiscal policy of India and to congratulate him on the admirable way he has put up his case.

During the great war, and, immediately after, a large number of new industries came into existence to supply India's needs, but when trade got back to normal, the intensive competition of foreign imports killed many of these industries and a lot of invested money was lost by the Indian public. In the interregnum between the Great War and the present war, India has made great industrial progress, but not sufficiently so as to enable her to pull her full weight at the present moment. In the last two decades, other dominions have made greater industrial progress, and I may say that I was greatly impressed last year to see the way Australia had gone ahead industrially since the last war.

In view of what I have said regarding industrial development about 1920 and the amount of money which was lost by the public, I would ask

Government to bear in mind that although there is sufficient money available to start new industries, the assistance which Government have given in the past has not been such as to encourage greatly the development of industries. But today those of us, who have intimate knowledge of the speeches and work of Sir Ramaswami Mudaliar, know that industrial interests are and will be in safe hands of the Commerce Member and that everything which can be done will be done to hasten and facilitate the industrial development of India.

The Fiscal Commission's report of 1922 laid down certain lines on which protection to an industry might be given after a thorough investigation by a Tariff Board, and it also lays down certain stringent conditions that all the raw material should be available in this country before protection can be granted, but in a few cases recently my Honourable friend, the Commerce Member, has relaxed this rather arduous condition and cases are being individually examined so that industries started this year, in a year in which every industrial effort is required to be made in the interests of India and the Empire, will be protected after the war for a period of years. If I have in any way misinterpreted what I consider is the desire of the Commerce Member of the Government of India, today, I shall be glad if he will correct me in his reply. The Fiscal Commission's report is nearly twenty years old, and conditions in India have changed so much in the last twenty years that I think that a new commission should sit at some future date. I do not, however, consider that the present moment is a suitable one, but would suggest that a Commission should sit as soon as possible after the war when it can judge in a dispassionate atmosphere what India's industrial capacity has done and what it might have done, and plans can be made when machinery, etc., is available, to develop fully the industrial capacity of India.

A further suggestion for consideration is the needs of the smaller industries. The larger industries are organised and are well able to voice their needs, but the smaller and undeveloped industries are not in such a happy condition. I feel that in the interim period until the commission sits a new "Safeguarding of Industries Bill" should be introduced for the protection of smaller industries. A full dress Tariff Board report is too long, cumbersome and costly an affair to deal quickly and efficaciously with small industries where the need is for quick action if such an industry is to be saved and assisted.

The bulk of consumers in this country are agriculturists, but they are also men with families, and with the growth of education there is a crying need to find employment for educated young men, and in my opinion an industrial drive to expand India's industries is one means of finding men employment. In this country industrial employment for one man means, as his standard of living improves, helping several more to get an existence.

Industries must know that their position is safe and this position can only be assured if their markets in India are maintained, and they know that they are not likely to be ruined by foreign competition and foreign dumping. Sir, I would recommend this Resolution to the careful consideration of Government, and I hope that they will be able to accept it in principle even if there is no definite time limit for the setting up of a Commission.

Babu Bajinath Bajoria (Marwari Association: Indian Commerce): Sir, I rise to support this motion and I congratulate Sir Raza Ali on bringing it forward. The present fiscal policy of the Government of India is dependent on the report of the Fiscal Commission of 1921-22. Before that there was no fixed policy but after this report Government adopted its recommendation of discriminating protection of industries. This policy was considered to be half-hearted and halting even at the time the report was published and at the present moment it is all the more so. The recommendation of this Commission as well as the present fiscal policy of Government is so halting and half-hearted that the industrial development of the country has not progressed as would have otherwise happened if the industries had got the necessary protection and fostering care of Government. The preliminary conclusion which the Fiscal Commission came to was that the industrial development of India has not been commensurate with the size of the country, its population, and its natural resources and that a considerable development of Indian industries would be very much to the advantage of the country as a whole. This theory which was true in 1921 is far more true at the present moment. The industrial development of India is very badly needed. There has been industrial development of India during these 20 years as a result not only of the policy of the Government of India but also of the interest which the Indian mercantile community has taken in the development of industries in this country. If Government had given their whole-hearted support and more paternal care to the industries I am sure the industrial development would have been much greater. There are so many conditions surrounding the grant of protection to an industry at the present stage and it is so very difficult to satisfy Government in these matters that in many instances protection has been denied to an industry. I would cite only one instance, that of the glass industry, in which protection was denied simply because soda ash which is one of its principal ingredients was imported from outside, though as regards consumption, manufacture and labour and other things the industry had perfect justification for protection. I know that Government are giving some help to the glass industry by grant of rebate of customs duty on soda ash, but much more should have been done by giving protection directly.

I have given only one instance, that of the glass industry. At the present moment, after the war began, Government have now become anxious that goods should be manufactured in this country for war supplies. I quite appreciate that it is for the good of the country that we should be able to supply the war needs and not only the war needs but also our needs in times of peace. If Government had been half as anxious as they are now to develop the industries of this country and had helped to start new industries here, then the position in India would have been so strong and India would have been so self-sufficient as regards the supplies of war materials that it would have been a source of great strength not only for the defence of the country but also for supplying goods to Great Britain and other theatres of war in the near East and even, God forbid, if there should be hostilities, in the Far East. But, unfortunately, at the present, according to the recent statement of Government, India can only supply 20,000 kinds of materials out of 40,000 kinds which are required for military purposes, from within. The other 20,000 kinds have to be imported from outside. What a pity! India has got natural resources, India has got men, India has got labour; and if a

stimulus had been given by Government patronage, India would have been self-sufficient in these respects also. There are certain vital industries which have not come into existence in India at all and which are very important for the purpose of defence of this country, as for example, the manufacture of arms and munitions, ship-building, aircraft, etc. Even yesterday in his statement the Honourable the Finance Member only referred to certain ship-building yards in this country, if I heard him aright, but no efforts have been made to manufacture ships in this country. As a matter.....

The Honourable Sir Jeremy Ralsman: What I said was that every slip in this country capable of being used for the construction of these vessels was actually occupied, so that ships are being constructed.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Babu Bajinath Bajoria: I think I have some little time more, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is right. The Chair understands that he has five or seven minutes more. He can resume his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. Deputy President (Mr. Akhil Chandra Dutta) in the Chair.

Babu Bajinath Bajoria: Sir, when the House adjourned, I was showing how, if the industries of this country had been properly developed, if they had received the full support of the Government,—and I was glad to hear this morning from the Honourable the Finance Member that they have decided to support the ship building industry—the industrial condition of India would have been in a much stronger position than it is today. With regard to the shipbuilding industry, as every body knows, there have been numerous discussions in this House, and the proposal to start and support the shipbuilding industry was always stoutly resisted by the Government, but I am glad that at last they have realised the true position of this industry and have decided to support it.

Sir, the Indian Fiscal Commission Report on which the present Indian fiscal policy is based is antiquated. It is about 20 years old and much water has flown down the river Ganges since the time that report was written. The whole situation both in India as well as in the whole world has completely changed, and it is now imperative on the part of the Government to come out with a bold and definite policy of industrial expansion in every possible direction; and if the present conditions of war have created favourable opportunities for the establishment of new industries in this country, it is also the duty of the Government to see that these industries which will help them during the period of the war do not die out in time of peace.

Sir, one of the recommendations of this Commission was that industries essential for purposes of national defence should be adequately protected if necessary, but nothing was done, whatsoever, to implement this

[Babu Baijnath Bajoria.]

recommendation of even this antiquated Commission. That shows the antipathy of the Government. Sir, I am joining in this debate not in any spirit of negative criticism of Government, but with a view to strengthen the hands of the Honourable the Commerce Member to give greater encouragement for the expansion and development of industries in this country. I know the Honourable the Commerce Member who was once a popular elected Member of this House had greatly contributed to debates on this question.

Some Honourable Member: He is equally popular now.

Babu Baijnath Bajoria: His contribution to the debates in this House for the cause of industrial development has been very great, and I hope he will be very sympathetic to the industrial development of this country by revising the policy of the Government in such a manner that the industries of this country may fully benefit thereby. Sir, I support this Resolution not with a view to throw any impediments in the way of development of Indian industries. If by the appointment of the proposed Committee the present industrial development is impeded in any way, I would be quite prepared if the Government accept this Resolution, and the appointment of a Committee may be deferred till the end of the war, because I know that at the present moment Government themselves are anxious to encourage industries which may provide them with war materials. But I do not think it will be wise on the part of the Government to oppose this Resolution merely on the ground that they cannot appoint a Committee just at the present moment.

Sir, one word about what my friend, Dr. Sir Ziauddin Ahmad, said with regard to over-protection. I wanted to know from him one instance in which over-protection has been given to industries beyond what has been recommended by the Tariff Board.

Dr. Sir Ziauddin Ahmad: Tatas are getting 15 crores. Read the speeches made in the House in 1934.

Babu Baijnath Bajoria: The Government are at present following a policy which reminds me of a proverb which says that when a fire has started in the house, the owners or occupants of the house have begun to digging a well.

"Jab ghar me ag lagee, tub koova khodne chale."

But it is still better late than never, and even if Government were to take to this industrial development now and revise their fiscal policy in the interests of this country, I think this country will be greatly benefited in all respects. With these words I support this Resolution.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, since the publication of the Report of the Indian Fiscal Commission 18 years ago, industrialisation has made considerable progress in this country; but if the Government had shown greater foresight and imagination, this industrialisation would have proceeded much further. Just at the present moment we find that there are great defects in the industrial system of this country, and the Honourable the Commerce Member is trying his best to remove these defects in order that India may be able to make a substantial contribution to war effort. Sir, the Fiscal

Commission reported 18 years ago, and during this period things have changed considerably, and it is desirable that the recommendations of the Commission should be reviewed. On what lines the review should take place, I will not discuss now; but I will say this, that some of the conditions laid down by the Fiscal Commission are rather over-stringent, and some amount of elasticity will have to be introduced into these conditions. My friend, Mr. Bajoria, referred to one or two instances. There are many other instances, but it is needless to mention them now. A full-fledged Fiscal Commission or an Industrial Commission may not be possible to be appointed just at present because of the preoccupation of the war and also because conditions are not normal. This may be postponed till after the war, but a small Committee, as has been suggested in this Resolution, may be appointed. This Committee may consist of officials and non-officials,—some members of this House may be taken on it,—to inquire into the limitations which have been imposed by the Fiscal Commission's Report and also to inquire what further progress is needed in view of the changed conditions,—particularly conditions created by the war.

Now, during this war certain industries are getting help in various ways from the Government, and a considerable amount of capital is being invested in these industries. It is necessary to ensure that these industries, after they have been developed, should not die when the war ceases. The Honourable the Commerce Member, if I remember aright, gave an assurance some time ago to the effect that Government would come to the rescue of such industries and would give them the necessary support after the war. I hope that this assurance which he gave to some Chambers of Commerce will be repeated here. That will go a considerable way towards removing the apprehension which is felt in many quarters that when the war ceases a great deal of capital resources may be lost.

While I am a protectionist, I must say that I am not a blind protectionist. When we grant protection to an industry, we should grant protection not only in the shape of tariff, but in various other ways,—railway facilities, shipping facilities and so forth, and we should look to the interests of the country as a whole, not merely to the interests of the capitalists. We should have in view the interests of labour, the interests of the consumer and all other interests which may be affected by our protective policy. The time has come when it should be recognised definitely by the Government of India that industrialisation, coupled with agricultural improvement, is the greatest need of the hour, and keeping that in view the Government should extend to the industries of the country all the facilities and all the help that they can offer.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): We have friends here who plead the cause of big industry. I stand here to urge on the Honourable the Commerce Member to take up the cause of smaller industries in India. I remember he once said on the floor of the House that he would take the same care for the smaller industries as he would take for industrial production for defence and war purposes. My Honourable friend, Dr. Banerjee, has referred to what the Honourable the Commerce Member said to the commercial community. It has appeared in the newspapers and we all know that he has got very great sympathy for the smaller industries. In the year 1937 an enquiry was launched by the Government of India for the development of smaller industries, but the plea then raised was that, because

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Japan was importing at higher prices, therefore, these industries could not be helped so easily. The result was that the whole thing ended in smoke, and that is generally the result of Government of India's committees and commissions, which I again deplore, even today on the floor of the House. But, during the regime of our present Commerce Member, we hope that the smaller industries will be taken greater care of, and that the coffers of the Government of India will filter down to the smaller industries of the country as well. There are philosophers to discuss the principles of fiscal policy and the recommendations of the Fiscal Commission, but so far as I understand the Resolution of my Honourable friend, Sir Syed Raza Ali, it touches more the question of fact than discusses the fiscal policy of the Government of India. Here, what we want is that the glass industry, the canning industry, and other smaller industries should be helped and developed by the Government of India even at this time of the war. In spite of the fact that war is on, these industries are very necessary and they should be developed. We know that Banks in India cannot at the present time, for reasons best known to the Government, help even the greatest industry of India, that is, the agriculture of India. The only recourse for the smaller industries, therefore, is the Government of India itself, and we hope that the Government will think of these industries not only during the time of the war but also after it. The big industrialists will look after themselves. There are magnates who will surely make money during the war themselves and then invest the same for the industrial development of the country, but it is the care of the smaller industries that we have to look to. The Resolution seeks only this, that non-officials also should be included in the committee and that there should be a committee of officials and non-officials to enquire into the industrial development of the country. We know how His Excellency the Viceroy has been trying his level best to rope in the leaders of the Indian community. And for what? To help in the development of industries in India. And for what purpose? To help in the war. When the Governor General himself thought that non-officials should be taken in, I ask, where is the reason for the Government of India to refuse to take non-officials into the committee along with officials for the development of Indian industries, and especially the smaller industries of the country? With these words I support the Resolution.

Mr. N. M. Joshi (Nominated Non-Official): I would like to make only a few remarks on this Resolution, as we are likely to have another opportunity to speak almost on the same subject when the Finance Bill will come up for discussion.

I would like to support this Resolution asking for a re-examination of the fiscal policy of the Government of India. It is a long time since the policy of the Government of India as regards the development of industries, as regards their taxation system and as regards the fiscal system of the country, was examined by a committee. Since then many changes have taken place. We have expanded our system of taxation, we have developed industries, and we have been also protecting some of the important industries of the country. But, Sir, we are now living in quite different times. Not only has there been the ordinary development in the country, but the war has introduced quite a new situation.

At this time the Government of India themselves may have found that, if the industries of the country had been developed much more than they are developed today, it would have been easier for them to find the money which they need for the prosecution of this war. Moreover, the Government of India today are trying to supply the military needs not only of India but of Great Britain also. In this connection, what we have to remember is that, if India had been sufficiently developed industrially, we could have not only supplied the raw materials which we are now supplying, but we could have provided the Empire as well as Great Britain with many finished products of which we are supplying only the raw materials today. I, therefore, feel that the time has come for a re-examination of the policy of the Government of India as regards the industrial development of the country, as regards their taxation system and also as regards the system of protecting industries. Again, I should like the Government of India to consider, and consider especially at this time, the question of whether industries should be in the hands of Government, and if so, which industries, if the industries should be controlled by Government, and if so, which industries should be controlled, and whether there are any industries which may be left to private enterprise.

I would like this question to be considered now. We are living now not in the old times but in new times and everybody is thinking of the new world order. In Great Britain where generally, the Government is averse to interfere with private industry and where Government is adverse to take over industries in their hands, the Government has changed its policy and is now conducting industries which the Government would have left to private agencies some years ago. I, therefore, feel that, the Government of India themselves must examine now very carefully and not at a later time whether the industries upon which depends the safety of the country should not be taken over by the Government of India wholly in their own hands. Secondly, there are industries which are key industries and industries which are essential for the well-being of the masses of people in this country and industries upon which depends the development of other industries such as the power industry, the coal mining industry, the machine industry. These industries also in my judgment ought to be in the hands of the Government and not in private hands. It is quite possible that the Government today may not take over all the industries. At the same time the Government will recognise that this war makes it quite clear that some of the essential industries must at least be controlled by the Government and these industries must not be controlled only in war times but it is now clearly proved that these industries must be controlled even in peace times. The Government may plead that they cannot introduce a new system altogether during the war. But the war has proved it abundantly, some of these key industries must be at least controlled by the Government sufficiently. If Government are to control, in what way are the Government to control. These are various matters of importance which it is now time the country should consider and investigate. I do not agree with the argument which some Members have used that this is a time when we should not have an examination. I shall say that this is the time when that examination should take place. We are taking steps in the matter of initiating certain policies. Should not those policies and steps be examined now? Some of the Members do not wish that the development

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of the industries should be delayed on account of the examination of such policies by a committee. They say that the Government of India are at present prosecuting a quick and vigorous policy as regards the development of industries. Unfortunately, the Government of India do not like to take the people of this country into confidence and they also, I am very sorry to say, do not like to take the Legislature into their confidence. If they are taking steps to develop industries, we want to know what those steps are. I am quite sure that, if the Legislature knows that the Government of India is following a vigorous policy as regards the development of India, the Legislature will not do anything by which there will be any interference in the vigorous prosecution of the policy of development of industries. I have no doubt that if the Government of India appoint a committee now, that committee will be able to give guidance and advice to the Government of India in the policy of the development of industries which they may be following at this time. I, therefore, feel, that in the interest of the country there should be a re-examination of the policy which the Government of India should follow as regards the development of industries, as regards the method of taxation and as regards the method of protecting the industries. I hope, Sir, that the Government of India will accept this Resolution.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour). Sir, the Honourable the Mover of the Resolution has already been congratulated on the careful and analytical way in which he has presented his case. I should only like to join my own congratulations to those of other members on the fact that he has made on so difficult a subject a careful and, may I add, a sober speech. It is very easy to get extremely excited over the question of the industrialisation of this country and because during the months that I have been on tour from place to place I have had memoranda and heard speeches some of which have been of one tenor, advocating, irrespective of any consequence, a policy of complete industrialisation and a policy of self-sufficiency that I venture to state that the Honourable Member has made a very sober speech on matter which is engaging the active attention of the Indian public.

Various questions have been brought on the tapis of this debate by 3 P.M. Honourable Members. It will be impossible for me during the short time that is available to deal with every one of these questions and I would like to make this preliminary remark so that Honourable Members may not consider that I have evaded any of the issues that have been raised. I can only confine myself to certain definite and what I consider, the most relevant issues that have been raised by this Resolution. I was asked to repeat assurances which I had given elsewhere to commercial bodies, assurances regarding the position of the Government at the present time in relation to the development of industries (*An Honourable Member*: "With regard to the future".) With regard to the development of industries at present and in the future, stated in the last Session of the Assembly that Government did not want to be charged with having encouraged the development of industries at the present time to suit their own purposes and for those essential war needs which must some how or other be met by industrial development in the country and having done that, with leaving those industries high and dry, to take care of themselves and to meet all those blasts of

unfair competition which are likely to blow severely once peace is restored. I went on to say that the Government of India was considering the question, at any rate personally I and my department, were considering the question how far a liberalisation of the conditions laid down by the Fiscal Commission was possible and if such liberalisation was possible in what terms the announcement of that liberalisation may be made. At the various meetings I had with commercial bodies I explained the position further. I said that there were two categories of industries with which the Government of India would concern itself—industries which will come into existence or be developed during this war period—first those industries which are directly needed for the war effort of this country and the starting of which Government encourage for that war effort, industries which are essential for the war needs of the country. I said "But that was not all". The same assurance would be conveyed to those essential industries which would have to be brought into existence to meet the essential requirements of the civilian population. These are the two classes of industries with reference to which Government is contemplating some sort of assistance at the end of the war provided they are started during the war and are kept going. I stated that of course one has to satisfy himself that these industries are run on business lines, that a reasonable amount of efficiency exists in the management of these industries, and that these must be taken as the preliminary requisites which I trusted no industrialist would object to. Then I went on to say that Government would be doing no service to the industrial community if they were merely to stop short there, and that it would not really give any indication to the entrepreneur to start his industry if Government were to lay down barely these two propositions. A number of ventures may be started,—some which may somehow thrive during this special period of the war when imports are almost at a standstill but which on a closer examination could not really be encouraged or could not have the chance of maintaining themselves after the war with any amount of reasonable assistance in one form or another that Government may be capable of giving. Some there may be which under the present stress of circumstances may develop but which it would be unreasonable from the point of view of the larger interests of the public to foster and encourage by those methods which are well understood by students of protection, after the war and under peace conditions, and in the interests of the general public, Government may not find itself in a position to encourage the development of those industries, though the entrepreneur, knowing that he can make good profits during a short period, may of his own volition come forward at the present time and take the risk of starting this industry and also the risk of scrapping the machinery at the end of the war. These things have been done in other countries and I have no doubt that these things are being done in India with the full knowledge that the life of that particular venture is bound to be short and that there is no loss incurred or capable of being incurred if, with the knowledge that it is going to be short, this particular entrepreneur takes upon himself the task of starting the industry. If, therefore, the danger of developing each and every kind of industry, simply because in the conditions prevailing during the war such development is facilitated, is to be avoided, or at any rate if a reasonable hope that after the war certain industries will be protected is to be given by the Government, then obviously any sort of general statement that industries

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developed during the war will be protected after the war will be of no help and, what is far more important from the Government point of view, that assurance cannot be implemented by the Government. Therefore it was that I went a step further. I made it quite clear that each industry should come to the Government and should place its case for the time being before Government and Government would examine the scope of the industry, the needs of the industry, what it fulfills in the general economy of the country and Government would, with reference to that specific industry—not with reference to any specific concern but with reference to that specific industry—give a general assurance that whoever starts that industry will be protected in some way or other at the end of the war when peace conditions return. Now individual industries have come up to Government and from time to time the Commerce Department has issued communiques on the subject that if such and such industry is started and developed during the war, at the end of the war that industry will not be left to take care of itself but that by such methods as are open to the Government of India, care will be taken to preserve that industry against unfair competition. And let me state here what I mean by "unfair competition", because in some quarters a doubt has been thrown whether by "unfair competition" I am referring to what is commonly termed "dumping". I may state that I am not referring to dumping when I speak about unfair competition. I use that expression "unfair competition" in the same sense in which Tariff Boards have used the expression "fair competition", that is to say, that the conditions of competition in the internal market between the imported commodity and the indigenously manufactured commodity must be fair, must be equal. Those conditions have been described by the Fiscal Commission; those conditions have been analysed with reference to individual industries by Tariff Boards, and it is that fair competition that I have assured to those industries, selected and individual, which have come before Government or which may come before Government hereafter and which after a preliminary examination by the Government have received the general assurance of the Government in the Commerce Department that at the end of the war they will be safeguarded. What kind of safeguard will be given to them I have stated that I am not in a position to suggest at present; it will depend upon the conditions then prevailing. It may be by a protective duty, it may be by a subsidy, it may be by other methods such as those that have been described in the course of this debate—facilities of railway rates and so on—it may be by a number of these methods, but, as the House will easily realize, it is impossible here and now, with reference to conditions that may arise in the future of which I cannot predicate with any certainty at present, to give a definite assurance of the kind of protection that can be given. Nor does the industry require it. What is wanted at the present time is that in those conditions which may arise it will be safeguarded, so that it may meet in fair competition other products of other countries in the internal markets of this country.

Dr. Sir Ziauddin Ahmad: May I ask one question about this point? Are you setting aside any sum of money to give to these industries when such conditions arise?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No, Sir, no money is being set aside at present for the purpose. In the first place,

that involves that the only form of protection that can be given is a subsidy. I said that is a matter which must be considered and that one of the forms which assistance may take is a subsidy so that it will be impossible for Government to set aside a sum of money for such subsidy at the present moment. That is apart from the fact that financial conditions are what they have been stated to be by the Honourable the Finance Member only yesterday. In the light of those assurances a certain number of industries have already come up before Government and communiques have been issued from time to time regarding those industries. The Commerce Department has now before it half a dozen other applications which they are considering. My Honourable friend, Sir Raza Ali, referred—and if I may venture to say, rightly—to the cumbrous procedure of a Tariff Board investigation. I realized it from the moment war broke out and from time to time I have stated that these are not the times when a Tariff Board can be asked to investigate the conditions of any particular industry. Therefore it is that with reference to those industries Government have short-circuited that procedure and made an *ad hoc* examination through its own officials in the Secretariat and otherwise if possible and where they have come to the conclusion that a *prima facie* case has been made out regarding the value of that industry in the present circumstances and the need that may arise at the end of the hostilities to have that industry protected they have given the assurance. Honourable Members have stated again that there are many other ways in which Government can encourage and foster the development of industries and I want this House to realize, when so much attention is concentrated both by the House and by the industrialists on what I may call the tariff policy of the Government, that is to say, the raising of duties as a protective wall for the fostering and development of indigenous industries, that there are other ways in which industries can be helped, notably the system of purchases by Government. That I consider is a method of helping the industry which has not received sufficient attention both at the hands of this House, if I may venture respectfully to say so and even more and that is surprising, at the hands of the industrialists. Now at the present time there is no doubt about it that Government is doing all it can with reference to its purchase policy. But that has been the policy of the Government of India for the last 20 years. Honourable Members may cast their memories back and they will find that one Department of Government at least was specifically constituted for this particular purpose. I refer to the Indian Stores Department of the Government of India. That Department came into existence and it was developed under the fostering care of that great Chief Controller, Sir James Pitkeathly, who has done so much to stabilise the Indian Stores Department. From the year 1922, when that Department was organised, it has been the business of the Chief Controller and the members of the Department to see to it that by the policy which they carried out, a policy laid down by the Government of India in constituting the Stores Department, the industrialisation of this country is advanced apace and the fostering of the industries of this country is made possible.

Dr. P. N. Banerjee: You have to do much more.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am coming to that.

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Now, at the present time the activities of that Department have increased enormously. Honourable Members are aware that the Supply Department, which has incorporated the Indian Stores Department now, has enormously increased the demand it has made on industries to supply the requirements of the Government. There has been an exhibition upstairs of this Assembly Hall which shows the kind of articles that are being manufactured now and with reference to it I may say that it is not merely that the Department has just taken whatever has been manufactured by the various industrial concerns but the Department has taken upon itself the task of planning by telling the industrialists what they can do and by trying to get one industrialist in contact with another, so that by their joint effort they can produce an article which neither of them was producing before. In many other ways this planned production about which economists have spoken so long and so effectively is a thing that is in existence today so far as the Supply Department and the Stores Department of this Government are concerned.

There is one series of articles which is of peculiar interest to this country, the drugs. I said in one of my speeches that it was a tragedy that during one generation within my own memory, within 25 years, this country should have depended so much on essential drugs for imports from Germany and that human life could not be saved, human miseries could not be alleviated, merely because in our own country we have not had the facilities and we have not developed that industry which is essential for the civil needs of the population. I emphasised the fact that it was not merely for war needs alone but for civilian needs also that the Government was equally anxious to promote those industries which are essential and to give them some sort of guarantee thereafter. Now, so far as the drugs industry is concerned, we have been doing everything possible to enable the starting of manufacture and the production of drugs of various kinds. I must pay a tribute to the indefatigable energy and the enthusiasm which the Director-General of the Indian Medical Services, Colonel Jolly, has shown in this matter. Chemists and druggists and manufacturers, particularly in the City of Calcutta, know fully well how much Colonel Jolly has been able to do in this matter and how deeply interested he is in seeing to it that this manufacture is forced apace. There, again, the policy that he has adopted of ensuring that the requirements of the various hospitals in this country are taken from the indigenous products, provided, of course, they satisfy medical tests is responsible for the present state of thing, and also how much that policy has in itself without any other kind of protection, encouraged the manufacture and growth and development of this industry and is calculated even more largely in the future to encourage that industry.

We have taken up again the question of the manufacture of surgical instruments and in both these cases may I say, though the Honourable Members often suggest that non-official opinion has not been taken into confidence, that we are not working in a vacuum. We do not imagine for a moment that the monopoly of wisdom lies in Government Benches or in Government Secretariat. Quite the contrary; we do feel that occasionally (!) others also can help us. My Honourable friends will know that on the Drugs Committee there are professors of chemistry, professors who have a good knowledge of the drug industry who are helping the Government with their advice. Professor J. N. Ray, who is one of the foremost

in this science, has been added to a Committee and on which my own Department is represented and which is presided over by the Director-General of the Indian Medical Services. They have systematically examined and are laying down the kind of drugs that can be manufactured and that ought to be manufactured in this country, and Government is encouraging the manufacture of these drugs.

I may refer again to the Board of Scientific and Industrial Research itself which is doing research in various matters. For the purpose of developing these very industries, the Board of Scientific and Industrial Research consists of practically all non-official scientists and industrialists, and one of the function of the Board is not merely to conduct research but to bring that research to the notice of the industrialists concerned. At the last meeting the members of the Board went further and said that they would like to have the power to suggest to the Government of India as a result of the application of that research to any particular industry that conditions are such that the Government may take up the question of protection to that particular industry, a recommendation which I have accepted. That is to say, the Members of the Board of Scientific and Industrial Research will not only deal with the question of mere research but if they find that research, as applied to a particular industry, deserves the consideration of the Government for a preliminary examination whether protection is necessary or not, they are at perfect liberty to make that recommendation to the Government.

Then, again, I might refer to one other matter. Honourable Members may have read—I hope they have read—something of the communiques that were published from time to time by the Government with reference to the recruiting and training of technical and skilled labour. Now, the whole foundation of industry, particularly of what I might call the heavy industries section, with reference to which, again, neither this House nor the public have been paying that attention which it deserves, depends upon technical, mechanical and skilled labour. You cannot develop that heavy engineering industry which is most vital for most purposes of the war without technical and skilled labour. But it is more than that. That is the foundation for the development of all machine industry, otherwise we must continue to import machinery for all time to come. It is the foundation for the tool making industry which in many countries is so lacking, even in the United Kingdom, that without importing tools from the United States of America they are themselves unable to proceed very much further in the expansion of their machine industry and heavy engineering industry at the present time. Government have for the first time taken upon itself the task of training as many skilled labourers as possible, the total number of which may come to 20,000. Here I must express my indebtedness to the Honourable the Finance Member for he has placed nearly a crore of rupees at the disposal of Government for the purpose of training these 20,000 skilled labourers. What effect it would have on the future development of the industry and whether in itself it is not one of the greatest contributions that Government may make for the orderly development of future industries, I leave it to the House to judge.

Now, Sir, I have gone into some of these details to show how at the present time the policy of the Government is being pursued. In one of

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the *communiqués* that have been published you will find that a particular industry has been promised protection after the war notwithstanding the fact that the raw material which it uses is imported from abroad. The first condition of the Fiscal Commission has been laid aside for the time being and that is the liberalisation which I referred to or hinted at when I was last making my statement in this Assembly. But again I must say that it is only with reference to individual industries that these kinds of conditions can be liberalised. The statement that any industry can be started without any reference to Fiscal Commission conditions would, as the Honourable Professor rightly remarked, be disastrous to the country and disastrous even to the industry itself. These are methods by which the Government are at present pursuing their fiscal policy and their industrial policy.

It was only the other day that Government issued a *communiqué* with reference to sugar, with reference to iron and steel, with reference to gold and silver lace thread. It is not intended as ought normally to have been the case, to set up a Tariff Board, because the protective period comes to an end on the 1st April, 1941. The conditions are such that no Tariff Board can do justice either to itself or to the industry concerned if it takes upon itself an investigation of the question at the present time.

Sir, this Resolution requires a Committee of officials and non-officials to go into the question of how the fiscal policy, the present fiscal policy of the Government of India may be modified. I have said that at the present time, there is a special policy which has been adopted by the Government of India. I take it that the Honourable the Mover is referring to the fiscal policy as laid down in the Fiscal Commission report which has been followed by the Government of India till the outbreak of war. I quite recognise that these matters require to be overhauled, that a thorough investigation is absolutely necessary and will have to take place at the end of the hostilities and when peace conditions are restored.

Sir Syed Raza Ali: Why at the end of the war? Why not now? Is there any particular objection now? I should like the Honourable Member to develop that portion of his theme.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I thought that was the point I was developing during the last twenty-five minutes; that at the present moment conditions are absolutely abnormal; that individual industries should have to come up for assurance, that Government themselves would like to be free without the paraphernalia of any Committee or any Board to give immediately the assurance that is required so that the industries may be started as soon as possible. To interpose any sort of Committee at this time would merely mean that Government will have to stay its work, hold its hands while investigations are being made which must necessarily be the case. You cannot have a new policy which is being pursued during the period of the war by the Government and an examination *de novo* of the whole question of fiscal policy side by side during this period.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): On one point I want information. I should like to know if the Government can give us an assurance that the 72 crores—or 20 lakhs a day—which

are going to be spent according to the Honourable the Finance Member will be spent on industries in India and will not go out of the country?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

I am sure, the Honourable Member will have opportunities in connection with the Finance Bill debate to raise this question specifically and both the Honourable the Finance Member and the Honourable Member for the Supply Department will be able to answer this question. But I can assure the Honourable Member here and now that all these developments could not have taken place unless most of the money was being spent in this country. I thought the complaint of my Honourable friend Dr. Sir Ziauddin Ahmad was that they were being spent with reference only to a few individuals and that they are not being spent at large by placing orders with a large numbers of industrialists and manufacturers. That, however, is a different question.

But I was on the question why it is not possible at the present time to have such a sort of committee to investigate the whole question—I was going to say that the House will not be surprised if it finds that the very industrialists would not welcome at the present time this kind of investigation. It will rip open all possible issues arising under it, not merely the issue of protection, but believe me, other issues which may not be so palatable to those who want industrial development or to those who call themselves protectionists—like the issue which my Honourable friend raised whether monopolies were developing, like the issue whether the consumers' point of view was being considered, like the issue whether the industry should be taken up by the Government and state-owned, or whether it should be allowed to private individuals to start and develop—a whole host of issues which will merely create chaotic conditions both with reference to labour and with reference to capital and will not be of use either to the industrialists or even to the Government. That is what I am afraid of in starting an enquiry at the present moment.

I have said I have no doubt whatsoever that at the end of the war an investigation of that kind is not only likely, but in my opinion inevitable, that conditions will be such that such an investigation must take place, that the whole policy will have to be re-examined, re-examined from many points of view and, may I emphasize one point of view which I have heard with some satisfaction, an observation which fell from my Honourable friend, Dr. Banerjee.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

We want a balanced economy in this country. We talk of industrialisation, but the voice of the agriculturist is not so frequently or so loudly heard as one would like to hear. Faced as I am now with the problem of the disposal of surplus production, it has brought home to me as it never did before how much the fate of the agriculturist depends upon the export markets of the world and what close and inextricable relationship there is between the export markets and the import markets of the world.

Now, Sir, these are all questions which have to be decided at the end of the war, and, we hope it will be very soon when more normal conditions will prevail and at that time, I, personally, would welcome the suggestion that Sir Syed Raza Ali has made for the appointment of such a Commission. I trust that after what I have said, it will be realised that

[Diwan Bahadur Sir A. Ramaswami Mudaliar.]

it is not lack of sympathy, it is not lack of understanding that prevents me from accepting this Resolution, and on that assurance, I hope my Honourable friend will not press this Resolution to a Division.

Mr. E. L. O. Gwilt (Bombay: European): May I ask one question? The Honourable Member has referred to the drug industry and by that I presume he includes fine chemicals and since the drug and coal industries are so closely allied, may I ask what is being done by Government to develop the coal industry in the country which industry of course, already exists?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: What does the Honourable Member propose for the development of coal industry?

Mr. E. L. O. Gwilt: What research work is to be conducted of the by-products of coal in relation to fine chemicals?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: So far as the by-products of coal are concerned, that is one of the problems which has been referred to the Board of Scientific and Industrial Research. I understand that on that question a sub-committee has been constituted and its report has not yet come to me, but seeing that it was only three months back it was set up, I felt that I could not hurry the work of the committee. I hope to have the report at the January meeting which will be held in Calcutta.

Dr. Sir Ziauddin Ahmad: In continuation of the same point, may I ask whether a research of this kind is being done in the School of Mines at Dhanbad? If not, will the Government encourage research work of this kind in that school?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: If the Honourable Member refers to the fires that are taking place in the coal mines to which I see he has adverted his attention by way of a question, I can tell him that it is actively under the examination of the Coal Mines Stowing Board. With reference to other researches in coal mines, some of the Professors at the Dhanbad school are continually engaged in that kind of research work.

Mr. M. S. Aney (Berar: Non-Muhammadan): May I ask the Honourable Member whether his speech means that he has undertaken on behalf of Government to appoint a committee like that at the end of the present hostilities, and on that understanding he wants the Resolution to be withdrawn?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I can only say that as I see the picture at present, I see the inevitability of the necessity for the appointment of some such body at the end of the hostilities to review the whole question. More than that I cannot commit the Government which will be in existence at the end of the war. I might be able to do that if I knew the exact duration of the war, but not knowing that it will be impossible for me to go much further than that.

Sir Syed Raza Ali: Sir, it was very encouraging to find my old friend, the Commerce Member, making a confession, in spite of the fact that he has held this important portfolio for well over a year, that during this time he was delighted to find an occasional display of sanity even among non-official Members. That was, I believe, a remark which delighted not only some of us on this side of the House but would have been a revelation to himself some years ago when he very eloquently pleaded the public cause as an elected Member of this House.

I must say at once, Sir, that the Honourable Member's speech was a conciliatory one. It was a speech in which I saw some indistinctly visible vein of sympathy if carefully looked at. I will not refer to other matters but what is passing in my mind and what I daresay is passing in the minds of some of my colleagues on this side of the House is the well-known English proverb, "Jam tomorrow, jam yesterday, but never jam today." My Honourable friend has no hesitation in saying that given a desired set of circumstances he for one is prepared to concede the inevitability of the whole question being gone into by the Government of India after the war. That means tomorrow. What most of us really consider is that during the progress of the war, having regard to circumstances over which perhaps not many of us have a direct control, a state of things has come about which enables the Government of India to give effect to their own wishes and their own fancies, irrespective of public opinion. That applies not only to commerce and industry but to practically every walk of the unfortunate Indian life. I am not here to apportion blame; I do not know who is to blame for this. The fact, however, remains that whether it is one Department of the Government of India or the other, the stern fact remains that Government today, in spite of the terrific struggle that is raging in three continents, are as irresponsible as they were on the 2nd January, 1921. No doubt, my Honourable friend has been full of sweet words; he knows how to be reasonably sweet at times and on occasions. He would not be a public man if he did not know that. But the point is this. My friend has said that occasionally even non-officials cannot be wrong

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Surely my Honourable friend is doing an injustice to himself apart from doing an injustice to me, if he takes literally a statement that was made by way of a joke when I turned to my Honourable friend, Mr. Joshi. Throughout my career as Commerce Member, at every stage wherever I possibly could have, I have had the assistance of non-officials and the advice of non-officials. My Honourable friend certainly cannot accuse me of having no regard for non-official opinion. As he has himself pointed out, I was a non-official myself for the greater part of my public life and till the other day.

Sir Syed Raza Ali: Sir, the withdrawal of those unfortunate and mischievous words has filled my heart with joy. All I can say is that my friend should remember that though jokes may have their value yet there are times for indulging in them. He is a man who takes a serious view of life, and very rightly too, and I thought his speech was a serious speech, and that is why I was led or misled into making that mistake. However, I will say nothing more about it. My Honourable friend in the very timely interruption he has just made referred to the very great value he attaches to non-official opinion. I should not be surprised at that remark having regard to my Honourable friend's long association with public life. But the point on which I was dwelling is this. Whether you take one Department

[Sir Syed Raza Ali.]

of the Government of India or another the fact remains,—let me repeat it,—that non-official public opinion is not in a position to influence the Government of India, whether it be in the Department of Commerce, or any other Department. This side of the House is entirely impotent to influence the Government of India. It is not the be-all and end-all of Indian industrial progress to have a committee of officials and non-officials as proposed in my Resolution. The point is that having regard to the storm and stress through which we are passing, having regard to the fact that crores and crores of rupees have been spent and are being spent and more crores will be spent on the prosecution of the war which has a direct effect on the growth and revival and development of our industries, whether the time has not come for my Honourable friend to have the assistance of a committee which will be composed not only of non-officials but of officials as well. In fact, I must say at once that I am more concerned with the representation of the non-official side of this House and non-officials in general than with official opinion.

All the same the important point is: does not my Honourable friend see that a committee on which there is a number of efficient qualified experienced non-official Indians is likely to be of much greater help to him than if he were to carry on with the help of his official advisers alone? That really is the point. I have no doubt that referring to the inevitability to which my Honourable friend referred so constantly, at the end of the war in all likelihood, a commission will be appointed and a re-examination of the whole problem will be made through an impartial and strong commission. That may be; but what about the time between now and the end of hostilities? My own impression is that this time should not be lost. Nobody is going to lose. As a matter of fact my Honourable friend knows that having regard to the terms of the resolution, these non-official members, if this committee is to be appointed, are not going to make large encroachments on the rights either of my Honourable friend or of any other officials who at present help him

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: If I may interrupt, I was trying to explain the point in the whole course of my speech: apart from the time of the officials, will not this committee naturally—I cannot myself envisage any other possibility—examine the present state of the protected industries with a view to seeing whether the conditions which the Fiscal Commission has laid down are necessary or whether other conditions should be laid down, more stringent or more liberal? And at a time when every industry is occupied almost to the full with war production and other kinds of production for particular needs, I find it extremely difficult to believe that industries will welcome the sort of investigation which either a Tariff Board or a committee of this kind will have necessarily to make with reference to their production, with reference to their cost, with reference to the conditions under which they have grown under the protective system. That was the greater difficulty.

Sir Syed Raza Ali: I will just say one word in reply. No doubt the words used in the Resolution are “to examine the present fiscal policy”; but after all this Resolution will not be binding, even if it is accepted: the Government of India can always make their own modifications and alterations. Let me say at once that I am not for those industries which already enjoy protection being subjected to a further inquiry during the course of

the war. Therefore, it would be open to the Government of India and to my Honourable friend, if he is prepared not to oppose the passing of this Resolution, to have a committee appointed subject to such conditions and terms as may seem to him fit and proper. I want this committee to be helpful to the Government. I do not want this committee to come into conflict with the Government or to conduct itself in such a manner as to hamper the pursuing of a right policy by the Government of India. But if the Official Benches are right in saying—and they say it very often—that they would welcome any cooperation by the non-officials—then I believe that as an earnest of Government's professions it would be a fit and proper thing for my Honourable friend not to oppose the passing of this Resolution.

Only one more word and I have done. This Resolution does not bind the Government—no Resolution ever does: not even in the House of Commons are resolutions binding on His Majesty's Government. The same is the case here—in fact it is much more so here than in England as my Honourable friend knows. Therefore, while I am not prepared to suggest that if this Resolution is carried, it will bring in a new heaven and a new earth, I certainly am inclined to repeat that if the Government of India abstain from opposing this Resolution and if it is passed and as a consequence a committee of the nature which commends itself to my Honourable friend is appointed, it will surely restore to a greater extent, than is the case today, the confidence of non-official India.

An Honourable Member: Withdraw.

Sir Syed Raza Ali: I am not prepared to withdraw.

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

“That this Assembly recommends to the Governor General in Council to appoint a committee of officials and non-officials to examine the present fiscal policy of the Government of India and recommend suitable modifications.”

The motion was negatived.

MOTION FOR ADJOURNMENT.

NON-HOLDING OF THE SESSION OF THE LEGISLATIVE ASSEMBLY FOR A LONG TIME.

Mr. President (The Honourable Sir Abdur Rahim): Before I pass on to the next Resolution, I may inform the House that His Excellency the Governor General has been pleased to disallow the motion sought to be moved by Pandit Lakshmi Kanta Maitra on the ground that the motion relates to a matter which is not primarily the concern of the Governor General in Council.

RESOLUTION *RE* APPOINTMENT OF A PERMANENT MUSLIM PILGRIM OFFICER IN THE SECRETARIAT OF THE GOVERNMENT OF INDIA.

Mr. H. M. Abdullah (West Central Punjab: Muhammadan): Sir, I beg to move the Resolution that stands in my name. The Resolution runs as follows:

“That this Assembly recommends to the Governor General in Council that a suitable Muslim be appointed as permanent Pilgrim Officer in the Secretariat of the Government of India to be in charge of the work connected with pilgrimage to the Holy places in the Hejaz, Iraq and Iran and all matters connected with pilgrims.”

[Mr. H. M. Abdullah.]

Sir, Haj is one of the most essential duties enjoined by the Holy Quran upon a Muslim. It is always the devout wish of every Mussalman to visit the holy places once in his life. Although the performance of Haj is obligatory on the rich alone, yet even the poor make every possible effort to see Mecca and Medina once in their life. Consequently, a large number of Indian Muslims go to perform this sacred duty every year. In their way the pilgrims have to encounter all sorts of difficulties. Their troubles begin when they reach at the ports for embarkation on ships. The shipping companies do not stick to the advertised dates of sailing of the ships with the result that the Hajis waste their time and money at the ports. Before getting into the ships they are required to have themselves inoculated against all sorts of epidemics, real or imaginary. After passing through all these ordeals, they secure a seat on a ship which is very uncomfortable. They are given very bad food. Some of the pilgrims fall ill during their journey. Their tale of woes does not end there. As soon as they reach Jeddah, the Arabian Government is found ready to impose all sorts of levies on them. The grievances of the Hajis have been voiced every year on the floor of the Assembly, but no attempt has so far been made to ameliorate their miserable condition. It is true that some years ago an Act was passed for the appointment of Port Haj Committees at the ports of Bombay, Calcutta and Karachi. These Committees have not been able to do much to improve matters. The Committees do not take a genuine interest in solving the difficulties of the pilgrims. The Muslim Members of this House have come to the conclusion that the position in this respect will not be improved unless a whole time Muslim officer is appointed to deal with the question. We are thankful to the Government of India for what they have been doing so far in this direction, but as mentioned above, it is not possible for the officers of the Education Department who are generally non-Muslims to appreciate the difficulties and grievances of the Hajis. Only a Muslim officer with experience can do justice to this duty. His appointment will not involve much expenditure. The demand is a reasonable one and the Government should take a generous view and accept this modest Resolution. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council that a suitable Muslim be appointed as permanent Pilgrim Officer in the Secretariat of the Government of India to be in charge of the work connected with pilgrimage to the Holy places in the Hejaz, Iraq and Iran and all matters connected with pilgrims."

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab: Muhammadan): Sir, on the last occasion when I spoke on the Indian Merchant Shipping (Amendment) Bill in this House, I placed before you some of the numerous grievances and inconveniences of the Haj pilgrims on board the ship sailing from Indian shores to Jeddah. I described, Sir, the way in which the comforts of pilgrims travelling on the ships are ignored by the shipping companies, and there is no authority for practical purposes to question these shipping companies about their misconduct. Of course, there is the Government of India, its big Department of Education, Health and Lands, under which the Haj section is administered, with its Secretaries and an army of Under and Joint Secretaries. I also know, Sir, that there are Port Haj Committees and Haj Committees in every province and

a Central Haj Committee, of which I have the privilege of being a Member from its very inception. But, in spite of all this, it is very painful to me to say that, no serious and genuine attempt is made to remove the difficulties of Hajis, and their grievances are increasing from year to year. The Port Haj Committees have no voice in these matters. Their advice is very seldom accepted and cared for. Since the inception of these Committees, no doubt they have relieved the Government of a good deal of expenditure which they used to incur, because that expenditure has now fallen on the poor pilgrims in the shape of Rs. 3 as the passport fee. No doubt the Government is very much benefited, in shifting their so-called responsibility on to the shoulders of the Committees. I have seen various reports and Resolutions of the Port Haj Committees and also read the reports of many Amirs-ul-Haj. None of them ever describe the voyage conditions of the pilgrim ships as satisfactory. The Provincial and Port Haj Committees are always crying on account of their helplessness in regard to effecting improvements they desire to make because they have no power in their hands. Sir, I know by my own experience, both by information, as well as through letters to me as also through the press, that the authorities concerned do not at all realise the importance of this question, and they only treat the Haj affair as a very minor and unimportant matter. They seem seldom to devote much of their attention for the proper handling of this question in order to remove the difficulties of the Haj pilgrims. I do not blame them, that they are not discharging their duties in a proper manner, but I say that under the circumstances which exist now, they cannot do the right thing which should be done in the interest of the pilgrims.

The Department under which the Haj section is administered is not a stationary department, attached to a permanent member of the Governor General's Council. It changes hands from one Member to another from time to time. In the same way, the Secretaries are also not permanent. Sometime there is one Secretary or Under Secretary and at another time there is another. Who can say that everyone who comes in and takes charge of this section comes with full knowledge and experience of this question? It is absolutely natural that when the principal officer is changing from time to time, a uniform and consistent policy compatible with the needs of the pilgrims cannot be conceived. I can, Sir, put before you instances in which the officers cannot claim any knowledge of the Haj affair except what they learn from files placed before them. In the circumstances, no one can do anything in a proper manner. Performance of the Haj is one of the fundamental duties of Muslims. "Pilgrimage to the House (the Ka'aba) is incumbent upon men for the sake of Allah, upon every one who is able to undertake the journey to it", is a clear injunction from the Holy Quran. And it is, fortunately or unfortunately, the only religious function which has come under the jurisdiction of the Government of India, and it is the most neglected one. Government for itself has taken the responsibility of managing and arranging the journey to Hejaz for Indian Mussalmans. It now cannot shirk its responsibility for good arrangements. They have to do it. They are bound to adopt such measures as are useful and necessary for the comforts of the pilgrims. The Resolution of my esteemed friend, the Mover, seeks nothing more than a correct way of solving the long-aged grievances of the Muslim community in connection with the Haj pilgrimage and its traffic. If my friend's Resolution is accepted by the Government and a permanent Pilgrim Officer is appointed in the Secretariat of the Government of India,

[Khan Bahadur Shaikh Fazl-i-Haq Piracha.]

I am quite sure, Sir, that by his experience and thorough knowledge of the question, Government will be able to look to the matter in a much better manner. This officer must be one who has perfect knowledge of this question and who can command the highest confidence of the Muslim community. This officer, if appointed, will, of course, have to be present at the pilgrim ports during the Haj season so as to see things for himself, so that he may be in a position to make suggestions to the Government to effect the necessary improvements for the comforts of the pilgrims. If required and if it is found necessary, he will also have to travel with the Haj pilgrims in the pilgrim ships and look to their conditions on board the ships. He will be, as a matter of course, an asset to the Haj section in dealing with all matters relating to the pilgrim traffic and shipping, etc. I wonder how the Government can oppose a useful and advantageous Resolution like this. The Honourable Member in charge of this section knows himself how correct opinion based on a knowledge gathered from experience is necessary. He might say in this connection that he has the good services of the Central Standing Haj Committee at his disposal. But, Sir, without discrediting the good services of this honourable Committee, of which as I have said before, I have also the honour of being a member, I could not yet understand the real utility of this Committee. It has no powers to initiate. It has no executive authority. Its findings and resolutions, as my experience tells me, are not binding on the Government, nor are they acted upon or given effect to. It is a mere body to elude the general public. It has its existence only on the records of the Department of Education, Health and Lands, to satisfy those who, as a matter of fact, know very little of these vital questions which primarily affect my community. I do not suggest for a moment that this Committee should be abolished or its good offices should be abandoned. What I mean, Sir, is that if the Government of India genuinely want correct advice and experienced opinion on the matter of Haj pilgrim traffic, they must have an officer with special knowledge and experience on the subject. That officer will be useful to the Central Standing Haj Committee as well as to the Port Haj Committees. There are no—and there have never been, if I can say so—officers in this section of this Department of the Government of India with real and direct knowledge of the Haj questions. That is why its importance to the Muslims is not recognised by the Government. Some of us have suggested to the Government that, on the practice of the Ecclesiastical Department of the Government of India, this Section of the Education, Health and Lands Department should be a revolving Section to be always attached to the Muslim Member of the Government of India. As the Government of India did not see their way to concede this, I think, Sir, that they should have no objection in accepting this Resolution. There is one more objection which may be put from the Government. And that is the financial aspect of the question. Considering the importance of the Resolution, this objection cannot be considered but a frivolous one. Government can easily find money for this purpose. When so many special officers are appointed in almost all the departments of the Government, I do not think that Government will grudge to spend a few thousands every year for better arrangements for Haj, and by so doing win the sympathy of the Muslim public. The question of Haj means the protection of health and life of thousands of Indian pilgrims who every year go for Haj and who often belong to a class of people of advanced age and who require all possible convenience and protection. Sir, with these few words I support the Resolution.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): The Resolution moved by my Honourable friend, Hafiz Muhammad Abdullah, and so ably supported by Khan Bahadur Shaikh Fazl-i-Haq Piracha, is a very important one, and its importance has many aspects. As pointed out by my Honourable friends, Haj or pilgrimage is obligatory upon the Mussalmans in-as-much as it is a fundamental article of faith with them. Every Mussalman with means of travel at his disposal is bound to pay a visit to the Holy Land, once at least in his lifetime. And this reminds me of how the British Government came to be regarded as a Muslim Empire. Once a gentleman said that as the greatest number of Muslims lived in this Empire, therefore, the British Empire was, in fact, a Muslim Empire. In the same way, Mussolini assures us that he is the protector of Islam. His protection of Islam has been exposed. Now, it is for the Government of Great Britain to show that it has really some sympathy with the Mussalmans, who are the bulwark of the military strength of the Empire. In their thousands; in their millions they are ever ready to die for her. In the Great War of 1914-18 Mussalmans showed that as a military element in the life of the Empire they were indispensable. Then came this war. In this war, as pointed out by the Honourable the Finance Member yesterday, India is spending Rs. 20 lakhs a day—mind you, 20 lakhs a day which comes to 72 crores of rupees a year. And the Mussalmans are spending not only money—they have very little money, the larger amount is being paid by the Hindus, but they are spending their blood in rivers. To grudge such a small concession to a nation of ten crores on whom Haj is obligatory, would be highly impolitic. After all, what does this Resolution say? This Resolution calls upon the Indian Government to appoint a special pilgrim officer attached to the Imperial Secretariat with responsibilities, and with power. His status should be that of a Deputy Secretary, and the Pilgrim Department should be his charge.

Mr. N. M. Joshi (Nominated Non-Official): You are asking something more.

Mr. M. S. Aney (Berar: Non-Muhammedan): Much more.

Maulana Zafar Ali Khan: I have a right to ask much more.

Mr. N. M. Joshi: Tell us that.

Maulana Zafar Ali Khan: So far as the object of this Resolution is concerned, I am content if the Government appreciate our point of view. If this pilgrim officer, if this Deputy Pilgrim Secretary is appointed, the majority of the Muslims of India would be satisfied. They do not care about other things. The ordinary Mussalman in the street says, what has this Government done for us. When he starts on pilgrimage his troubles commence from the very start. They go along with him at the port of embarkation, they go along with him up to Jeddah. After he arrives at Jeddah, he finds that something has been done by Ibn Saud's Government to alleviate this suffering and to relieve his troubles. But as long as he is on travel his grievances remain unremedied, unredressed. So, the time has come when the Government should not grudge this small concession to the Mussalmans and I assure them that if this is done their prestige would rise, they would become popular with the Muslim masses. And if this object is achieved. Government should thank their stars. You must keep in

[Maulana Zafar Ali Khan.]

view the political aspect of the question. Between India and Germany stands only Turkey, Persia and Afghanistan. Once the straits are crossed war comes nearer India. And who is going to stop that onrush of Hitler and Mussolini? That rush would be stopped by the people of India, by the Mussalmans with the aid of the Hindus. Whether we embarrass you or not in this war, whether you give us Dominion Status or not just now or after the war—that is quite another question, because I am one of those who are definitely of the opinion that we should not embarrass the British Government just at the present moment when it is engaged in a life and death struggle. Our support should be unstinted and unconditional, but after the war is over we will see to it that the promises that you are making, so liberally, are fulfilled. If you do not fulfil those promises then the time will come for me to raise the standard of revolt against you if you are still of the same mind as you have been up to the present moment. The political aspect of the question is that the Mussalmans stand between you and Germany—the Axis powers on the one side and the Mussalmans of India on the other side, while between them lies a great belt of Muslim States. When we fight for you, when we shed the last drop of our blood for you, would it not be base ingratitude not to give us a small concession in the form of the demand that we have made in this Resolution? I think the question is quite plain. The Resolution as it stands does not impose any great burden on you financially. You spend millions and millions on various departments. You draw fat salaries of Rs. 4,000 and Rs. 5,000 a month. We only want an officer of the status of Deputy Secretary drawing two thousand rupees a month and then the masses would be satisfied. With these words I strongly support the Resolution.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I have listened with attention and, if I may say so, with sympathy to what has fallen from the Honourable Member who moved the Resolution and from the Honourable Members who followed him and I am grateful to Honourable Members who have spoken to the Resolution that they have refrained from dragging in long lists of the grievances of the pilgrims. I am free to admit that the lot of a pilgrim, of a deck passenger travelling in a pilgrim ship, is not an enviable one and I would admit also that though, do what we will, it can never be possible for deck passengers in pilgrim ships to travel in real comfort, that is no reason for our not doing all that is in our power to alleviate their discomfort. Where I am afraid I must join issue with the Honourable Member who proposed the Resolution is as to the remedy that he proposes. There is, I am afraid, no panacea for the troubles that afflict deck passengers, in pilgrim ships, and the point that I wish to make is that the remedy which he has proposed is of very doubtful value even as a palliative, even to ameliorate their condition.

Sir, the welfare of the Haj pilgrim is safeguarded and protected by an elaborate code of statutory provisions and rules evolved over a long period and with the help of such *ad hoc* bodies as the Haj Inquiry Committee of 1929. That code which is designed for the protection of the pilgrim is still from time to time being amplified and developed but, broadly speaking, the work of the Department of Education, Health and Lands with regard to Haj pilgrimage is the administration of the code as it stands and secondly the consideration and examination of the complaints that we get from the pilgrims and from the Haj Committees. It is not in the main

religious work. That is work of administration. From my own experience I should say there is very little in the day to day administration of the subject of Haj pilgrimage that calls for the assistance of an officer of any particular community. Should such points arise and if there is time, the department can have the help which it has enjoyed in the past—I should be the first to be grateful for it—of the Standing Committee. Should an urgent matter come up affecting the religious side of the case, so urgent that we cannot wait to have the advice of the Standing Haj Committee, it is always open to the department to seek the advice of the senior Muslim officers of the Government of India or from the Honourable Muslim Member of His Excellency's Council. Actually within the last twelve months, I can only think of one case on a point of a religious character connected with Haj pilgrimage where we felt impelled to seek advice outside the department and when we could not refer to the Standing Committee; but we are quite ready to seek such advice. Therefore, I would emphasize that the problems of our day to day administration are administrative and not really religious. Now, what is that officer, the Deputy Secretary should do.

An Honourable Member: Not a Deputy Secretary. Say an officer.

Mr. J. D. Tyson: Whether he is an Under Secretary or Deputy Secretary or a Secretary, he cannot evolve any Haj policy of his own, for matters of policy must be in the last resort the affair of the Honourable Member in charge of the Department and of the Government as a whole. It would be the administrative side really that he would tackle. If he is wanted for his advice, as I have said, we have the Standing Haj Committee and we have the Port Haj Committees upon which the Muslim element very rightly preponderates: and if he is wanted for the purpose of visiting pilgrim ships at the time of sailing, that again is a duty which falls upon the Port Haj Committees. They inspect the ships through their sub-committees. All the functions that I have heard suggested for this officer are really already performed by these largely non-official bodies. Again, abroad, we have Muslim Vice-Consuls both in Hedjaz and in Iraq to watch over the interest of the pilgrims.

I am grateful to Honourable Members for not suggesting that there was any lack of sympathy on the part of the department. Our shortcomings, I think, were imputed to ignorance, for which we were not held blame-worthy. I am not joking. I do not want to make a joke, after the fate that has befallen the joke of the Honourable the Commerce Member. I recognise with gratitude that we were not charged in the department with any lack of sympathy or with lack of interest.

An Honourable Member: You will be charged now.

Mr. J. D. Tyson: I am sure the pilgrims themselves who make complaints and Honourable Members opposite who genuinely support them do not realise the very intractable nature of some of the problems that are raised by these complaints. I won't go into details, for Honourable Members opposite have refrained from doing so, but I would only say that during the time immediately before the Haj season, and during the Haj season, the work is extremely heavy and two officers in the department, to my knowledge, have done little else during the last three months but make arrangements whereby Indian pilgrims this year, we hope,

[M. J. D. Tyson.]

will be able, in spite of war conditions, to perform Haj. That, I would say, has involved unremitting toil, and Honourable Members will probably have seen the communique which was issued the other day in which it was announced that such arrangements as had been possible had been made. We have also turned a sympathetic ear to the blundishments of—I hesitate to call him by old friend, Sir Abdul Halim Ghuznavi, and we have opened the Calcutta port as a pilgrim port this year. We have been able—and my Honourable predecessor in this place, whom I am glad to see once more in the House today, may take credit for this for he promised it just before he left to go to another place,—we can take credit for going on with the much needed work in Karachi in the pilgrim camp there,—for going on with it this year and also for making arrangements, if the Budget is passed by this House, to go on with the work on that camp next year. I mention these things to show that we are not sleeping on this problem; it is with us and we are working very hard at it. I think, generally speaking, we may claim that there has been, at any rate, since the time when the Haj Pilgrimage Committee of 1929 reported, a steady, if slow, improvement in the conditions under which pilgrims have performed this necessary religious duty. I could instance the fact that the ships that have been added to the pilgrim fleet since those days, naturally enough but it is a fact, give rise to far fewer complaints than the older ships, and it is legitimate to hope that when further ships are added, they will embody such improvements as will again meet such difficulties as can be met for people who after all can mostly afford to travel only as deck passengers.

Now, Sir, there is another reason why the House should hesitate to commit itself, in my opinion, to the terms of the Honourable Member's Resolution. It is a reason the force of which I hope the House, as the watchdogs of economy in the administration, will appreciate. I am aware that my friend, the Khan Bahadur, anticipated this objection to some extent but not I think to the full extent. The work connected with pilgrimage, not only with the Haj pilgrimage but with pilgrimage to other holy places recognised by Islam, is very largely seasonal. Though the work is apt to be very heavy just before the Haj season and during the Haj season, I cannot honestly say that the work is on a serious scale during the rest of the year. I do not think, therefore, that on that ground we should be justified in asking the Honourable the Finance Member to make budget provision for a permanent officer to work all the year round on this subject which really gives heavy work for perhaps only six months of the year.

I am afraid, therefore, Sir, that I cannot commit Government to accepting the Resolution which has been moved. At the same time, we are not out to turn a deaf ear entirely to the Honourable Member's plea, and I should like to tell the House that we have already gone some way, I venture to think a considerable way, to meet him during the current year. Though we cannot agree that there is a case for a permanent pilgrim officer, we do appreciate the advantage of having a periodic overhaul of pilgrim arrangements by an officer who can spare the time to visit the ports at times when the ships are sailing, or rather before the ships are sailing and at the time the pilgrims are beginning to collect, and who can even perhaps make a short voyage in one of the pilgrim ships, say Bombay to Karachi or Karachi back to Bombay,—we know they take two days over that—and who can meet the pilgrims on their return and see what they have to say about it in the light of their full experience. Now, Sir, we have

placed a Muslim officer, I may say an experienced Muslim officer of the I. C. S., on special duty for the current Haj season. We think there may be additional difficulties this year,—we are afraid there must almost inevitably be additional difficulties for the pilgrims performing this religious duty in war time, and it is, therefore, perhaps a particularly good year to have a review by an officer who will have nothing else to do but to study this subject on the spot. The officer who has been placed on special duty will also be charged with the task of examining the conditions of pilgrimage to holy places other than the Hedjaz—a subject which is dealt with not of course in this Department but in the Department of External Affairs. Well, I said, Sir, I was glad I have not been charged with a lack of sympathy but a voice which I recognize said “but you will be now”. Sir, I hope we shall not be charged with a lack of sympathy. We have met the Honourable the Mover of this motion the whole way so far as the current year is concerned. He has got really what he wants so far as the current year is concerned. I would ask my Honourable friend, the Mover, of the Resolution to be content with that. Let us see what comes out of the report of this special officer. I would ask him to be content with that, Sir, and, with the leave of the House which I think the House will accord, to withdraw his motion.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, after having had the advantage of listening to the Government point of view about the subject-matter of the Resolution I wish to make it clear—as you will notice from the agenda papers, I was also one of the persons who sent a resolution in identical terms—I want to make it clear that in the minds of those who have tabled this Resolution, there was no idea of charging the Government with lack of sympathy or with anything like *mala fides* about Haj matters in any way. It is not lack of sympathy but I may be pardoned for saying that it is on many occasions lack of knowledge and on most occasions the fact that the Department concerned with the Haj pilgrimage has too many irons in the fire. It may perhaps command the services of a good many smiths as well but the irons are really too many and cannot be forged conveniently by the number of smiths available. If I were to go into details I could show that time and again we find that the same kind of complaints which were brought to the notice of Government on a number of occasions previously crop up again. It appears to us again and again that Government are taking steps to improve the lot of the pilgrims and to redress their grievances—and when Government appear to be taking those steps we have the satisfaction of feeling that something is being done, but very often the result is that the same thing recurs again and again and, in practice, the steps taken by Government fail. I do not say, as the speaker on behalf of the Government thought we said, that the appointment of an officer like the one we want is the only panacea for the evil. I admit that this may not be the panacea but this will certainly be a very effective remedy. It may not altogether cure the malady but it will go a long way to alleviate its severity.

The reason why the same kind of complaints recur again and again is that unless we have one Government officer who is responsible for looking into matters on the spot, for conducting necessary inquiries, if possible by personally visiting the ports and by inspection of the ships

[Syed Ghulam Baik Nairang.]

and other things connected with the pilgrim traffic and by arriving at results based on first-hand knowledge, Government will never have anything but cursory information and will never be in a position to do anything but only in a casual and perfunctory manner. It is for these reasons that I think that it is as much for the benefit of the pilgrims as in the interests of the good name of the Government that a special pilgrim officer of the kind contemplated by the Resolution should be appointed by the Government to be in charge of this work.

It has been said that a senior and experienced Muslim Civilian has been specially put on this kind of duty and what he is engaged in doing and is going to do will satisfy all concerned. We do hope that if an officer is specially charged with the responsibility of looking into the matter and taking the necessary steps, he will certainly be able to do a good deal which will be satisfactory to all concerned. I say "doing a good deal". I do not say "doing all". But what is the objection to having an officer who will be a whole-hogger in charge of this kind of work? I am sure if an officer is so appointed he will have quite enough to keep his hands full all the year round. In other words, you will not have to pay him a salary for holding a sinecure, but he will have enough work to do. It may be that the Government fear that this may involve a lot of expenditure. Although the interpretation put upon the proposal by my Honourable friend, Maulana Zafar Ali Khan, was that the officer appointed should be of the status of a Deputy Secretary, the Resolution itself is very carefully worded. We simply say that a suitable Muslim be appointed as a permanent pilgrim officer in the Secretariat of the Government of India. He need not be a member of the I. C. S. He need not draw a big salary as so many Secretaries and other officers of the Government are drawing. We do not say that, because it will not in any way benefit us. All that we want is an officer specially designated and charged with the duty of looking into all matters connected with the Haj traffic and traffic to the holy places in Iran, Iraq and other countries. If there is an officer of that kind, I think the expenditure which an officer of good status will entail on Government will perhaps not be more than Rs. 1,000 a month at the outside. It may be, in fact, less. I do not think that that amount of money should be grudged for doing a work which has been of sufficient importance for the Government of India to interest itself in for a long time. We know that the work was thought to be important enough for a big Haj Inquiry Committee which went round all over India. We know that the work has been held to be important enough for the Department of Education, Health and Lands to be interested in it and to be charged with the responsibility for it for so many years. Anyhow, it has not been looked upon as so insignificant and so unimportant in its nature as not to be worth the attention of the Government. If it is worth the attention of the Government and certainly it is—then, I think, it is certainly worth the while of the Government to get it done not in the casual way in which it has been done so far but in a spirit of real responsibility. Appoint one man, make him responsible for looking into all the details of the work, give him a number of clerks to assist him, call upon him to visit the ports at the time of the Haj, call upon him to look into all complaints received from the last Haj up to the present moment in anticipation of the next Haj and take suitable steps to remedy such grievances as he himself can take under the present rules framed under

the Indian Merchant Shipping Act. He can be asked to submit proposals for the framing of fresh rules or issuing fresh directions about matters not already provided for. All these things can be done if one officer is made specially responsible for this kind of work. With all deference to the views expressed by Mr. Tyson, I have not yet been able to see what the objection of the Government is. It is all very well to advise us to ask the leave of the House to withdraw the Resolution, that is to say, to convict ourselves out of our own mouth of folly and light-heartedness and confess that in a spirit of levity we gave notice of this Resolution which we now wish to withdraw. Pardon us, we are not going to withdraw it. We are not going to do that. We feel that it is a long-standing grievance of ours and it cannot be redressed unless you appoint one pilgrim officer who is made specially responsible for the kind of work which is to be done in the Secretariat in connection with the Haj. Nothing can be done if you continue to do the work in the casual manner in which it has been done so far. Everybody's work is nobody's work. When you will have one special officer responsible for that kind of work, it will be done properly. With these words, I support the Resolution.

Sir Abdul Halim Ghuznavi (Dacca *cum* Mymensingh: Muhammadan Rural): Mr. President, I rise to support the Resolution. I have been a member of the Calcutta Port Haj Committee for the last seven years, and now I am the Chairman of that Committee. The Resolution which my Honourable friend has moved is a very simple one, and I am surprised that my old friend got up to oppose this motion. Why all this fight over this Resolution? The Government have already said they have got a Muslim I. C. S. Officer in the Secretariat to deal purely with Haj affairs. My Honourable friend admits on the floor of the House that he has appointed a Special Officer—a Muslim I. C. S. Officer. He says that the difficulty this year is much more than in the previous years, and, therefore, they have taken the precaution of having a Special Officer appointed, but at the same time he sings another song, namely, that that Officer's work will not keep him engaged for a full year, and, therefore, as his services are required only for the Haj season, they are not prepared to go before the Finance Member for additional money that is required to have a whole time man, or as my Honourable friend says, a whole hogger.

Sir, I submit, a special officer to look after the Haj work will have more than enough work for the whole year. I submit, it is not through lack of sympathy that Government do not appoint a Special Officer, but it is through lack of knowledge of the real conditions of Hajis. It is purely lack of knowledge, not lack of money. I will give this House instances after instances which will prove conclusively that a Special Officer is needed for these pilgrims. Sir, today is the sixth of November. Eighth of January is the Haj day. There are barely two months more. Up to now, not a single announcement has been made to give the intending pilgrims the dates of the sailings of these vessels. I see my Honourable friend, Sir Girja Shankar, is shaking his head. Let me complete what I want to say, and then he can shake his head.

The Honourable Sir Girja Shankar Bajpai (Member for Education, Health and Lands): My Honourable friend, Sir Abdul Halim Ghuznavi, is apparently going to deny us the privilege of any cerebral gesture. The reason why we shook our head was because we felt that to give notice to

[Sir Girja Shankar Bajpai.]

the Italians much in advance of the sailing of these ships, however much it may satisfy the curiosity of my Honourable friend, may not altogether conduce to the safety of the pilgrims.

Sir Abdul Halim Ghuznavi: This is a fine reply indeed. This is a wonderful reply too. The Hajis do not know when the sailings will take place, and my Honourable friend expects the Hajis to assemble at the ports of Karachi, Bombay and Calcutta. He is saying it is my curiosity to know the dates. I have received a telegram this morning which I have passed on to my Honourable friend. This telegram is from the Calcutta Haj Committee. It says that the pilgrims are getting restive in not knowing the dates of the sailings as they must make up their minds whether to go or not to go, and make all the necessary preparations. It may be very good to say that the Italians will torpedo or bomb the ships. Why did not the Government come forward and say plainly, this is the condition of affairs. If the facts were placed before the pilgrims, very likely they might say they would not be willing to perform the Haj. As soon as the Government said they were going to arrange for a convoy to carry these pilgrims, the pilgrims agreed to avail of this opportunity, but you will not disclose the dates of the sailings. They want to know on which date and from where they have to embark. Only two months are left.

Mr. J. D. Tyson: On a point of explanation, Sir. I put out a communiqué a week ago. I cannot tell why the newspapers have not published it. I cannot make the newspapers publish the communiqué. I put out a communiqué a week ago giving the dates on which the pilgrims must be at the ports of sailing, but I cannot give the actual sailing dates. That is not permitted. I have given the dates for the first two lots of ships, the dates by which the pilgrims must be at the ports.

Sir Abdul Halim Ghuznavi: This proves beyond any doubt that you want the services of a Special Officer. He would have seen to it that the communiqué was published in all the newspapers. It would be his duty to see that the Press published it. There is the Associated Press which is subsidised by the Government and you supply the communiqué to the Associated Press. It was its duty to see that it was sent to all the newspapers.

Mr. J. D. Tyson: We have sent a copy of the communiqué to the Port Haj Committees also, and perhaps my Honourable friend, Sir Abdul Halim Ghuznavi, being up here in Delhi, did not receive his copy.

Sir Abdul Halim Ghuznavi: I did not receive it. I got the telegram from the Haj Committee which I passed on to the Honourable Member.

Mr. J. D. Tyson: But we have sent the copy of the communiqué to the Port Haj Committees on Wednesday or Thursday last.

Sir Abdul Halim Ghuznavi: Unfortunately I have not got the copy of the telegram which I received early this morning from the Calcutta Haj Committee. No indication was given to the Haj Committee till yesterday when the telegram was sent to me. They have asked me to find out from the Government of India when the sailings will take place. My Honourable friend just now said that the pilgrims should assemble at these

ports. That is exactly the reason why a Special Officer is needed to see that the communiqués giving the information are posted at the proper time, and that they are not allowed to rest on the shelves. It ordinarily takes three days for a letter to reach Calcutta, but the letters from the Government of India take seven days. That is exactly the reason why a Special Officer is necessary.

I may point out to the House that that is the reason why this portfolio is in charge of Muslim Ministers in the provinces. There must be some significance in this. Yes, it may be by rule or by convention. In Bengal, Bombay and Karachi, the portfolios are in charge of Muslim Ministers.

The Honourable Sir Girja Shankar Bajpai: In Bombay, there are no Ministers now.

Sir Abdul Halim Ghuznavi: When there was the Congress Ministry, it was under a Muslim Minister. But now the Government have taken charge of the entire administration. I was talking of the days when Ministries existed. The significance of this is that the Mussalman Minister has the knowledge that helps. Here we are not asking for any such thing at all; we only want an officer. My friend, Syed Ghulam Bhik Nairang, has just said that it is only a question of a few hundred rupees, and when you are putting taxes upon taxes—a heavy burden was imposed only yesterday,—you surely can find this paltry sum of money for a community from whom you are expecting a whole-hearted co-operation to carry on this war. As one of my friends said, we have not got the money; but we support you with our blood. When my Honourable friend was speaking, I thought he had made up his mind to concede this, but nothing of the kind, and now he asks that the Resolution should be withdrawn. But we are not to be howled out of this House. This is a very important matter so far as the Mussalmans are concerned, and it is only the Mussalmans who can realise the position. There are lots of work to be done which require nearly one full year, and if there is a Special Officer, we know whom to approach. If there are any laches on his part, we can take him to account, but now no one is responsible. Therefore, my appeal to Government is this that, even at this late stage, they should reconsider the position. They have conceded for six months, why not concede for another six months?

Sir, I support the Resolution.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, when I was at Simla last occasion I entertained great hopes that the Government of India would do what is proper in the matter. But I was thunderstruck when I heard the statement of the Secretary. Perhaps it was due to the fact that there was no notice at that time of this Resolution and Government were doing what was proper in the direction, and after the receipt of the notice Government might have changed their intentions. However, it is due to those hopes that we refrained from giving a long list of grievances. There are so many grievances that a week would not be sufficient for a full description of those grievances. It has been said that there are Standing Haj Committee, Port Haj Committees and Provincial Haj Committees. I see that there are many Honourable colleagues of mine here who are members of the Standing Haj Committee. I know also something about members of other Standing Committees. What

[Maulvi Muhammad Abdul Ghani.]

power have they been given? They cannot even go out of their own accord to help the Hajis or relieve their sufferings during Haj Season at Karachi, Calcutta or Bombay. When the pilgrims assemble in large numbers at ports they do not get any shelter and there is none to look after them. They have to pass sleepless nights and spend money for days together. The Port Haj Committee does not look after them. My Honourable friend, Sir Abdul Halim Ghuznavi, has just said that no information has yet been given to the Port Haj Committee of Calcutta. If these bodies are not even given the necessary information about sailing dates, what can we say about the public? I come from Bihar but up till now I could not come across the name of the members of the Bihar Provincial Haj Committee. As regards lack of work for a whole-time officer throughout the year there is ample work and as an instance I place before you the reply I have just received to unstarred question No. 28 for today:

"Reports of the Amirs-ul-Haj are examined by the Port Haj Committees who forward to the Government of India their recommendations. These recommendations are scrutinised by the Government of India and action is taken where this is possible and justified; if they relate to matters of policy, the Standing Haj Committee is consulted before appropriate action is taken. In view of the practice just described, the report of each Amir-ul-Haj is not separately examined by the Government of India and it is not, therefore, possible to comply with the Honourable Member's request."

These grievances submitted by each Amir-ul-Haj are not separately examined as is evident from the reply, may I ask the Honourable the Secretary what would be the case when the reports of all Amirul Haj differed in matters of grievances. However, I want to place before the House a few instances of grievances. It is due to the colossal ignorance of the department that latrines for the pilgrims at Karachi were constructed facing the Ka'aba. When I put the question the matter was gone into. The other day a handsome amount was sanctioned for the construction of a pilgrims' camp at Karachi. That was stopped in 1938-39 on account of war emergency. If there had been an officer to look after the pilgrims comforts the matter would not have ended like that. There is ample money at the disposal of the Government of India as Quarantine fund and the Government of India pay a large interest on the said deposits. There was no question of economy. The fund is separate.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member wants to continue his speech, he can do so on the next Resolution day.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 7th November, 1940.

LEGISLATIVE ASSEMBLY

Thursday, 7th November, 1940

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN

Maulvi Abdul Halim Chaudhury, M.L.A. (Bengal: Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

VOTABLE AND NON-VOTABLE EXPENDITURE SANCTIONED OUTSIDE THE BUDGET.

14. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Finance Member be pleased to lay on the table a list of the expenditure, votable and non-votable, which he sanctioned outside the budget for 1940-41?

(b) Will the Honourable Member state the reasons for not taking the House earlier into confidence?

(c) Did the Honourable Member satisfy himself that the amount sanctioned by him was really needed for war purposes and the money was spent in the most economical way?

The Honourable Sir Jeremy Raisman: (a), (b) and (c). I would refer the Honourable Member to the statement which I made in introducing the Finance Act (Amendment) Bill on the opening day of the present Session.

Mr. Lalchand Navalrai: May I know if there is a list which can give us some enlightenment on this and whether it can be given to Members before the Tax Bill is taken up?

The Honourable Sir Jeremy Raisman: I think that the speech which I made contains a very exhaustive description of the items on which expenditure is to be incurred.

Dr. Sir Ziauddin Ahmed: I read the speech very carefully, but I never found an answer to part (b) of my question.

The Honourable Sir Jeremy Raisman: The answer to part (b), which again turns on the question of the date on which this House was summoned, is that I took the House into confidence at the very earliest opportunity at which I could.

Mr. N. M. Joshi: May I ask whether the Honourable Member will bring before the House a supplementary budget asking for the sanction of the House for those votable items which he has sanctioned in addition to the last budget?

The Honourable Sir Jeremy Raisman: Yes; all the supplementary votable items will be brought before the House; most of them have already been placed before the Standing Finance Committee.

Mr. N. M. Joshi: May I ask whether the supplementary budget will be placed before the House in this Session?

The Honourable Sir Jeremy Raisman: I do not think that the supplementary grants will be placed before the House this Session.

Dr. Sir Ziauddin Ahmad: Why not?

The Honourable Sir Jeremy Raisman: Because it is usual to wait till later in the year when the exact amount can be more accurately estimated.

Mr. N. M. Joshi: Is it the intention of the Government to first spend the money and then come before the House for sanction?

The Honourable Sir Jeremy Raisman: It is the intention of the Government to do what they usually do on these occasions; they put these schemes before the Standing Finance Committee and obtain the approval of that committee; they will then proceed with the schemes and then put a supplementary demand before the House.

Mr. N. M. Joshi: Is it not the practice of the Government of India to place before the Legislature their supplementary demand at the earliest possible opportunity?

The Honourable Sir Jeremy Raisman: Yes; but the earliest possible opportunity is usually when it is possible to form a fairly accurate estimate of the supplementary expenditure.

Mr. N. M. Joshi: May I ask whether the Honourable Member has not sanctioned any items of new votable expenditure? If so, I think he hopes to spend that money?

The Honourable Sir Jeremy Raisman: Items of new votable expenditure have been sanctioned after they have been approved by the Standing Finance Committee. That is the machinery which is set up by this House in order to enable this particular difficulty to be dealt with.

Mr. N. M. Joshi: Has this House handed over its final authority to the Standing Finance Committee in this matter?

The Honourable Sir Jeremy Raisman: This House must be assumed to have delegated a function of some significance to the Standing Finance Committee.

Dr. Sir Ziauddin Ahmad: In view of the fact that only votable items were laid before the Standing Finance Committee, which really form one per cent of the total expenditure, may I know whether they will lay before us the details of the expenditure on non-votable items?

The Honourable Sir Jeremy Raisman: It is not practicable to lay before the House the details of the expenditure on non-votable items; but I have done my best to give the House a general picture, considering the circumstances of the time, of the kinds of non-votable expenditure which we have incurred.

Dr. Sir Ziauddin Ahmad: You come before the House and demand additional money and ask us to vote for the money, but we certainly have every right to request you to give us details of the expenditure for which you want extra money.

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

Dr. Sir Ziauddin Ahmad: Am I not right?

The Honourable Sir Jeremy Raisman: I have given the House sufficient general background to enable it to decide this particular question.

Sir Muhammad Yamin Khan: If a person, whose initial salary is non-votable, gets an increment and the expenditure is increased, does it count as non-votable expenditure or as votable?

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

Sir Muhammad Yamin Khan: May I ask whether it is placed before the Finance Committee?

The Honourable Sir Jeremy Raisman: I think the technical position is that an individual whose salary is non-votable, if he receives any increment in his salary, that also is non-votable; but if the general scheme in connection with which that increase takes place involves votable expenditure, then the whole scheme is placed before the Standing Finance Committee.

Mr. Lalchand Navalrai: May I know if all the details of the expenditure are laid before the Finance Committee, votable as well as non-votable?

The Honourable Sir Jeremy Raisman: Complete details of schemes involving votable expenditure are placed before the Standing Finance Committee.

Dr. Sir Ziauddin Ahmad: With reference to part (c) of the question, to which the Honourable Member has not replied, did the Honourable Member satisfy himself that the amount sanctioned by him was really enough for the purpose and the money was spent in the most economical way?

The Honourable Sir Jeremy Raisman: Yes.

Dr. Sir Ziauddin Ahmad: In both cases?

The Honourable Sir Jeremy Raisman: Yes.

SAVINGS DUE TO PARTIAL EXODUS TO SIMLA.

15. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Home Member please state whether it is a fact that the Government of India gave a contract to Thomas Cook and Sons for carrying Government Dak between Delhi and Simla?

(b) How much did Government pay to Thomas Cook and Sons for such services?

(c) What is the total bill of the Government of India on telephone calls between Delhi and Simla?

(d) What amount of money did Government save from or waste on what is called Partial Exodus to Simla?

The Honourable Sir Reginald Maxwell: (a) and (b) No; Government gave no such contract to Messrs. Thos. Cook and Son. They made arrangements with the North Western Railway for the carriage of files between Simla and Delhi. Messrs. Thos. Cook and Son were appointed the Station Delivery Contractor in Simla by the North Western Railway at a rate of Rs. 0-3-6 per maund delivered.

(c) The amount spent on trunk calls between Simla and Delhi during the period of the exodus of 1940 was approximately Rs. 45,000.

(d) Information is being called for as regards the expenditure on the move to Simla incurred by the Civil Departments of the Government of India and will be laid on the table of the House when it is available.

Dr. Sir Ziauddin Ahmad: Can the Honourable Member give some rough figure as to the extra expenditure incurred on account of the Government staying for six weeks longer than they intended to do at Simla?

The Honourable Sir Reginald Maxwell: No.

DELAY IN MAKING APPOINTMENTS OF CANDIDATES SUCCESSFUL IN THE INDIAN AUDIT AND ACCOUNTS SERVICE EXAMINATION OF 1939.

16. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable the Finance Member please state why the appointments of the candidates who were declared successful in the Indian Audit and Accounts and allied services competitive examination held in November, 1939, and who were found fit by the Medical Board convened in the beginning of April 1940, have not been made so far?

(b) Are Government aware of the fact that this delay in appointments has been the cause of much inconvenience and pecuniary loss to the successful candidates and is bound to affect them adversely in their promotion and pension?

(c) Do Government propose to compensate the successful candidates in matters of pay, pension and promotion?

(d) Do Government propose to take action in the matter?

The Honourable Sir Jeremy Raisman: (a) Some of the candidates who secured very high places in the examination were considered by certain Provincial Medical Boards to be below the desired standard of physical fitness. On representation by these candidates, Government decided, as an exceptional case, to have some of them re-examined by a fresh Central Medical Board, who desired that they should be kept under observation for some time in Provincial Hospitals before giving a final opinion as to their suitability for appointment. These medical reports have just been received and are being considered by the Board for a final opinion. It is hoped that a decision regarding the candidates to be offered employment in the various Services will be made in the next few days. It was found impossible to deal with the candidates who were clearly fit to the exclusion of those about whom there was a doubt and whose cases were *sub judice* but who had secured higher places in the examination as it is a combined examination for appointment to six Services and the wishes of the candidates themselves are to a certain extent taken into account in selection for these Services.

(b) Government are aware that the procedure adopted has caused inconvenience to some of the candidates, but it was adopted in the best interests of the public service and in the interests of the candidates in general.

(c) and (d). Do not arise.

TIME FOR HOLDING COMPETITIVE EXAMINATIONS FOR RECRUITMENT TO GOVERNMENT SERVICES.

17. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable the Home Member please state whether it is a fact that a competitive

examination is held only when there are vacancies in Government departments?

(b) If the answer to part (a) be in the affirmative, how are Government Departments run without the full number of officers?

The Honourable Sir Reginald Maxwell: (a) and (b). For the services for which recruitment is made through the Federal Public Service Commission an estimate of vacancies likely to occur in a particular year is framed beforehand and communicated to the Commission. There is thus no question of waiting for vacancies actually to occur, before steps are taken to obtain recruits.

RAISING OF THE NEW ARMY IN INDIA, ITS COST AND ARRANGEMENTS FOR TRAINING OF THE ADDITIONAL OFFICERS.

18. *Mr. Lalchand Navalrai: (a) Will the Defence Secretary be pleased to state the number of officers and men enlisted, province by province, for the new army in India, with their respective nationalities?

(b) How many officers are under training, and what are their nationalities?

(c) What is the cost involved in raising this new army and who is to bear the cost?

(d) How many cadets are in training at Dehra Dun Military Academy, and whether it has a capacity for its intake being doubled?

(e) Has any other such institution been started in India? If so, where, and what is its intake capacity?

(f) What is, at present, the cost involved for each cadet being trained?

Mr. C. M. G. Ogilvie: (a) and (b). Statements giving the required information have been placed on the table.

(c) The expansion of the Army in India at present being carried out is estimated to cost ultimately about Rs. 17 crores initial and Rs. 12 crores recurring. The cost of this expansion will be borne by Indian revenues but should any of the forces comprising it be sent for service overseas the initial cost as well as the recurring cost from the date of embarkation will be charged to His Majesty's Government.

(d) 161. The capacity of the Academy is capable of being increased to 250 cadets.

(e) Yes; the Officers' Training School (India), Mhow. No definite figure representing a regular intake of cadets can be given as cadets are recruited in batches as required. The potential capacity of the school is, however, 1,200 per annum at present.

(f) Rs. 4,310 per annum for each cadet at Mhow and Dehra Dun.

Numbers granted Emergency Commissions (including I. M. S.) and undergoing courses at the Training Schools etc., up to 1st October, 1940.

Numbers whose names have been gazetted
Numbers undergoing training

Europeans.
Indians.

320
516

731
430

1,051
946

Total numbers recruited from 1st September 1939 to 30th September 1940, by provinces and main classes.

CLASSES.

Provinces.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
N.-W. F. P.	4,671	24,014	11,603	4,464	313	2,469	743	379	295	2,341	835	2,270	1,270	2,019	673	1,046	29
Punjab	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
E. P.	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Coorg	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Assam	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Delhi	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Madras	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Bombay	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Bihar	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
C. P. and Berar	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Bengal	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Nepal	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Hyderabad	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Coorg	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Assam	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Sind	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Baluchistan	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Total	4,671	24,148	11,605	4,464	3,997	5,307	1,647	5,164	2,401	853	15,282	7,198	29	3	3	3	29

N.-W. F. P.	5,508
Punjab	48,036
U. P.	12,227
Rajputana and C. I.	5,381
Delhi	406
Madras	9,898
Bombay	7,856
Bihar	710
C. P. and Berar	899
Bengal	113
Nepal	3,346
Hyderabad	7
Coorg	42
Assam	1
Sind	137
Baluchistan	8
GRAND TOTAL	94,228

Numbers by Provinces selected for Emergency Commissions from July 1940, to October 1940, and undergoing training at Training Schools—excluding 122 younger cadets who are being trained at the Indian Military Academy, Dehra Dun.

Provinces.	Europeans.	Approx. percentage to the total No. Selected.	Indians.	Approx. percentage to the total No. Selected.
1	2	3	4	5
		Per cent.		Per cent.
N.-W. F. P.	4	5	31	10
Punjab	38	5	67	21.7
Delhi	10	1	21	6.8
U. P.	35	5	44	14.3
Bengal, Bihar, Orissa and Assam	340	46.5	43	14
Sind	8	1	13	4.2
Bombay	114	15.6	50	16.2
C. P.	5	6	10	3.2
Madras	112	15.3	29	9.4
Overseas	65	9	..	..
	731	..	308 + 122 = 430	..

Mr. N. M. Joshi: May I know, Sir, if, in appointing officers to the new army in India, the Government of India observe any proportion between Europeans and Indians?

Mr. C. M. G. Ogilvie: No, Sir; no such proportion is observed.

Mr. Lalchand Navalrai: With regard to clause (d), may I know if the Government propose to increase the number of cadets to the maximum point?

Mr. C. M. G. Ogilvie: Yes, Sir; there is such a proposal.

Mr. Lalchand Navalrai: Have any advertisements been sent round inviting candidates to come up?

Mr. C. M. G. Ogilvie: No, Sir; the cadets are just sent there.

Lieut.-Colonel Sir Henry Gidney: Is it a fact, Sir, that these institutions for training are separated according to communities?

Mr. C. M. G. Ogilvie: Not by communities; there are European Training schools and Indian Training schools.

Lieut.-Colonel Sir Henry Gidney: In view of the fact that all these officers serve one purpose, that is the army in India, where is the need for such differences?

Mr. C. M. G. Ogilvie: Well, Sir, in the initial stages of training, it is more convenient and comfortable for the cadets themselves to be together; but they get mixed up with their European comrades as soon as they leave the cadets training institution.

ADVISABILITY OF WITHDRAWING THE GOVERNMENT RESOLUTION ON COMMUNAL RESERVATION OF APPOINTMENTS IN PUBLIC SERVICES.

19. *Mr. Lalchand Navalrai: (a) Will the Honourable the Home Member be pleased to state whether the Government of India (Home Department) Resolution No. F.-14/17-B./33, dated the 4th July, 1934, on the reservation of appointments in public services on communal considerations, has fulfilled its original purpose?

(b) Is it a fact that there are now a days sufficient number of suitable and well-qualified candidates available from both Hindu and Muslim communities, and do Government, propose to substitute the method of competitive examinations? If not, why not?

(c) What steps have Government taken to find out the effect of communal reservations in appointment to public services on the efficiency of such services?

(d) Do Government propose to make such an enquiry? If so, are Government prepared to entrust this enquiry to an impartial judicial tribunal? If not, why not?

The Honourable Sir Reginald Maxwell: (a) The object of the Resolution was to reserve a fixed percentage of vacancies in the Government service for minority communities and the working of the rules is fulfilling the purpose for which they were made.

(b) The number of candidates may be sufficient, but the quality still varies considerably in the different communities. Government consider that a continuance of the present system is necessary for the purpose stated in the answer to part (a).

(c) The working of the Resolution is being constantly watched. No complaints have been received that efficiency has suffered as a result of it.

(d) No; because they consider it unnecessary.

Mr. Lalchand Navalrai: May I know, Sir, how long does the Honourable Member propose to retain this distinction, and when does he propose to cancel the Resolution?

The Honourable Sir Reginald Maxwell: There is at present no proposal to alter the Resolution.

Sardar Sant Singh: Is there any proposal before Government to review the position during the last six years in regard to the working of this circular?

The Honourable Sir Reginald Maxwell: There is no proposal before Government at the moment to that effect.

Sardar Sant Singh: Would not Government like to follow the example of the Railways and appoint a special officer to look into the matter and modify the Resolution in view of past experience?

The Honourable Sir Reginald Maxwell: As I have said in answer to part (c), the working of the Resolution is being constantly watched; in fact, statements showing the results of its working are regularly supplied to the House.

Mr. Lalchand Navalrai: May I know, Sir, why no attempt is made to review the whole situation?

The Honourable Sir Reginald Maxwell: Because of the answer to part (c).

INCOME-TAX CHARGED ON GRATUITIES PAID TO THE NON-GAZETTED STATE RAILWAY EMPLOYEES.

20. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Finance be pleased to state whether it is a fact that before the amendment of the Income-tax Act in 1939, all gratuities paid to the non-gazetted State Railway employees by the Railway Board or administrations subordinate to it, were exempted from payment of income-tax under section 60?

(b) Has the exemption referred to in part (a) been withdrawn after the passage of the amending Income-tax Act in 1939? If so, will the Honourable Member please refer to the specific notification in the Government Gazette withdrawing this exemption?

(c) If the exemption referred to in part (a) has not been specifically withdrawn, why is income-tax charged on gratuities paid to railway employees?

(d) Has the attention of the Honourable Member been drawn to Railway Department Notifications Nos. 3019-F.-II, and 9707-F./III, dated 17th October, 1939, which appeared in the Government of India Gazette, dated the 21st October, 1939, altering the nomenclature of retiring gratuity as special contribution by railway administration to Provident Fund? Is this special contribution exempted from payment of income-tax?

(e) Have Government issued any notification exempting gratuities paid to railway employees between 1st April, 1939 and October 1939 from payment of income-tax? If not, why not?

The Honourable Sir Jeremy Raisman: (a) and (b). The exemption granted under section 60 of the Income-tax Act was rendered superfluous by the Privy Council decision in the case of Commissioner of Income-tax,

Bengal *versus* Shaw Wallace and Company which excluded gratuities from the scope of income. It was, therefore, withdrawn by Finance Department (Central Revenues) Notification No. 37-Income-tax, dated the 23rd September, 1933.

(c) Gratuities are now taxable under Explanation 2 to section 7 (1) of the Income-tax Act as amended in 1939.

(d) The Honourable Member is presumably referring to Railway Department's notifications No. 3019-F./I. and No. 3019-F./II, dated the 18th October, 1939. If so, the reply to both parts is in the affirmative.

(e) No. Government have no power to do so under section 60 (3) of the Act.

Mr. Lalchand Navalrai: May I know, Sir, if this section 60 (3) of the Act applies to contributions also?

The Honourable Sir Jeremy Raisman: The section in question is the section which deals with exemptions, and under which Government have no power to make exemptions of this kind.

Mr. Lalchand Navalrai: May I know, Sir, if that would apply to gratuities, and not to any contributions? There is a distinction made by the Railway Department between contributions made by them to their employees and the gratuity that is made? Why should that be charged?

The Honourable Sir Jeremy Raisman: The contribution to provident funds is not taxable by virtue of other provisions of the Act.

Dr. Sir Ziauddin Ahmad: Is the contribution to war fund taxable or not?

The Honourable Sir Jeremy Raisman: Yes, any gift from any income which has previously been subjected to income-tax.

AMALGAMATION OF SUDDER BAZAR, AMBALA, WITH AMBALA CANTONMENT.

21. ***Syed Ghulam Bhik Nairang:** (a) Will the Defence Secretary please state whether it is a fact that the Sudder Bazar, Ambala, is being amalgamated with Ambala Cantonment?

(b) If so, is it a fact that the whole staff of the Municipal Committee, Sudder Bazar, Ambala, is being absorbed in the Cantonment staff, irrespective of the fact whether any of the employees are competent or not and whether they are temporary or permanent?

(c) Is it a fact that the representation of the Muslims in the services of the Cantonment Board is very poor? If so, what steps are being taken to give Muslims their due share in the services?

Mr. C. M. G. Ogilvie: (a) Yes.

(b) No.

(c) The representation of Muslims is said not to be good. Government understand that every effort will be made to improve it.

DETENTION OF ALAMA MASHRIQI.

22. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Home Member please state whether Alama Mashriqi was arrested under the orders of the Punjab Government or the Government of Delhi Province or under the orders of the Government of India?

(b) In which jail is he now detained?

(c) In which class is he kept?

(d) Have Government received his recent offer to give soldiers to fight for the British in the present war?

The Honourable Sir Reginald Maxwell: (a) I would refer the Honourable Member to the reply I gave to his short notice question of the 21st March, 1940.

(b) He is detained in the Central Jail, Vellore, Madras Province.

(c) "A" class.

(d) No such offer has reached the Government of India.

Dr. Sir Ziauddin Ahmad: What is the answer to part (d) of the question? Did not the Honourable the Home Member receive such an offer?

The Honourable Sir Reginald Maxwell: No.

ADVISABILITY OF RELEASE OF ALAMA MASHRIQI.

23. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Home Member please state whether it is not a fact that Alama Mashriqi has withdrawn all his previous orders and the Khaksars are now carrying out the orders of the Government of India about military drill and military dress?

(b) In view of the full co-operation which Alama Mashriqi and the Khaksars have offered, are Government now prepared to consider the question of the release of Alama Mashriqi?

(c) If not, when and under what conditions do they propose to release him?

(d) Are Government aware that the Khaksars are giving full assistance to the District Magistrates in the maintenance of law and order?

The Honourable Sir Reginald Maxwell: (a) The Khaksars have undertaken to obey the recent orders regarding drill of a military nature and the wearing of uniforms. The notification declaring the Khaksars to be an unlawful association in the Delhi Province has accordingly been rescinded.

(b) and (c). His release will no doubt take place as soon as Government are satisfied that there is no danger of a repetition of the events that made his detention necessary. They do not consider that that position has yet been reached.

(d) Government have no information.

Sardar Sant Singh: May I know from the Honourable Member if the Government of India were consulted or hold the same opinion as was expressed in the Punjab Assembly that the Khaksars were part of the Fifth Column in India?

Sir Muhammad Yamin Khan: Who said that?

The Honourable Sir Reginald Maxwell: I cannot give an opinion in this House about statements made in the Punjab Assembly.

Sir Muhammad Yamin Khan: Is it a fact that the Khaksar leader offered the services of all the Khaksars to be recruited in the army?

The Honourable Sir Reginald Maxwell: I have already said that Government have received no such communication.

Sir Muhammad Yamin Khan: But it is known to the Government through the press and the public utterances which he gave, that all the Khaksars are ready to go and serve in the war and fight against the Axis Powers on behalf of the Allies.

The Honourable Sir Reginald Maxwell: Government do not act on information received only through the Press.

Sardar Sant Singh: Have the Government of India ever made any enquiry into the fact that the Khaksars were part of the Fifth Column in India?

The Honourable Sir Reginald Maxwell: I do not see how that arises out of the question.

UNSTARRED QUESTION AND ANSWER.

BUDGET FOR THE ECCLESIASTICAL DEPARTMENT.

34. Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Defence Secretary please state the amount provided in the 1940-41 budget for the expenses on the Ecclesiastical Department?

(b) How many ecclesiastical officers are employed in that Department?

(c) What are the duties of those officers?

Mr. C. M. G. Ogilvie: (a) Rs. 37.77 lakhs.

(b) 149.

(c) Episcopal supervision and religious ministrations to:

(i) European British-born officers and other ranks of His Majesty's naval, military and air forces serving in India;

(ii) European British-born subjects in the general (civil) service of the Crown in India;

(iii) State Railway employees of European descent; and

(iv) members of the families of (i), (ii) and (iii).

MOTIONS FOR ADJOURNMENT.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. have received notice of a motion for adjournment of the business of the House from Maulana Zafar Ali Khan. He is not in his seat.

DISALLOWANCE OF A MOTION FOR ADJOURNMENT BY THE GOVERNOR GENERAL AFTER IT WAS ALLOWED BY THE CHAIR.

Mr. President (The Honourable Sir Abdur Rahim): There is another notice of a motion for adjournment of the business of the House from Pandit Lakshmi Kanta Maitra to the effect that he wishes to discuss a definite matter of urgent public importance, viz., "The advice tendered to the Governor General to disallow yesterday's adjournment motion thereby over-riding the President's interpretation of the Standing Orders of this House and thus seriously curtailing the rights of this House to review the actions of the executive and also undermining the authority and dignity of the Chair". It seems to be clearly out of order.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): May I make my submission in a few words? The point is this.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member does not know what advice was given. Besides, I suppose he has to take somebody's advice.

Pandit Lakshmi Kanta Maitra: My submission is this. The Chair after hearing. . . .

Mr. President (The Honourable Sir Abdur Rahim): The rules lay down that in certain cases the Governor General is entitled to pass an order disallowing a motion even though consented to by the President.

Pandit Lakshmi Kanta Maitra: I know that, but here the reason given is that it is not primarily the concern of the Governor General in Council. This raises a constitutional issue. If you will kindly bear with me for two minutes, I will make my position clear. The Chair, after getting notice of the adjournment motion, invites if there is any objection. Objection is raised, objection is heard and leave of the House is granted. The Chair allows that adjournment motion on its own interpretation of the Standing Orders. Thereafter, the Leader of the House, differing on a point of interpretation of the Standing Orders from the Chair, rushes up to the Governor General and gets the whole order changed. Surely, the Governor General was not present yesterday to hear what was going on here.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech. The Governor General has acted according to the rules governing the procedure of this House, and his action cannot be challenged.

Pandit Lakshmi Kanta Maitra: It is not a question of public tranquillity or order.

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

STATEMENT OF BUSINESS.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): It is understood that the Congress Party propose to attend the Session from Monday next with a special view to participating in the discussion of the Finance Bill. In these circumstances Government consider it preferable that the discussion on the Finance Bill should not start until the Congress Party is in attendance. They propose, therefore, to proceed on Friday and Saturday with the other Bills entered in the List of Business issued for Friday, Saturday and Monday as also with the remaining Bills introduced on the first day of the Session and to proceed with the Finance Bill on Monday. Revised Lists of Business giving effect to these arrangements will be issued today.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): May I ask whether the Income-tax Bill is included in this List that will come up on Friday and Saturday?

The Honourable Sir Muhammad Zafrullah Khan: That is at the end of the List.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Is the Assembly sitting on Saturday?

Some Honourable Members: Of course.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): The Assembly should not sit on a Saturday.

NOMINATION OF THE PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the House that under sub-rule (1) of rule 8 of the Indian Legislative Rules, I nominate Dr. Sir Ziauddin Ahmad, Mr. M. S. Aney, Mr. L. C. Buss and Mr. N. M. Joshi on the Panel of Chairmen for the current Session.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I do not move today any of the Bills standing in my name, namely, items 1, 2, 3, and 9.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): I follow suit. I do not move motions Nos. 5, 6 and 7.

THE INDIAN MERCHANT SHIPPING (AMENDMENT) BILL.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab: Muhammadan): Sir, I beg to move:

"That the Bill further to amend the Indian Merchant Shipping Act, 1923, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. J. D. Tyson, Sir Abdul Halim Ghuznavi, Lieut.-Colonel M. A. Rahman, Sir Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr. H. M. Abdullah, Mr. J. D. Boyle, Sardar Sant Singh, Qazi Muhammad Ahmad Kazmi, Mr. Husenbhai Abdullahai Laljee, and the Mover, and that the number of members whose presence shall be necessary to constitute the meeting of the Committee shall be five."

[Khan Bahadur Shaikh Fazl-i-Haq Piracha.]

Sir, in moving today the motion for reference of my Bill to the proposed Select Committee, I need make no long a speech. On the 14th February last, when I moved in this House for the consideration of the Bill I had put forth my point of view in detail and there was a long discussion over the motion for consideration. As many as 16 Honourable Members took part in the debate, and on a motion by Mr. Boyle, the Bill was circulated for eliciting public opinion.

Sir, the opinions received are in our hands. They are in two Papers, and if counted, are about ninety in number. The opinions received are from all over the country and from the Provincial Governments and their officials connected with the Haj question. The opinions of several Muslim organisations and religious bodies of all sections of the Muslim community are also there. They are all unanimous in their opinion in favour of the Bill.

I am glad to say that out of the opinions received 90 per cent. are in support of the principles underlying the Bill, and a few of them have also expressed their desire that the fares are not increased. In many of the opinions, it has been urged that even if the fares are increased, which ordinarily should not be so, the amendments proposed in the Bill should any how be made. A big majority of people who have sent in their opinions are in full support of the Bill. On analysing the opinions received it will be observed that there are only nine opinions out of the lot, opposed to the Bill. On a further analysis on going through the opinions, they will become still less. The opinions expressed in opposition to the Bill are only nine in number, many of which are from vested interests, while the others are from probably those who are ignorant of the conditions of Hajeess during their voyage to Jeddah and back. The first opinion is that of the Orissa Government. If we refer to this on page 4 of Paper I, it will be seen that the opinion of the Government is based on the opinion of their Revenue Commissioner. On the same place, however, it is mentioned that the local Muhammadan Association was consulted and it is in favour of the Bill. As the question concerns the Mussulmans, this opinion, therefore, should not be considered as opposed to the Bill. The Behar and Orissa Muslim Chamber of Commerce is also in favour of the Bill. Next comes the opinion of Messrs. Turner Morrison and Co. who are the root cause of all this trouble and who should be considered to be the real opposition party to the Bill. It is the only company which carries the Haj traffic and it is in fact to bind them that this measure is brought in this House in order that they may be compelled to give adequate space to the Haj pilgrims.

If the opinion of this company is read with those of the Karachi Chamber of Commerce on page 12, Andhra Chamber of Commerce on page 17 and Bengal Chamber of Commerce on page 18, it will be noticed that the opinions of all these organisations are the same and are based on purely a business point of view having no regard at all to comforts of the pilgrims concerned. The other opinions against the Bill are from Madras, from the Collectors of Kanara, Cuddapah and Chingleput on page 16 and from the Presidency Port Officer, Madras, on page 18. The percentage of Muslim population in Madras, is only four or five per cent and the House can well understand how much the views of the Muslims must have been brought home to these officers. It will be seen,

however, that the majority of the opinions of 15, from Madras, are in favour of the Bill. On reference to the opinion expressed by the Presidency Port Officer, Madras, on page 18, Paper II, it will be observed that the officer has given no definite opinion of himself but has only communicated the views of the agents of the shipping companies who naturally would oppose the Bill for the sake of their own business interest. He appears to be doubtful of any advantage to the pilgrims if the Bill is amended. His opinion, therefore, should be considered to be the opinion of the Shipping companies who are out to make profits at the cost of comforts to the pilgrims. As against these opinions the rest of the opinions are in favour of them. Very few of them, no doubt, have expressed their view against clause 2 (b) of the Bill but they are so small in number that they can easily be ignored in the presence of a very large number of opinions who are totally in favour of the Bill.

Sir, having said something about the opinions opposed to the Bill, I would now, with your permission, like to quote certain passages from the opinions, for the information of the House, which are in favour of the Bill. I would first refer to the opinion on page No. 1, expressed by my friend, Khan Bahadur Wilayatullah, Retired Deputy Commissioner, who was a member of this House in the last Assembly. He says:

"The Haj Committees of the three ports of Bombay, Karachi and Calcutta are all favourably inclined towards these two questions. However, in order to prevent sickness and keep down mortality, which, unfortunately, is heavy on pilgrim ships, it seems necessary that the Government should do everything in its power to improve the conditions of pilgrim traffic. The present pilgrims' ships are notorious for bad health and this is almost entirely due to congestion and overcrowding. There is a vast difference between large size passenger ships and these small cargo boats which are commonly employed for carrying pilgrims. There is no comparison between young, healthy and well-disciplined troops and these poorly-fed and ill-equipped pilgrims of all ages and in various degrees of health huddled together. As the venient at the expense of the weak who have to pass their time patiently and quietly in the rejected nooks and corners and useless portions of the deck, though they also pay equal fares.

The question of increased space and marked out plots arise only when there is a rush of pilgrims on board the ships in heavy seasons. The shipping companies make huge profits, more particularly at such times and they ought not to grudge a little more space to accommodate the pilgrims. It is hoped that they will adjust themselves to it without disturbing the present rates. If they do not do so, fear of slight increase in the fares should not deter us. The pilgrims will pay a little more. The increase must be reasonable and should not be heavy and prohibitive.

For the above reasons on grounds of better sanitation, better health and greater convenience, the changes proposed in the Act seem very desirable. I am in favour of the Bill."

Then, I would like to read a few lines from an opinion received from Baluchistan, from the Anjuman-i-Islamia, Baluchistan. It runs:

"The Bill will remove one of the many difficulties experienced by the pilgrims. . . . and they strongly support the motion."

Then, I would like to read the opinion of the Bar Association, Delhi. They say:

"The amendments proposed by the Khan Bahadur in Section 193 (1) of the Indian Merchant Shipping Act is very essential to mitigate the discomforts and inconveniences suffered by the Haj pilgrims in their voyage.

[Khan Bahadur, Shaikh Fazal-i-Haq Piracha.]

It is a pity that only cargo ships are employed in pilgrim traffic. These boats being already unfit for human beings are loaded to their fullest capacity at the time of Haj and thus become highly congested and insanitary. That is apparent from the high rate of deaths which occur in them in every voyage.

It is one of the long standing grievances of the Muslim public that the space allotted in pilgrim ships is insufficient and it is incumbent on the legislature and the Government to remove this grievance. To ameliorate the pitiable condition of the Haj pilgrims it is absolutely necessary to increase the space allotted to them and to separately mark it for each person for avoiding confusion."

Then, Sir, I would like to refer to the opinion from the Government of the North-West Frontier Province, which says:

"I am directed to state that the Provincial Government is in full agreement with the provisions of the Bill."

Then, the Bihar and Orissa Muslim Chamber of Commerce says that the Chamber is in general agreement with the provisions of the proposed Bill.

Then, I would refer to the opinion, on page 7, of the Vice-Chairman of the Port Haj Committee, Bombay. He says:

"That Government be informed that the Committee approved of the suggestion made in para. 2 (a) of the Bill regarding increase of space from 16 to 18 superficial feet."

The Government of Ajmer-Merwara say:

"The Commissioner, Ajmer-Merwara, is of the opinion that the Bill is a useful one and I agree with him."

Mr. Mohamed Husain Chisty, Hajis' Friend, Ajmer, says:

"I am of opinion that the amendment is required in the interest of pilgrims. The space at present allowed is not sufficient and the comfort of the pilgrims requires that the space allotted should be increased. All the pilgrims complain of the discomforts to which they are subjected owing to the congestion on the pilgrim ships."

Now, I would quote the opinion of the United Provinces Government:

"I am to add that the Governor sees no objection to the proposed amendment of the Indian Merchant Shipping Act.

The United Provinces, Chamber of Commerce, Cawnpore says:

"I am directed to say that the Committee of the Chamber extend their general support to the proposed amendment."

Then, I would refer to the opinion of the Punjab Government. They say:

"It will be seen that these organisations are unanimously in favour of the Bill. The opinions of the Commissioners and Deputy Commissioners in the Province are also generally favourable."

The Punjab Provincial Haj Committee fully agrees with the proposed amendments.

The Anjuman-i-Himayat-i-Islam, Lahore, says that it "wholeheartedly supports the amendments proposed." Then the Nazir, Umooi Kharija, Ahmadiyya Movement, Qadian, says that they also are in strong support of the Bill. Then the Sind Government is also in favour of the Bill. Then the Karachi Indian Merchants' Association, Karachi says that the Committee "support the Bill":

"In this connection, it was pointed out that it would be possible for the shipping companies to provide for the proposed increased space for the existing fare. Even otherwise, my Committee wish to state, it is necessary to provide certain minimum

comforts for human beings going on a long journey lasting for several days, irrespective of the consideration of fare, and if any increase in fare is unavoidable on account of increased space to be provided, my Committee feel the pilgrims should not grudge it."

I would now quote the opinion of the Madras Government:

"The Muhammadan officers who were consulted, as a whole, favour the proposals contained in the Bill.

The Government of Madras are in favour of the proposed amendment for the increase of space as the inconvenience and hardship caused to the pilgrims on account of the inadequacy of the space already afforded greatly outweighs any hardships that may be caused by an increase in the rates."

Then, Sir, the Southern Indian Chamber of Commerce, Madras, says:

"My Committee are of opinion that Haj Pilgrims are at present considerably suffering on board the pilgrim ships owing to lack of sufficient accommodation: the question of increase of fares is not necessarily intertwined with the proposal for increase of space and my Committee feel that it might be left to the state of competition between the steamship lines that may prevail from time to time."

Sir, with these opinions expressed by almost all the Governments, I do not think the House or the Government will have any hesitation in commending my Bill to a Select Committee. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Indian Merchant Shipping Act, 1923, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. J. D. Tyson, Sir Abdul Halim Ghuznavi, Lieut.-Colonel M. A. Rahman, Sir Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr. H. M. Abdullah, Mr. J. D. Boyle, Sardar Sant Singh, Qazi Muhammad Ahmad Kazmi, Mr. Husenbhai Abdullahai Laljee, and the Mover, and that the number of members whose presence shall be necessary to constitute the meeting of the Committee shall be five."

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I am intervening early in the debate; if a debate there is to be, because, though I do not propose to delay the House long, I think it may be useful if at this stage I define the Government's attitude to the Bill. I have read the debate which took place in the House at the time the Bill was introduced and from that debate and from what has fallen from the Honourable Member in charge of the Bill today I realize,—indeed it is perfectly obvious,—that the Honourable Member is very much in earnest about the measure and very confident that in promoting it he is promoting the best interests of the pilgrims. I would ask the Honourable Member, Sir, to believe that on this side of the House also we are concerned over the interest of the pilgrims, and if we could be as confident as the Khan Bahadur is that the two changes which are proposed in the Indian Merchant Shipping Act could be effected without the risk of attracting countervailing disadvantages to the pilgrims, we should support the proposals, at all events as a post-war measure. But, Sir, we have from the outset entertained certain misgivings about the indirect effects of these proposed changes and I cannot honestly say that these misgivings have been modified by the opinions received in circulation. As regards both the changes to be effected by this Bill, the view has been expressed that the resultant reduction in the carrying capacity of the pilgrim ships may open the door to increased fares, and that these increased fares may more than counterbalance for the poorer pilgrims the slight advantages accruing from the changes proposed. That

[Mr. J. D. Tyson.]

fares will have to be increased is certainly the view of not one but both the shipping companies concerned in the traffic. One company has pointed out that the first change proposed—from 16 sq. ft. to 18 sq. ft., minimum space per pilgrim—will involve a reduction in the carrying capacity over their whole fleet of 11·2 per cent., and that the introduction of individual demarcation of areas—the second change proposed—will involve a reduction over their entire fleet of 13·6 per cent. in carrying capacity. That makes a total reduction in carrying capacity all-round amounting to 24·8 per cent. Or, to show the effect in another way, as regards a particular ship,—the large pilgrim ship "Rahmani", which on the present basis has a carrying capacity of 1,601 pilgrims, would, by the first change proposed—the increase in superficial area per pilgrim—have that carrying capacity reduced by 178 pilgrims. Well, at the rate charged for passages last year, that would involve a reduction of about Rs. 31,000 in the company's receipts from fares.—11 per cent. of the total they could expect if the ship was full. That is on account of one form of reduction in carrying capacity only. According to the figures supplied by the company, one must presume that the reduction due to individual demarcation of space would involve at least another eleven per cent. reduction of their receipts on the round voyage. Both the changes proposed are open to that obvious objection that they reduce the carrying capacity of the ships, with the possibility that on that account the fares would have to be increased.

As regards the second change proposed,—individual demarcation.—I confess that at first sight it seems to commend itself as a logical step; in theory at all events, one would think it should have the effect of enlisting every individual pilgrim in the defence of his own rights to deck space and at the same time of providing him with conclusive evidence in defence of his own cause. But here, again, while the effect on carrying capacity will be automatic (there is bound to be a reduction) there is some evidence, including the opinion of the Haj Inquiry Committee of 1929, that the adoption of this system of individual marking is impracticable and that it will be infructuous so far as the individual pilgrim is concerned.

The opinion has been expressed in circulation, by a great many of the gentlemen and the bodies who have supported the proposals, that, though they may involve some loss in carrying capacity, the proposed changes can be made without any rise in fares as the shipping companies will be able to meet the cost of them by being content to make reduced profits. It may be so, but the shipping companies, not unnaturally perhaps, have taken the other view. I do not know and I doubt if anyone in this House knows what profits or losses are made in the pilgrim-carrying traffic. It is a commercial secret. But this, I think, one must say,—those who are most solicitous for the interests of the pilgrims impress upon us—I do not doubt correctly—that in a general way these pilgrim ships are crowded to capacity. Unless that were so, these proposed amendments really would be unnecessary. Now, Sir, if that is so, it does seem fairly obvious that, if ships are, as a general rule, anything like full, a reduction in carrying capacity must involve the

recovery from a smaller number of passengers of working costs and overheads,—charges which do not vary once you put the ship alongside; and that is before any profit is made at all. I cannot but think that in the long run any serious disturbance of the balance between the working costs and the receipts will be reflected in passage rates. In these circumstances, I cannot help wondering whether the extra space which the pilgrim is invited to hope for from this Bill may not in the pilgrim's opinion prove to have been too dearly bought. These are the misgivings which we feel as regards the effect which are likely to flow from the proposals now before the House. We feel, therefore, that we should not support the Bill. I will not, at this time, go into the other ways by which what the Honourable Member seeks to achieve and what we also seek to achieve might be attained,—such as a compulsory reduction in the amount of luggage that pilgrims take on deck. These are not before the House.

On the other hand, I do recognise that five Provincial Governments have given their unqualified support to the proposals before the House and that only one Provincial Government has strongly opposed them. One Port Haj Committee has supported the proposals without qualification. That is the Bombay Port Haj Committee. The Karachi Port Haj Committee has supported them subject to there being no increase in fares, which seems to indicate that that Committee, at all events, shares the misgivings that we ourselves feel. No opinion has been received from the Calcutta Port Haj Committee, whose Chairman is not present in the House today. If Honourable Members of this House feel confident that these improved facilities, cost what they may, will really be in the best interests of the pilgrims, Government will not stand in their way. By that I mean that if the present motion goes to a division, the official Members will abstain from voting. We shall not oppose the Bill.

On one point, however, I should like to make myself clear. The effect of these proposals will be to diminish the carrying capacity of the ships. That is undisputed. The degree of the reduction can only be found by experience. But any reduction in the carrying capacity of ships would be very unwelcome to the shipping authorities in war time and while the war time demand for shipping space continues. If this Bill goes to a Select Committee, Government will certainly move an amendment directed to securing that the new provisions of the Indian Merchant Shipping Act shall not take effect until conditions in the passenger and freight markets are much more normal than they are today. Apart from the difficulty that I have just pointed out, I might also mention that the fare arranged for the ensuing Haj pilgrimage is very much subsidized so as to bring it within the reach of the pilgrim. That subsidized fare has been based on the present carrying capacity of the pilgrim ships and it is fairly safe to assume that the need for keeping down the fares will continue at least for the duration of the hostilities. If, therefore, the Bill goes to the Select Committee, we shall from this side endeavour to ensure that the operation of the changes is postponed till after the war. That, however, is, I think, a matter for the Select Committee.

Mr. M. S. Aney (Berar: Non-Muhammadan): What is the exact amount of the subsidy that is given now?

Mr. J. D. Tyson: It is not so much the amount, which, I think, must amount to about 40 per cent. of the fare in one way or another. The Sir, is the attitude we propose to adopt towards this Bill.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions Muhammadan Rural): Sir, I had no intention to speak on this Bill but my friend, Mr. Tyson, gave a mathematical problem. I took up the problem myself and attempted to solve it. Our chief difficulty which we have repeatedly mentioned on the floor of the House about the carrying capacity of the ships is this. They take the superficial area of the ship and divide it by 16ft. which is really the space allotted for each passenger. The result is the number of passengers which they can carry. This is practically the method by which they calculate. If you adopt this method, then some persons will have to be divided into two, because the length of one man may be 5 feet and 6 inches but the length of another man may not exactly fit in in the space provided. Some persons will have to be cut crosswise, while others will have to be cut up transversally. By this arrangement it may be possible to fit in the required number. I have got a parallel problem to this which will throw a great deal of light on the subject under discussion. Suppose you have got a cube which is 12 inches long, 12 inches wide and 12 inches high. Now, the problem is how many spheres of one inch diameter can you put in the cube? The answer is 1,728 if you solve the problem in the same manner as Turner Morrison attempts to solve the carrying capacity of passengers, that is take up the volume of the space of the cube and divide the total space by the volume of one sphere, then the number that can be fitted in will be 2,728, that is, 1,000 more spheres can come in if you cut them into pieces and thrust them in. Therefore, you can increase the capacity by this method if you begin to squash the human beings and shove them in somehow as these spheres can be put in. The other problem is this. Though a layman can put in only 1,728 cubes, you can put in as many as 2,000 by careful consideration and methodical adjustment. Therefore, what we desire is this. We should not solve the problem in the way Turner Morrison company or the Scindia Company are solving it, but we should try to measure the space and give sufficient accommodation to every passenger so that everybody may be able to lie down and it may not be necessary to divide them into two parts, so that one part may go in one direction and the other in another direction. This may necessitate the alteration of the superficial area of the deck. That is not necessary. But at the same time, it is desirable to make the deck in a manner that the number of persons that may fit in in each line may be an exact number. What Messrs. Turner Morrison will have to do is to have a device in their deck accommodation in a somewhat different manner so that in each line an exact number of passengers may come in so that neither free space may be left, nor will there be any necessity to divide individuals into parts, one for one line and another for another line and so on. In this case the figures given by Turner Morrison are open to discussion. I do not agree with the figures given by them. There may be some difference but not so much as pointed out by the Honourable the Secretary.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan):
2 NOON. Sir, I do not propose to make a long speech and thus take up the time of the House. The Bill proposes two things, first, to raise "16 sq. feet" provided for pilgrims to "18 sq. feet" and the

second marking of seats. The Honourable the Secretary has just now stated that with such an increase there will be a decrease in the maximum carrying capacity of the ship and he said that the decrease might be as much as 11.1 per cent. If we take this argument for granted, then the increase in fare will amount to only Rs. 19 and nothing more. Without taking into consideration all these things, the Government, I understand, are going to increase the fare from Rs. 173 to Rs. 193, this year, that is, an increase of Rs. 20. So, this is quite immaterial. If the Honourable the Secretary would take into his consideration the over-crowding, then he will realise the exact position of the Hajis. In India we have seen passengers carried in goods train, and here also we see the Hajis being carried in cargo ships. This is quite an intolerable state of affairs for human beings. The Honourable the Secretary has no doubt supported the measure, but he used many 'ifs' and 'buts' and in the end he said that it would be impracticable. I fail to understand how the marking of seats will be impracticable. It is already done on the railways. Seats are marked on the Benches of passenger trains. Why it is impracticable in the case of ships, I do not know.

Mr. J. D. Tyson: On a point of explanation, Sir. It was the Haj Enquiry committee who used the word 'impracticable'.

Maulvi Muhammad Abdul Ghani: The Haj Enquiry committee might have used the word 'impracticable', having regard to a certain extent over-crowding. But I submit the world is changing. Ideas are changing. We have to come to know that things which were considered impracticable long before have now become practicable. I say it is quite practicable for marking seats. Of course, a few inches have to be left on either side. When it is a question of human beings, such things ought not to stand in our consideration. With these words, I support the motion for reference to Select Committee.

Mr. M. S. Aney: I am rising only to understand one or two points to which reference was made by Mr. Tyson in his speech. So far as the opinions are concerned, I find particularly that the Passenger Steam Navigation company is prepared to accept the principle of the provisions of this Bill provided an increase in the fare is proportionately made. That is the opinion which they have expressed.

"It is the recognised principle of all transport service whether on land, sea or air that the demand for space and amenities are conditioned by the passage fare which the passenger is prepared to pay. We are, therefore, perfectly willing to meet the demand for additional space provided its fundamental relation to the passage fares to be charged is recognised and dealt with along with that demand."

I was under the impression when I heard the speech of my Honourable friend, Sir Abdul Halim Ghuznavi, last time that he was speaking for his company. Probably at that time the company was willing to accept this Bill and not insist on any increase in fares.

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): I have not yet spoken on the Bill at all.

Mr. M. S. Aney: The Honourable Member spoke on the last occasion. He opposed Mr. Boyle. Both he and Mr. Boyle were fighting here. Here is the documentary opinion of his company and they say that agree to provide more space, provided more money is given by the passengers. I hope my Honourable friend, Sir Abdul Halim Ghuznavi, stands by his company now. I wait for an answer.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will proceed with his speech.

Mr. M. S. Aney: It does not matter what my Honourable friend stands for. The company's opinion is there.

Another point which I want to have perfectly clear from Mr. Tyson is this. He said that certain subsidy is to be given by the Government and he also said that the subsidy practically comes to 40 per cent. of the fare charged either for the ship or for the passenger. I do not know whether the subsidy is charged on the total fares which the present carrying capacity of the ship is entitled to get or whether it is charged over the number of passengers that are really carried. Do you pay 40 per cent. of the fare for the number of passengers actually carried or have you to pay 40 per cent. of the total fare that would come to provided the number of passengers carried is up to the full carrying capacity of that ship. What is the principle on which subsidy is based. That is what I want to know because it makes a good deal of difference.

Mr. J. D. Tyson: The principle upon which the subsidy is based is that the Government of India and His Majesty's Government have agreed to meet certain charges, elements in the fare which are attributable to war conditions; the principal element tending to raise the fares, which is attributable to war conditions, is the item of war risk insurance on ships and we shall have to meet that however many or however few pilgrims travel.

Mr. M. S. Aney: That question does not affect the position at all.

Sir Abdul Halim Ghuznavi: May I make one observation? As far as I understand the position, it is this—that the Government of India want that the same fare should be paid by the pilgrims this year as was paid last year, that the extra cost which is due to war conditions, such as war insurance, would be borne by His Majesty's Government and the Government of India.

Mr. M. S. Aney: Then that question of subsidy is not at all pertinent, because the Honourable Member has already informed us that, when the Bill goes to the Select Committee, an amendment will be moved that the provisions of the Bill should not be given effect to during the war. So if the question of subsidy is only germane to the conditions existing during the war, we need not allow that factor to affect our judgment on this point at all. In view of this I think no reasonable objection can be taken to the principle of the Bill and it should be allowed to go to the Select Committee.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Bill further to amend the Indian Merchant Shipping Act, 1923, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. J. D. Tyson, Sir Abdul Halim Ghuznavi, Lieut.-Colonel M. A. Rahman, Sir

Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr. H. M. Abdullah, Mr. J. D. Boyle, Sardar Sant Singh, Qazi Muhammad Ahmad Kazmi, Mr. Husenbhai Abdullabhai Laljee, and the Mover, and that the number of members whose presence shall be necessary to constitute the meeting of the Committee shall be five."

The motion was adopted.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of section 4).

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of section 4)."

The motion was adopted.

Mr. Lalchand Navalrai: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of section 250).

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1938 (Amendment of section 250)."

The motion was adopted.

Mr. Lalchand Navalrai: Sir, I introduce the Bill.

THE INDIAN EVIDENCE (AMENDMENT) BILL.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Evidence Act, 1872.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Indian Evidence Act, 1872."

The motion was adopted.

Mr. Lalchand Navalrai: Sir, I introduce the Bill.

THE INDIAN RAILWAYS (SECOND AMENDMENT) BILL.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Railways Act, 1890, for certain purposes (Second Amendment).

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

"That leave be granted to introduce a Bill further to amend the Indian Railways Act, 1890, for certain purposes (Second Amendment)."

The motion was adopted.

Mr. Muhammad Azhar Ali: Sir, I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Friday, the 8th November, 1940.

LEGISLATIVE ASSEMBLY

Friday, 8th November, 1940.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

REPORT OF THE OFFICER ON SPECIAL DUTY APPOINTED TO INVESTIGATE INTO CERTAIN MATTERS AFFECTING COMMUNAL REPRESENTATION IN RAILWAY SERVICES.

†24. ***Maulvi Abdur Rasheed Chaudhury**: (a) Will the Honourable the Railway Member please state whether the officer on special duty, referred to by him on the 15th February, 1940, in reply to Sir Abdoola Haroon's question No. 85, has finished his duties?

(b) What aspects of communal representation in Railway services was he appointed to look into?

(c) Has he submitted his report, and, if so, with what recommendations?

(d) Which of his recommendations, if any, have been accepted by Government and which have been given effect to?

(e) Will the Honourable Member place a copy of his report on the table?

The Honourable Sir Andrew Clow: (a) Yes.

(b) I would refer the Honourable Member to the terms of reference published in the Government of India Press Communiqué dated the 5th December, 1939, appointing an Officer on Special Duty to review the working of the rules and orders relating to the representation of minority communities in the services of the State-managed Railways.

(c) The answer to the first part is in the affirmative. As regards the second part, I would refer the Honourable Member to the Report, of which a copy was supplied to him.

(d) None. Government have reached no conclusions on the report.

(e) No. Copies have been placed in the Library of the House and also supplied to Honourable Members.

PAUCITY OF SINDHIS IN THE NORTH WESTERN RAILWAY SUBORDINATE SERVICE.

25. ***Mr. Lalchand Navalrai**: (a) Will the Honourable Member for Railways be pleased to state whether the Railway Board have received any representation from Sind Government in regard to paucity of Sindhi recruitment to the North Western Railway subordinate service? If so, how was the same disposed of?

†Answer to this question laid on the table, the questioner being absent.

(b) Is it a fact that it has been brought to the notice of the railway authorities that the method of recruitment by double selection and the final one being held outside the Divisional Headquarters are responsible for exclusion of Sindhis?

(c) Is it a fact that the North Western Railway administration does not allot the number of candidates to be selected by the Divisional Boards, on the number of vacancies existing in the particular division, but on the number of applications received? If so, what is the justification for allotment on this basis?

(d) Will the Honourable Member please refer to any other State-managed Railway where such practice as referred to in part (c) above, exists? If not, why is it confined to the North Western Railway only?

(e) Is it a fact that the control of posts in the lower subordinate service is vested in the Divisional Superintendents who know best about the suitability of the candidates to be recruited? If so, do Government propose to remove the present complaint and adopt the method of recruitment now prevailing in the Posts and Telegraphs Department by restricting recruitment to the inhabitants of the area in which vacancies are to be filled?

The Honourable Sir Andrew Clow: (a) The answer to the first part is in the affirmative. As regards the latter part, the request was not acceded to.

(b) Some complaints of this nature have been received by Government.

(c) As regards the first part, the number of candidates to be selected by each division to appear before the Central Selection Board at the Headquarters Office is based on the communal quotas which are divided amongst the divisions in the proportion of the total number of accepted applications received by each division from each community in answer to the advertisement. As regards the latter part, the present method of allotting vacancies in accordance with the numbers of applications received has, I understand, proved convenient in practice and appears to be equitable.

(d) I have no complete particulars but the practice on railways differs in this respect. The question of revising methods of recruitment will come up for examination in connection with the consideration of Mr. D'Souza's report.

(e) It is a fact that the control of these posts is vested in Divisional Superintendents, but not necessarily a fact that they are best suited to recruit candidates with regard to the interests of the Railway as a whole. Government do not consider that it is desirable to regulate recruitment to railway services on a territorial basis.

Mr. Lalchand Navalrai: May I know if it is equitable that if more applications come from one Division, more people should be taken from that Division?

The Honourable Sir Andrew Clow: That is largely a matter of opinion. If the reports show that there is a large number of qualified candidates in one place and a small number in another, I should have thought it equitable to select a larger number from the first place than from the second.

Mr. Lalchand Navalrai: But there are people in the other Divisions also for selection?

The Honourable Sir Andrew Clow: People who have not applied?

Mr. Lalchand Navalrai: Yes; they have applied for selection, but they are not taken as the number of applications is not so large.

The Honourable Sir Andrew Clow: That surely is a matter of opinion as I have said; but if the number of applications from qualified applicants is large in one Division and small in the other, it is surely equitable to allot a larger number or invite a larger number of applicants from one place than from the other.

Mr. Lalchand Navalrai: Does the Honourable Member know that recently the General Manager on the North Western Railway has reviewed the powers which he had delegated to the Divisions, and may I request the Honourable Member to ask the General Manager to consider this question and remove the complaint of the Sind Circle which is pending since a very long time?

The Honourable Sir Andrew Clow: I am not satisfied that there is any reasonable complaint, because I am not satisfied that there are more candidates from Sind proportionately than from other places.

REPORT OF THE OFFICER ON SPECIAL DUTY APPOINTED TO INVESTIGATE INTO CERTAIN MATTERS AFFECTING COMMUNAL REPRESENTATION IN RAILWAY SERVICES.

26. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether Mr. Frank DeSouza, former Member of the Railway Board, has since submitted his report on the "review of rules and orders relating to the representation of minorities in railway services"? If so, when will the copies of the report be made available to the Members of the House?

(b) Does the Honourable Member propose to afford a chance to the House to discuss Mr. DeSouza's report? If not, why not?

The Honourable Sir Andrew Clow: (a) The report has been submitted and copies have been supplied to Members of the House.

(b) Government do not think that a discussion in the present Session would be advantageous, but would welcome any views that Honourable Members desire to put forward during the next Session. The railway budget debates will then afford an opportunity; if any appreciable number of Honourable Members consider that insufficient and table Resolutions on the subject, Government will consider the allotment of time on an official day in the event of these Resolutions falling to find a place in the ballot.

Dr. Sir Ziauddin Ahmad: May I understand that Government will allow a discussion on this matter during the next Session, not this Session?

The Honourable Sir Andrew Clow: I do not think it will be advantageous to discuss it during this Session.

Dr. Sir Ziauddin Ahmad: Is it the intention of the Government that they would like to discuss this matter in the next Session?

The Honourable Sir Andrew Olow: I can only repeat the answer I have given. I have pointed out that the budget debates will afford an opportunity, and that, if Honourable Members consider that insufficient, they have means at their disposal of obtaining further time.

Dr. Sir Ziauddin Ahmad: We do not want to waste our time, which is very valuable, during the budget discussion on this very question. Will you please give us some other time for this purpose at least during the next Session but before any action is taken in the matter?

The Honourable Sir Andrew Olow: I am sorry that the Honourable Member should regard a discussion on this as a waste of time: but what I said was that if any appreciable number of Members consider that the budget debates are insufficient, and if they table Resolutions on the subject Government will consider the allotment of time on an official day in the event of those Resolutions failing to find a place in the ballot.

Syed Ghulam Bhik Nairang: That too in the Budget Session?

The Honourable Sir Andrew Olow: That would not come in the budget.

Mr. Lalchand Navalrai: May I know if this report was called for in order to satisfy the Members of the Assembly that things are done equitably or not?

The Honourable Sir Andrew Olow: That was one object in appointing the inquiry.

Mr. Lalchand Navalrai: Why is it then that the Honourable Member does not want to put that report for discussion from the Government point of view for the satisfaction of Members, but leave it to the Members to ask for it?

The Honourable Sir Andrew Olow: I have said already that I have given a copy of the report to every Member of the House and that I would welcome the views of Honourable Members on it: it is not a question of not wanting their views.

ADVISABILITY OF HOLDING COMPETITIVE EXAMINATIONS FOR RECRUITMENT TO THE SUBORDINATE SERVICE ON THE NORTH WESTERN RAILWAY.

27. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the appointment to the subordinate service on the North Western Railway is made through Selection Boards?

(b) Is it a fact that there is no provision for competitive examinations in making these appointments through selection boards, excepting for the North Western Railway Accounts staff? If so, why?

(c) Is it a fact that the appointments in the subordinate service, even clerical, in the Central Government Secretariat, are made through competitive examinations by the Public Service Commission?

(d) Is it a fact that in the Posts and Telegraphs Department, appointments to subordinate service are also filled by competitive examination conducted by the educational department of the province in which vacancies are to be filled?

(e) Is it a fact that, under the present arrangement for recruitment to subordinate service in the North Western Railway, the complaint is that the best candidates do not get chances for appointment in the absence of provision of recruitment through competitive examination?

(f) Do Government propose to substitute the present methods of recruitment to subordinate railway services on the North Western Railway by recruitment through competitive examinations conducted by the local educational authorities in each Divisional headquarters? If not, why not?

The Honourable Sir Andrew Olow: (a) Yes.

(b) No; the Honourable Member will find a provision in Rule 5 in Appendix II of the State Railway Establishment Code, Volume I, copies of which are in the Library of the House. The second part does not arise.

(c) Yes.

(d) The competitive examinations held by the Posts and Telegraphs Department for recruitment are not conducted by the Educational Department of the province concerned.

(e) Government have not received any such complaint.

(f) I cannot give any such undertaking; but the methods of recruitment will be reviewed in connection with the consideration of Mr. D'Souza's report.

Mr. Lalchand Navalrai: May I know if the selection boards are not holding examinations for these people by competition, what is the method by which they actually select these people? Is it by looking at their faces or measuring their size, or what?

The Honourable Sir Andrew Olow: Exercising their judgment on them, generally after an interview, I think.

Mr. Lalchand Navalrai: Exercising a judgment on what principles?

The Honourable Sir Andrew Olow: The principle of the candidates' qualifications and experience and their appearance at the interview.

RAILWAY ADVISORY COMMITTEES.

28. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state the authority that framed the constitution of the various Railway Advisory Committees in India?

(b) Have there been any changes in the constitution of these committees since their inception? If so, have these changes conceded anything to the committees by way of increased functions and powers?

(c) Is it a fact that at one time resolutions passed by the majority of the members in the committee were binding on the administration unless over-ruled by the Railway Board? Do Government propose to enact such a rule now? If not, why not?

(d) Have Government laid down any time-limit after which the working of the Railway Advisory Committees should be reviewed and its functions and powers increased? If not, do they propose to do so now?

(e) Do Government propose to direct the transfer of their control over vendors at the stations to the Railway Advisory Committees? If not, why not?

The Honourable Sir Andrew Olow: (a) The Government of India framed the constitution of the Local Advisory Committees for State-worked Railways. A copy of the Government of India's orders to the State-worked Railways was sent to Company Railways with the suggestion that they initiate similar action subject to the agreement of their Home Boards.

(b) Yes. The reply to the second part of the question is in the negative.

(c) No. Government consider that the function of these Committees must continue to be advisory.

(d) The answer to both parts of the question is in the negative.

(e) No. As stated in reply to part (c) above, the functions of these Committees must continue to be advisory.

Dr. Sir Ziauddin Ahmad: May I ask whether the rules mentioned in part (a) are public or confidential, and can the Members have a copy?

The Honourable Sir Andrew Olow: I think they are public, but I am not certain.

Mr. Lalchand Navalrai: May I know what difficulty there is to bring under review their original Resolution that these will be only advisory committees?

The Honourable Sir Andrew Olow: I do not consider that the control of railways by committees would be in the public interest.

SUBJECTING PERSONS SELECTED BY THE DIVISIONAL SELECTION BOARD AT KARACHI FOR TRAINING AND PROMOTION AS GUARDS, GRADE II, ON THE NORTH WESTERN RAILWAY TO FURTHER TESTS.

29. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that on the North Western Railway a selection for guards, grade II, was recently made from among train clerks, ticket collectors, station clerks, etc.?

(b) Is it a fact that some such persons were selected by the Divisional Selection Board at Karachi for training and promotion as guards, grade II?

(c) Is it a fact that eight persons from Karachi appeared at the second Selection Board at the Headquarters Office of the North Western Railway and passed the test?

(d) Is it a fact that, as a result of two selections, they were sent to Walton Training School at Lahore Cantonment for training in guards duties and had successfully passed out the examination?

(e) Is it a fact that still further selection and examination was held at Karachi Divisional office, *vide* Divisional Personnel Officer, North Western Railway, Karachi, No. 940-E./31, dated the 3rd September, 1940, to find out the fitness or otherwise of these qualified men for temporary promotion to guards' posts in grade II? If so, why?

The Honourable Sir Andrew Olow: (a) No. I understand that the last Selection Board met in November, 1938.

(b) Yes, for training as Guards, grade II.

(c) and (d). Out of the eleven men sent by the Divisional Superintendent, Karachi, nine were selected by the Headquarters Selection Board, of whom one subsequently died. The remaining eight were sent for training to the Walton Training School and passed the examination.

(e) The reply to the first part is in the affirmative. As regards the latter part, the matter is receiving the attention of the administration.

Mr. Lalchand Navalrai: With regard to clause (e), may I know whether the third selection was at all feasible, and it should continue. I could not follow the reply of the Honourable Member.

The Honourable Sir Andrew Olow: My answer to the latter part was that the matter was receiving the attention of the administration.

INADEQUATE INDIAN REPRESENTATION IN THE CALCUTTA PORT TRUST.

†30. ***Haji Chaudhury Muhammad Ismail Khan:** (a) Will the Honourable Member for Communications please state whether it is a fact that out of the 19 Commissioners of the Calcutta Port Trust, only five are Indians? Is it also a fact that amongst these five, two are the representatives of the Bengal National Chamber of Commerce, one of the Indian Chamber of Commerce, one of the Muslim Chamber of Commerce, and one of the Calcutta Corporation?

(b) Is it a fact that in the Calcutta Port Trust there are seven Commissioners representing the Bengal Chamber of Commerce?

(c) If the answer to part (b) be in the affirmative, will the Honourable Member please state the reason for there being so many members from the Bengal Chamber of Commerce, and only four representing the three Chambers of Commerce managed by Indian commercial people in the Port of Calcutta?

The Honourable Sir Andrew Olow: (a) As I stated in reply to Mr. Lalchand Navalrai's starred question No. 1 on the 5th instant, there are at present six Indian Commissioners. They are the five mentioned by the Honourable Member and the General Manager, Eastern Bengal Railway.

(b) and (c). There are seven representatives of European commercial interests in the Port Trust but they are not all elected by the Bengal Chamber of Commerce. The representation was designed to reflect fairly their interest in the volume of trade handled by the Port.

NON-EMPLOYMENT OF INDIAN BROKERS BY THE CALCUTTA PORT TRUST FOR PURCHASING TELEGRAPHIC TRANSFERS OF THE LOCAL EXCHANGE BANKS TO THE UNITED KINGDOM.

†31. ***Haji Chaudhury Muhammad Ismail Khan:** (a) Is the Honourable the Communications Member aware of the fact that a large amount of money is remitted annually by the Calcutta Port Trust to the United Kingdom in purchasing telegraphic transfers of the local Exchange-Banks?

†Answer to this question laid on the table, the questioner being absent.

(b) Is the Honourable Member aware of the fact that all these purchases are made through European brokers, though there are so many Indian brokers?

(c) Will the Honourable Member please state why Indian brokers are not entertained by the authorities of the Calcutta Port Trust?

The Honourable Sir Andrew GLOW: (a) Yes.

(b) No. I am informed that both Indian and European brokers are employed.

(c) Does not arise.

NON-EMPLOYMENT OF INDIAN BANKS AND INDIAN BROKERS FOR SHORT DEPOSIT BUSINESSES OF THE CALCUTTA PORT TRUST.

†32. ***Haji Chaudhury Muhammad Ismail Khan:** (a) Is the Honourable Member for Communications aware of the fact that the Calcutta Port Trust always keep a large amount of liquid money in hand, particularly the money which they recently raised as the New Howrah Bridge Loan, and which is kept in the local banks for short deposit according to the requirements of the Port Trust authorities?

(b) Is it a fact that most of the money is kept in the Exchange-Banks and foreign banks even at a lower rate of interest, though higher rates are offered by first class Indian banks?

(c) Is it a fact that all these short deposit businesses are transacted through European brokers, though there are very large numbers of Indian brokers who regularly call in the Port Trust's office and whom the authorities never entertain?

(d) If the answers to the above questions be in the affirmative, will the Honourable Member please state the reason for this sort of discrimination?

(e) Will the Honourable Member please state why Indian brokers who are children of the soil are neglected?

The Honourable Sir Andrew GLOW: Government have no information regarding money held by the New Howrah Bridge Commissioners, who are under the statutory control of the Provincial Government. So far as Port Trust money is concerned, the answers to parts (a), (b) and (c) are in the negative and the remaining parts do not arise.

Mr. President (The Honourable Sir Abdur Rahim): With regard to the next question, the reply may be laid on the table.

SCHEME FOR PREVENTING RAIDS INTO SIND FROM BALUCHISTAN AND KALAT.

†33. ***Mr. Lalchand Navalrai:** (a) Is the Foreign Secretary aware that raids on the Sind borders from Kalat territory have continued since long and have occurred even recently in the Larkana and Dadu Districts?

(b) Is it a fact that a scheme was prepared by the Sind Government to prevent inroads into Sind from Baluchistan and Kalat, and the Government of India contemplated that the British Baluchistan Government in

†Answer to this question laid on the table, the questioner being absent.

†Answer to this question laid on the table, the questioner having exhausted his quota.

conjunction with the Kalat and Sind authorities, should take measures to prevent such raids being made?

(c) What has been done up to now to implement the proposed scheme and to take necessary measures as stated in part (b)?

Mr. O. K. Caroe: (a) Yes.

(b) and (c). The Honourable Member's attention is drawn to the information laid on the table on the 7th February, 1939, in reply to his question No. 2058 asked on the 12th December, 1938, and to the answer given in reply to his question No. 164 asked on the 7th February, 1939. It is understood that the scheme for the establishment of permanent police posts to guard this border referred to in part (c) of the answer to the latter question is now being brought into operation.

UNSTARRED QUESTIONS AND ANSWERS.

VAGARIES IN THE EXERCISE OF POWER OF ALLOWING ALTERATIONS OF BIRTH DATES BY EMPLOYEES ON THE NORTH WESTERN RAILWAY.

34. **Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether powers to alter birth dates of employees on the State-managed Railways, have been delegated to the General Managers, by the Railway Board? If so, under which notification?

(b) Is it a fact that on the North Western Railway, in altering birth dates, some fanciful objections are raised in the following cases:

(i) the name of an Assistant Station Master, Karachi Division, appearing in the school certificate as 'Dharmo' while his name in the railway records was shown as 'Dharamdas';

(ii) the name of a Booking Clerk on Karachi Division in the school certificate as 'Shival' while in the railway records as 'Shivaldas', and

(iii) Station Master, North Western Railway, Nuttal's case?

(c) Are Government aware that Indian children are called without the suffix of Mal, Das, Ram, etc., and their names are so entered in school registers?

(d) What are the orders or instructions on the points referred to in part (c) above? If no such instructions are issued, is it proposed to do so now?

(e) Is it a fact that in case of one Evaristo Manual Desouza, Railway Guard, Karachi Division, his name in the baptismal certificate and insurance policies, was shown as "Natalio Jeronimo Gaspar Manuel Everisoto Desouza", and yet the alteration was allowed?

(f) Does the Honourable Member propose to review the cases referred to in part (b) to give them equal justice? If not, why not?

The Honourable Sir Andrew GLOW: (a) General Manager is empowered to alter the dates only if in his opinion it has been falsely stated by the railway servant to obtain an advantage otherwise inadmissible or if, in the case of illiterate staff, he is satisfied that there has been a clerical error. The orders were not notified but communicated to the Railway Administration concerned by a circular letter in 1939.

(b) and (e). I have no particulars of these cases but would observe that as they relate to literate staff the General Manager has now no powers in the matter unless there has been falsification by the employee.

(c) No.

(d) There are none and none would appear to be required.

(f) No. Government consider that an employee should not subsequently be able to secure the admission of a different age than the age declared when he secured employment, and they are not prepared to review cases of this character.

COMPLAINTS OF DETERIORATION OF EYE-SIGHT FROM GOODS TRAIN GUARDS FOR WANT OF ELECTRIC LIGHTS IN BRAKE-VANS.

36. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that a high standard of vision tests and re-examination in vision and colour perception after certain intervals is prescribed for guards?

(b) Is it a fact that a large number of guards run on goods trains where there are no electric lights in the brake-vans and they have to do writing work in the dim light of the hand signal lamp? Have Governments received complaints to the effect that this affects their eye-sight? If so, is it proposed to provide electric lights in goods brake-vans? If not, why not?

(c) If the reply to the last portion of part (b) be in the negative, is it proposed to give relief to goods guards by introducing for guards lenient vision examination rules like those for Permanent Way Inspectors? If not, why not?

(d) What compensation does the administration give to such guard whose eye-sight deteriorates in service under conditions referred to in part (b) above, and is such a case an occupational disease under the Workmen's Compensation Act?

The Honourable Sir Andrew Olow: (a) Guards are required to possess a standard of vision considered necessary in the interest of public safety. The answer to the second part is in the affirmative.

(b) Goods Guards form the majority of such staff and the small amount of writing they have to do has ordinarily to be done in the light of hand signal lamps. Government are not aware of the existence of any general complaint of the nature referred to. It is not proposed to provide electric lights in Goods Brake-vans as it is unnecessary and the expenditure cannot be justified.

(c) No; the duties are not the same as those of Permanent Way Inspectors.

(d) None; but if they are medically disqualified to hold their posts every endeavour is made to find them other employment to avoid having to discharge them. As regards the latter part, the answer is in the negative.

DISCRIMINATION IN THE MATTER OF SCALE OF FURNITURE AND UTENSILS IN EUROPEAN AND INDIAN GUARDS RUNNING ROOMS ON THE NORTH WESTERN RAILWAY.

37. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether the scale of furniture and utensils

in the European and Indian Guards Running Rooms differs on the North Western Railway? If so, why?

(b) Do Government propose to stop this racial discrimination? If not, why not?

The Honourable Sir Andrew Olow: (a) Yes. The differences that exist between the equipment of European and Indian Running Rooms is due partly to difference in the mode of living of these communities and partly to the fact that the European Running Rooms were intended mainly for guards of higher grades.

(b) This is not a case of racial discrimination as there is no restriction against a higher grade Indian guard using the European running rooms.

NON-RECOGNITION OF INDIAN HILL STATION SCHOOLS FOR PURPOSES OF EDUCATIONAL GRANTS BY THE NORTH WESTERN RAILWAY.

38. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether any Indian school situated at a hill station is recognized for the purpose of the grant of educational assistance to the children of railway employees under the Agent, North Western Railway's Circular No. 8 of 1921? If not, why not?

(b) Is the Honourable Member aware that there are Gurukuls at some of the hill stations to which children of railway employees are sent? If so, why is no assistance given to their children like that given to Anglo-Indians?

(c) Do Government propose to issue instructions to do away with racial discrimination in the matter of recognition of Indian hill station schools for the purpose of grant of education assistance? If not, why not?

The Honourable Sir Andrew Olow: (a) and (c). No Indian hill schools are recognized under the circular referred to and it is not proposed to extend recognition to any as these rules have been superseded and apply only to staff who were governed by them prior to the issue of the new rules, and exercised the option of remaining under them. The new rules involved no discrimination.

(b) I have no particulars of such cases, but would observe that under the new rules assistance is limited to cases where an employee is compelled to send his children to a boarding-school away from his station because of the absence of a suitable school there.

STATEMENTS LAID ON THE TABLE.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I lay on the table a copy* of:

- (1) Commercial Appendix to the Appropriation Accounts of the Defence Services for the year 1938-39 and the Audit Report thereon.
- (2) Appropriation Accounts of Railways in India for 1938-39—Parts I and II.

*Not printed in these debates, but copies distributed to Members of the Assembly—*Ed. of D.*

- (3) Railway Audit Report, 1940.
- (4) Capital Statements, Balance Sheets and Profit and Loss Accounts of State Railways in India including the Balance Sheet and the Profit and Loss Accounts of Tatanagar Workshops—1938-39.
- (5) Balance Sheet of Railway Collieries and Statements of all-in-cost of coal for 1938-39.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I know, Sir, whether these statements are printed or they are in manuscript only?

The Honourable Sir Jeremy Raisman: They are printed.

Dr. Sir Ziauddin Ahmad: Will they be circulated to Members?

The Honourable Sir Jeremy Raisman: Yes, copies will be distributed to the Members of the Assembly.

Dr. Sir Ziauddin Ahmad: Thanks.

ELECTION OF A MEMBER OF THE STANDING FINANCE COMMITTEE.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move the following:

"That this Assembly do proceed to elect a member of the Standing Finance Committee to fill the vacancy caused by the resignation of his seat on the Assembly by Mr. T. Chapman-Mortimer."

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

"That this Assembly do proceed to elect a member of the Standing Finance Committee to fill the vacancy caused by the resignation of his seat on the Assembly by Mr. T. Chapman-Mortimer."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of a Member to the Standing Finance Committee, the Notice Office will be open to receive nominations up to 12 Noon on Saturday the 9th November, 1940 and that the election, if necessary, will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M. on Monday the 11th November, 1940. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE BERAR LAWS BILL.

The Honourable Sir Muhammad Zafrullah Khan (Law Member): Sir, I move for leave to introduce a Bill to extend certain Acts to Berar.

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

"That leave be granted to introduce a Bill to extend certain Acts to Berar."

The motion was adopted.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I introduce the Bill.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

The Honourable Sir Andrew Olow (Member for Railways and Communications): Sir, I move for leave to introduce a Bill further to amend the Indian Railways Act, 1890.

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

"That leave be granted to introduce a Bill further to amend the Indian Railways Act, 1890."

The motion was adopted.

The Honourable Sir Andrew Olow: Sir, I introduce the Bill.

THE EXCESS PROFITS TAX (AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill to amend the Excess Profits Tax Act, 1940.

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

"That leave be granted to introduce a Bill to amend the Excess Profits Tax Act, 1940."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE NEW DELHI MOSQUE BILL.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I move for leave to introduce a Bill to provide for the expenditure of certain sums of money deposited in the Court of the District Judge, Delhi, on buildings for and in connection with a mosque in New Delhi.

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

"That leave be granted to introduce a Bill to provide for the expenditure of certain sums of money deposited in the Court of the District Judge, Delhi, on buildings for and in connection with a mosque in New Delhi."

The motion was adopted.

Mr. J. D. Tyson: Sir, I introduce the Bill.

THE INDIAN WORKS OF DEFENCE (AMENDMENT) BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I move:

"That the Bill further to amend the Indian Works of Defence Act, 1903, be taken into consideration."

Perhaps, it will be as well to add a few words of explanation to the purpose of the Bill which has been set forth in the Statement of Objects and Reasons. Zones of defence are subjected under section 7 of the Indian Works of Defence Act to certain restrictions. Those restrictions vary in certain cases, and the main purpose, in fact the only purpose of this amendment is to reduce the present drastic nature of the law. Zone A, which may extend to 2,000 yards from the outer wall of defence, is not subject to serious restrictions; but Zone B and Zone C, which may extend to 1,000 and 500 yards, respectively, from the outer wall of defences, are. As regards Zone B, only temporary structures are allowed to remain. All permanent structures must be demolished. As regards Zone C, permanent as well as temporary structures must be demolished. In practice it often happens that it is not really necessary to demolish such permanent structures as they are not really objectionable from the point of view of defence, but under the law as it stands they must be demolished, and not only are the owners, therefore, subjected to inconvenience and possibly distress, but Government is mulcted unnecessarily in sums of compensation. What this amendment is aimed at is to allow existing structures to remain at the discretion of the District Commander. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Indian Works of Defence Act, 1903, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I should like to know only one thing from the Honourable Member. I don't like to make a speech. I simply want to put one question, and that is, have any instances occurred where structures or buildings have actually been removed because of the compulsory nature of the legislation that is in force now or it is only apprehended that such a thing might be necessary.

Mr. C. M. G. Ogilvie: Actual cases have, I believe, occurred in the past, but what has happened is that, where it has been obviously desirable to apply the more stringent parts of section 7, this has in practice often not been done owing to the great inconvenience to private owners and the cost to Government which would thereby be imposed.

Mr. Lalchand Navalrai: May I know, Sir, if the people whose structures have been demolished have been given adequate compensation?

Mr. C. M. G. Ogilvie: Any structure of any kind which is demolished on a Zone of Defence is subject to full compensation to the party concerned.

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

"That the Bill further to amend the Indian Works of Defence Act, 1903, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. C. M. G. Ogilvie: 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.

THE INDIAN NAVY (DISCIPLINE) AMENDMENT BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move:

"That the Bill further to amend the Indian Navy (Discipline) Act, 1934, for certain purposes, be taken into consideration."

The purpose of the Bill has been explained in the Statement of Objects and Reasons. As matters stand at present, it is impossible to punish any person belonging to the Royal Indian Navy who is guilty of certain offences, other than by the punishments laid down in the Indian Penal Code. What we have expressly in view are the various types of theft which, under the Indian Penal Code, are punishable with imprisonment or fine. Theft in a ship of the Navy may in many cases not be so heinous a moral crime as it is in ordinary civil life. The theft may be, and often is, of a more or less technical character and of a kind not particularly severely reprobated, such as removal of small articles from the kit of a mess mate. A man, for example, has lost his whistle or something of that kind, and he forages in his neighbour's kit for one in order to avoid punishment for not having his own. He has technically committed theft, but it is absurd that such a crime should be punished with imprisonment. Fine is not in accordance with the traditions of the Navy. The imposition of a fine is regarded by naval officers with dislike. For petty offences of this kind there are punishments according to the custom of the Navy, such as disrating a man, depriving him of his good conduct badge or some other minor penalty of that kind, and what this amendment seeks to bring about is permission to inflict such minor punishments where it appears desirable, instead of the heavier punishments prescribed by the Indian Penal Code. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Indian Navy (Discipline) Act, 1934, for certain purposes, be taken into consideration."

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Are the sections, namely, 302 and 377, mentioned in clause 2 (a) of the Bill—are they sections of the Indian Penal Code?

Mr. C. M. G. Ogilvie: Yes, and they are excluded from the purview of this amendment.

Sir Muhammad Yamin Khan: That ought to have been so stated.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): I desire information on section 55 referred in sub-clause (b) of clause 2. The Honourable Member has just now said that corporal punishment takes the place of imprisonment.

Mr. C. M. G. Ogilvie: No.

Lieut.-Colonel Sir Henry Gidney: I mean that corporal punishment should be the equivalent of imprisonment. According to the practice in the Navy, I know they do resort to the stick a great deal, and I want to know if for any offence committed that will ordinarily be punishable with six months imprisonment,—whether corporal punishment is now to be an equivalent punishment, or is there any limit to this substitution?

Mr. C. M. G. Ogilvie: It is very hard to say to what extent that a minor punishment of that kind can be exactly equated with a term of imprisonment. I do not think I can be more specific than by saying that what we wish to do is to follow the United Kingdom practice whereby these minor punishments can, at the discretion of the commanding officers, be employed rather than the severer ones of the Code.

Sardar Sant Singh (West Punjab: Sikh): The Bill does not make one point clear, and that is that the offences probably mentioned in section 45 are the offences defined in the Indian Penal Code. The punishments are defined in the Indian Penal Code and the various kinds of punishment are given therein. When the Honourable Member states that this Bill intends to provide for punishments which are customary in the naval units, we fail to understand what is that customary punishment. Will it fall in the Chapter wherein various punishments are defined, or will the punishments be of an entirely different nature which are not to be found in the Indian penal laws? We do not know how the Indian penal laws will be affected by the introduction of new kinds of punishments in the Indian Navy. The Bill does not give us any indication as to what sort of punishment is intended. In the Statement of Objects and Reasons, it is stated:

"The U. K. Naval Discipline Act provides for the imposition of purely naval punishments, such as the deprivation of good conduct badges, cell punishment, etc., for various offences for which imprisonment or fine may not be altogether suitable."

I can quite understand that some punishments may not be suitable as explained by the Honourable Member, but we fail to see what sort of sanction is demanded from us to impose those punishments which are not defined in the Act, nor in this amending Bill. I would, therefore, like the Honourable Member to explain the meaning more clearly or to bring forward definite punishments in the Bill itself so that we may be able to understand and appreciate his point of view.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Not being a lawyer, the Honourable the Defence Secretary will excuse me if I betray a certain amount of ignorance. I cannot understand how

he carries out the objects which he has, by the amendments which he has put down. In the Statement of Objects and Reasons he says that his object is to enable certain punishments to be inflicted of a minor character instead of the more severe punishments which are prescribed under the law as it is at present. That is his object in short. How does he carry out that object? Take sub-clause 2(a) to start with. He wants to add the following words:

"or, except in the case of an offence punishable under the said section 302 or 377, with such other punishment as is hereinafter mentioned;"

Nothing is mentioned there.

Mr. C. M. G. Ogilvie: Section 52 of the Act as it stands.

Sir Cowasji Jehangir: This is an addition to the section, but you do not say anything there. Is there anything in section 52 which explains the phrase 'hereinafter mentioned'?

Mr. C. M. G. Ogilvie: Yes.

Sir Cowasji Jehangir: Then we come to sub-clause 2(b) where he wants to substitute the following words:

"transportation shall be deemed equal in degree to penal servitude, and corporal punishment shall be deemed equal in degree to imprisonment and;"

What is the meaning of this? I do not understand it. Does it carry out his intention?

Mr. C. M. G. Ogilvie: It is purely a formal amendment.

Sir Cowasji Jehangir: If he will kindly explain that, I shall be much obliged.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I do appreciate that where there are offences, and especially when it is said that this Bill will apply to trivial offences and to the punishment thereof, there ought to be a law which suits the Navy and which can be exercised according to the laws in England. But with regard to this Bill, I find that its object is to make the punishments lighter than the punishments that are provided in the Indian Penal Code. Now, Sir, as my learned friend, Sardar Sant Singh, has said, we should, in the first place, be enlightened whether there is any Code in which these customary powers or the disciplinary powers based on custom have been laid down, so that we may be in a position to say whether these punishments will be lighter or heavier. That is one point that I would like to be explained.

Then, with regard to sub-clause (b) of clause 2, I find that it is intended that instead of imprisonment for these offences there should be corporal punishment. In my humble opinion, corporal punishment is heavier than the punishment of imprisonment. If that is the intention, corporal punishment would also include whipping. Apart from that, I would also like to know how would that corporal punishment be met with the degree of imprisonment that is to be given? That has got to be laid down. One officer might give one stripe, and the other might give two. We are allowing these officers to pass punishment as they like without prescribing the

[Mr. Lalchand Navalrai.]

maximum or the minimum. In every law, there is the maximum and the minimum. Therefore, I submit that this is a very vague Bill, and the points that I have raised should be made clear.

Mr. O. M. G. Ogilvie: Sir, the punishments 'hereinafter mentioned' here, alluded to by Sir Cowasji Jehangir, are stated in section 52. The 'hereinafter' there gives a list of punishments which may be inflicted in His Majesty's Navy and which ranges from No. (1) death down to No. (11) "such punishments as are now inflicted according to the custom of the Navy or may from time to time be allowed by the Central Government". These punishments are in order of severity. Section 52 says:

"Each of the above punishments shall be deemed to be inferior in degree to every punishment preceding it in the above scale."

These minor punishments which we now wish to be able to inflict on certain classes of thefts and so on are the most mild punishments which already exist in the Navy. This Bill does not seek to introduce any new form of punishment at all but merely to make applicable the list to certain classes of offences which now can only be punished by very serious punishments indeed.

Now, to show how minor these punishments are, I will refer the Honourable Members to section 52:

"(4A) Detention :

(5) Dismissal from His Majesty's service :

(6) Forfeiture of seniority as an officer for a specified time, or otherwise :

(7) Dismissal from the ship to which the offender belongs :

(8) Severe reprimand, or reprimand :

(9) Disrating a subordinate or petty officer :

(10) Forfeiture of pay, head money, bounty and so on :

(11) Such minor punishments as are now inflicted according to the custom of the Navy."

These can be held only to mean the forfeiture of good conduct badge or some particular kind of hard work or fatigue which is not approved of by the person who is asked to do it.

Mr. Lalchand Navalrai: It does not include whipping?

Mr. O. M. G. Ogilvie: No, minor punishments do not include whipping. Whipping is regarded as a very severe punishment and equal to imprisonment.

Mr. M. S. Aney (Berar: Non-Muhammadan): May I ask if the Honourable Member is reading from the Indian Navy Act or from the United Kingdom Navy Act?

Mr. O. M. G. Ogilvie: I am reading from the Indian Navy (Discipline) Act, 1934.

Now, with regard to sub-clause (2). There has been a misconception about it. It is a purely formal amendment. Section 55 to which it refers lays down the scale of punishments. That is to say, you could not award a punishment of whipping instead of a punishment which was less in this descending scale than imprisonment that already exists in the Act. Corporal punishment shall be deemed equal in degree to imprisonment. What this amendment does is to state also that the transportation shall be deemed

equal in degree to penal servitude. It is merely filling up a small gap. In case anyone thought that there was some difference between transportation and penal servitude, this declares them to be the same.

Mr. M. S. Aney: May I ask a question from the Honourable Member? You have read out from section 52 a number of minor punishments which are mentioned there. At the end of that, there is again one little clause which says 'and other minor punishments'. Is that not so?

Mr. O. M. G. Ogilvie: No.

Mr. M. S. Aney: Does not that clause 'other minor punishments' give scope for the inclusion of minor punishments thought of by the officer who punishes them or are those minor punishments scheduled somewhere but not in that section?

Mr. O. M. G. Ogilvie: No. These minor punishments are nowhere scheduled; they are those according to the customs of the Navy and they may always from time to time be approved by the Central Government.

Mr. M. S. Aney: The section leaves scope to the inventive genius of the punishing officer?

Mr. O. M. G. Ogilvie: No.

Mr. M. S. Aney: The words are "according to the customs of the Navy".

Mr. O. M. G. Ogilvie: Which must not be violated.

Mr. M. S. Aney: If there is a custom of the Navy, it means that that custom is noted somewhere, recorded somewhere, it must be scheduled somewhat, but you say "scheduled nowhere"; then how is it possible for the punishing officer to know that that particular punishment is according to custom or not?

Mr. O. M. G. Ogilvie: He knows perfectly well; no new punishment can be devised. If the Honourable Member will look at sub-section (11) of section 52, he will see the words "such minor punishments as are now inflicted according to the custom of the Navy",—that is to say, nobody may invent a new one—"or may from time to time be allowed by the Central Government".

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

"That the Bill further to amend the Indian Navy (Discipline) Act, 1934, for certain purposes, be taken into consideration."

The motion was adopted.

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

"That clause 2 stand part of the Bill."

Sardar Sant Singh Sir, may I point out a drafting mistake in part (a), where occur the words "section 302 or 377" but the words "of the Indian Penal Code" are not mentioned. Are they deliberately omitted? I think the words "of the Indian Penal Code" should be there?

Mr. C. M. G. Ogilvie: If the Honourable Member will refer to the section itself, he will see the words "Indian Penal Code" are mentioned.

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 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. C. M. G. Ogilvie: 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.

THE INDIAN NAVY (DISCIPLINE) SECOND AMENDMENT BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I move:

"That the Bill further to amend the Indian Navy (Discipline) Act, 1934, (Second Amendment), be taken into consideration."

This is a purely formal amendment and is due to the fact that since the Indian Navy (Discipline) Act was passed, Burma has ceased to be a part of India and has more recently acquired naval forces of her own. Section 30 (c) set forth in the First Schedule to the Indian Navy (Discipline) Act provides for the discipline of persons in the Royal Indian Navy serving in His Majesty's Navy or in the navies of self-governing dominions, and it is sought to add the words "or Burma" to that list. Sir, I move.

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

"That the Bill further to amend the Indian Navy (Discipline) Act, 1934, (Second Amendment), be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. C. M. G. Ogilvie: 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.

THE CANTONMENTS (AMENDMENT) BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I move:

"That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

The amendments concerned are miscellaneous and range over various provisions of the Act. They are all matters in which practical difficulty has been experienced and the purport of each of them has been fully set out in the Notes on Clauses which have been appended to the Statement of Objects and Reasons. I think, therefore, that at this stage I need not take up the time of the House further. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

Sardar Sant Singh (West Punjab: Sikh): Sir, in this Bill again there are certain provisions which are vague and which invest the recommending authorities and the Central Government with very large powers. I refer to section 4, sub-section (2A), in which it is laid down that the Central Government may, on receipt of any report from the Officer Commanding the Station,

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is speaking to the Bill before the House?

Sardar Sant Singh: Yes, Sir, to the Cantonments Bill.

Mr. President (The Honourable Sir Abdur Rahim): To the amending Bill?

Sardar Sant Singh: Yes, Sir. In that it is laid down that:

"The Central Government may, on receipt of a report from the Officer Commanding the station, through the Officer Commanding-in-Chief, the Command, remove from a Board any military officer nominated a member of the Board who is, in the opinion of the Officer Commanding the station, unable to discharge his duties as member of the Board and has failed to resign his office."

Now, the expression "unable to discharge his duty" is a phrase of very wide interpretation. In the Notes to Clauses, it is laid down that the intention of the framers of the Bill is "to remove those nominated officials who have ceased to serve in the Cantonment Board and have left the cantonment without resigning or tendering their resignation". Now, if it were confined to that alone, it would be quite a definite matter capable of a definite interpretation, but the phrase is "unable to discharge his duty". Now a member may be unable to discharge his duty when he happened to disagree with the officer who nominated him originally. That would be vesting the Government with too large powers and thus vesting the Commanding Officer with powers to command the vote of the member for reasons other than those for which this Bill is intended. I would, therefore, suggest to the Mover of the Bill to make this phrase more definite, so that the powers exercised under this sub-clause should be confined to the purposes for which it is really intended

Mr. President (The Honourable Sir Abdur Rahim): Are there no amendments to this effect?

Sardar Sant Singh: No, this being so vague, Sir, we would be justified in rejecting this Bill if it is capable of an interpretation which is not intended by the Legislature.

The second point to which I would refer is the Honourable Member's substitution of the word "structure" for "building". Now, "building" has been defined in the municipal laws, and it is capable of an interpretation, but "structure" is again a very wide word with a much larger meaning than it connotes

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is now dealing with the clauses.

Sardar Sant Singh: I am just suggesting for general consideration that the word is again not definite and not defined anywhere, and it will be better if the definition of this should be incorporated in the Bill itself.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

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

"That clause 4 stand part of the Bill."

Mr. M. S. Aney (Berar: Non-Muhammadan): Sir, my Honourable friend, Sardar Sant Singh, has just brought to the notice of the House the ambiguity of certain expressions in clause 4 and how the expression as it stands is likely to be understood in a sense different from the one which the Mover of the Bill had obviously in view. In view of that, I would like to know what is the explanation which the Honourable Member has to give and whether he is prepared to make suitable changes in the wording before the clause is put to the vote of the House. Otherwise we shall be voting upon an ambiguous expression. That is the difficulty.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): In this clause 2A, it is sought that the removal will be only in the case of a military officer nominated as a member of the Board. If the reason had been that a military officer, who had been nominated a member, had to go away to the war in a hurry and he forgot to put in his resignation, he would still remain a member though he is unable to discharge the duties of a member; then, it is quite correct to give power to the Commanding Officer to remove him from the membership and nominate another person who can do the work. But what I find in the Statement of Objects and Reasons is this:

"This section admits of the removal from the Board of a member who, subsequent to election or nomination, becomes subject to a disqualification applicable to election and nomination alike but fails to provide for the removal of an elected member who accepts service under the Crown and then becomes subject to a disqualification for election."

This is a different thing.

Mr. C. M. G. Ogilvie: The second sentence explains it.

Sir Muhammad Yamin Khan: The second sentence says:

"It is proposed to insert provision to admit of removal in this class of case and also take the opportunity of dealing with a frequent source of embarrassment by providing power to remove a nominated official member who has ceased to serve in the cantonment and has left without tendering his resignation for an inaccessible destination."

If that was the object, that was all right, but in this clause we do not see the removal of any other person except the removal of military officer. We have not got the Cantonments Act before us, and the position ought to have been explained by the Honourable Member that there is some other clause by which it is intended that they shall be removed. That is quite a sufficient reason. If any non-official accepts a post under the Crown, then he cannot remain as a nominated non-official. He becomes an official, and he must vacate his place and make room for some other person who is a non-official.

The Honourable Sir Muhammad Zafrullah Khan (Law Member): This clause enables the authorities to bring that result about.

Sir Muhammad Yamin Khan: That was not made clear. If it only refers to a military officer who has to leave the station in great hurry, then I have no objection. I can quite understand that.

Mr. C. M. G. Ogilvie: Sir, the first part of this amendment 4 (a) deals, as my Honourable friend, Sir Muhammad Yamin Khan, pointed out, with the case of an elected or nominated member who subsequent to election or nomination accepts a post under the Crown and, therefore, becomes an official and he also becomes subject to disqualification for election or nomination, but with the Act as it stands he cannot be removed. This enables such a person to be removed if he accepted an office of profit under the Crown.

Then the next part of the section 2A arises directly out of the conditions of the war. In the past, before the war, an officer was transferred normally to some place near by and even if he forgot to fill up his form of resignation and hand it in to the Secretary, he could be found very quickly. Today officers are apt to be transferred overseas at extremely short notice and letters may take months to get to them and if a letter of resignation cannot be obtained the officer has to be treated as though he was an ordinary member nominated or elected and the Cantonment authorities have to give him three months grace and opportunity to show cause why he should not be removed. As regards what my Honourable friends, Mr. Aney and Sardar Sant Singh, said, I think it is surely clear that if the officer were there present and was able to hold a pen, he would, if the General Officer Commanding saw fit, be made to resign at once. It is only when he is not present in the flesh and cannot, therefore, sign his resignation that it is sought to remove him.

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

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

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

"That clause 6 stand part of the Bill."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, clause 6 seeks to amend certain words in clause (b) of section 186 of the Cantonments Act and it says:

"for the words 'in any specified area or areas' the words 'in the cantonment or any part thereof' shall be substituted."

This is not quite intelligible unless it is properly explained to us. At present the Statement of Objects and Reasons does not make it clear; on the other hand, it makes it ambiguous. I will read out what the Statement of Objects and Reasons says:

"The object is to bring the wording of clause (b) of this section into line with that of clause (d) with a view to removing the doubt arising as to the adequacy of the language used in clause (b) to cover a prescription applicable to the cantonment as a whole."

One cannot possibly understand what is meant by "prescription". Does it mean that he will have the right of prescription? Unless this is made clear, I submit we cannot agree to this amendment.

Mr. C. M. G. Ogilvie: My Honourable friend, Mr. Lalchand Navalrai, seems to have difficulty about the word "prescription". Section 186 of the Cantonments Act begins as follows:

"The Board may make by-laws prescribing certain things."

They may prescribe the minimum cubic capacity of a room for example and things of that kind. The only point of this amendment is to make it quite clear that the language of clause (b) of the Act would cover the prescription or order of the Board under clause (d) and to bring clause (d) and clause (b) into line as regards language. It has been held that "in any specified area or areas" might be held not to cover the whole Cantonment and on the other hand the Board may pass orders on plans and specifications of the types of buildings which may be erected in the Cantonment or any part thereof. It is to remove any misapprehension that "specified area or areas" cannot cover the whole Cantonment that this amendment is brought.

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

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

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

"That clause 7 stand part of the Bill."

Mr. Lalchand Navalrai: Sir, before this clause is put to the House, I wish to refer to one point which was also hinted at by my Honourable friend, Sardar Sant Singh. Here also there is a difficulty of interpretation,

unless it is already made clear in the original Act itself. If it is not clear in the Act itself, it is necessary to make it clear now. What do we find here in clause 7 of this Bill:

"In section 188 of the said Act, for the word 'building' the word 'structure' shall be substituted."

Now, Sir, I should like to know if the word 'structure' has been defined in the Cantonment Act itself. Either the definition of "structure" is in the Act itself, or if it is not there, it should be made clear what 'structure' is: that it is of such and such nature. A 'structure' may include everything, small or large. It may be part of a building, it may be made only of straws, it may be anything kept over a drain. Therefore, if you leave this ambiguity as it is, then the power that is vested in the Board would be tyrannically exercised and it will only lead to the harassment of the people. Therefore, I submit this should be made clear.

Mr. C. M. G. Ogilvie: The word "structure" has been chosen for the precise reason that the Honourable Member has described, that is, because it is a wide term. If the Honourable Member would look at section 188, he would see that it deals with drains, water-pipes and essential articles of public service and conveniences of that type. Therefore, any form of structure built over which might hamper the free flow is highly objectionable and 'building' unfortunately is a word the meaning of which is restricted by its definition in section 2 (4) of the Act. Now, Sir, 'structure' means any article or thing which has been constructed or built. It would apply, therefore, to a culvert. A person who built a culvert over a drain or blocked up the free flow or access to what supply could not be ordered to remove it under the Act as it stands at present. Under section 186, he can be ordered to remove it if it is part of a house, if it is a projection from an existing building but not otherwise. So far from desiring to limit the word "structure" in any way, if we had a word with a wider application we would use it.

Mr. President (The Honourable Sir Abdur Rahim): I should like to point out to the House that if there is anything in the language of a Bill which is not clear to Honourable Members or which may mean something which they do not approve of, the only proper course is to put in appropriate amendments.

The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. C. M. G. Ogilvie (Defence Secretary): 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.

THE REPEALING AND AMENDING BILL.

The Honourable Sir Muhammad Zafrullah Khan (Law Member): Sir, I beg to move:

"That the Bill to repeal certain enactments and to amend certain other enactments be taken into consideration."

Sir, this is the usual measure designed to weed out dead matter from the Statute-book. I assure the House that there is nothing hidden in it which has any other purpose. Sir. I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to repeal certain enactments and to amend certain other enactments be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I do not blame the Honourable Member or say that anything has been hidden, but an explanation, where necessary, should be given. Very often we do not get these Acts to understand the position for ourselves. Here we find in the Schedule that two Sind Regulations of 1936 are sought to be repealed in whole, and in Sind we have recently found that some of the old Regulations have been of very great help to the Administration. I should like to know what these Regulations are, so that I can judge whether they are obsolete or unnecessary or whether they are being repealed for a certain purpose. I should like to have some information on this point.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, this is a big list of Acts sought to be repealed, and I do not know whether the Honourable Member really thinks it fair that we should be asked to study these Acts in two days. It is necessary for us not only to go through all the Acts mentioned here, but also the Bills introduced in this House two days ago, so that we might, if necessary, put in the proper amendments. The Honourable Member was very brief in moving his motion and did not say anything as to why he wants these Acts to be repealed, and whether they are obsolete or unnecessary. The House expected that of the Honourable Member in order to give an intelligent vote. If, however, Government feel that they have got a majority of votes and can carry on as they like, they can do so. But we want to know what the Acts are, and why they are sought to be repealed, and also why they were retained so long and not repealed earlier. We expect to be enlightened on all these points instead of being treated in the way we have been by the Honourable Member.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, my grievance is that it is not piecemeal repeal of certain sections that is sought to be done, but we find that whole Acts are being repealed. We have not been given these Acts, and it was not possible for us to go through them, when they go back even as far as 1884. If this kind of procedure is to be followed here, it only means that we are considered to be blind followers of the blind or that Government are blind themselves. It is hoodwinking and insulting the House to ask them to repeal

these enactments wholesale in two days. When we go to our constituencies, they will say that, in spite of our being lawyers and advocates and barristers, we are only sitting here as mummies and dummies. It is an insult to the House, and I protest against it very seriously.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I also find it very difficult either to support or to oppose this motion. We are asked to repeal a long number of Acts and the Honourable Member has not told us anything as to why it is necessary to repeal them. The Honourable Member may say that we should study them ourselves and surely we are, at least I can say about myself, quite prepared to sit up the whole night and study them, but we must be provided with copies of these Acts. We have not got them and it is only fair to supply us with copies of the Acts which we are asked to repeal. There may be some lawyer Members who may have copies of these Acts in their libraries but I am told that even they do not carry their libraries with them to Delhi. But non-lawyers do not have these Acts even in their libraries at home and it is desirable that they should be given copies of these Acts in order to be able to vote intelligently. The Honourable Member has not been fair to this House; and this is not the first occasion. He has been deliberately unfair to the opposition throughout the Session. In this case he has surpassed himself and he wants us to repeal Acts which he deliberately wants us not to understand. We must be able to read these Acts to understand whether they should be repealed or not. But now he has all the votes and he is suffering from the intoxication of having a majority of votes on his side. But the time is coming when he will have to care for the Opposition and I request him not to press this to a division.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, I am not a lawyer and I can assure my Honourable friend, the Leader of the House, that even if he had supplied us with every one of these Acts I should not have read them. I am, of course, speaking only for myself. Still, I can quite understand, for instance, that the Nawab Nazim's Debts Act of 1873 is to be repealed. It is very probably that the good Nawab is no longer in the land of the living: we trust he paid his debts before he departed—perhaps the Honourable the Leader of the House will inform us as to whether he has done so or not. Then we come to the Ex-King Thebaw's Act. I should think that that Act requires repealing—everybody knows that King Thebaw is dead.

But I would like to say a few words on the general principle that has been adopted of introducing Bills this Session and bringing them up now, which are in agreement with the sentiments expressed by some of my Honourable friends here. We first came to this House this Session on Tuesday last. Today it is Friday. A good many Bills introduced on Tuesday are down for discussion today. I do not know whether my Honourable friends sitting on the Government Benches believe that that is sufficient time for us to consider these Bills and discuss them in detail and allow them to be passed straight off. If they believe so, I respectfully beg to disagree. There are some very important Bills that were introduced on Tuesday which are down on the agenda for discussion today. Honourable Members on the Government Benches believe or appear to believe that we represent merely ourselves in this House. We do not...

We have been elected by very large constituencies; and if we are to do our duty to those constituencies, it is our duty to see that those constituencies also have sufficient time to study those Bills. There are many Bills of the greatest importance on this agenda which are shoved on to us and we are asked to consider them, speak on them, vote on them and at a notice of two or three days. Some of us live two days and three days' distance by rail from our constituencies and we would not be doing our duty by our constituencies if we did not protest at this, I will say, rather hurried manner in which legislation is proposed to be enacted. I am not in favour of delay. I would be the last to advocate delay in legislation or wasting the time of this Honourable House. But I do hope that Honourable Members in charge of these Bills will realise that we are not only responsible to ourselves but to others, and that those others must get an opportunity, throughout India, of knowing the contents of many of these important money Bills: I am not referring to this particular Bill. I can understand and I am prepared to take my Honourable friend's assurance that there is nothing in these Acts that he wishes to repeal that will be of any importance to us and I think that assurance ought to be enough for us

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member has no objection to this Bill being considered today, I think he had better wait till some Bill comes later on to which his arguments may apply.

Sir Cowasji Jehangir: Since the general subject has been raised by my Honourable friends, I desire to point out that there is some substance in the complaint, although in my humble opinion it may not apply to this Bill in particular and the assurance ought to be accepted that most of these Acts do require repealing

Mr. President (The Honourable Sir Abdur Rahim): Standing Order 38 has been complied with.

Sir Cowasji Jehangir: Yes, but I say it is not in the spirit of the Act.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member object to these Bills being taken up at short notice?

Sir Cowasji Jehangir: I do not. For the last eleven years I have been trying to point out to this Honourable House that under the constitution under which we work it is the spirit of the constitution that should be followed and not merely the letter of the law. If the House of Commons tried to follow the letter of the law, half the work they do could not have been done. It is the spirit of the Act, it is the undertakings given when the Acts of 1919 and 1935 were passed that should be followed and not merely the letter of the law. The Governor General may have independent powers, but it is the spirit in which those powers are worked that should be considered. The King's name occurs in the British constitution constantly, but does it mean the King? No. Those assurances were given in 1935 to my personal knowledge that the interpretation of the sections will be liberal and it will be the spirit of the Act that will be followed and not the letter of the law. Therefore, I am

not complaining in any way that the law has been infringed or that the rules are being infringed; I am pointing out our difficulties on this side of the House in having to tackle legislation of an important character without due notice. I do hope my Honourable friends will realise our difficulties. They are not invented; they are very real. Give us sufficient time if only for important Bills. I do not object to Bills like the ones which Mr. Ogilvie moved: they are short and to the point, very necessary and most probably do not require more consideration than they received; but there are other Bills about which we have to consult our constituencies: they may be quite formal: they may be quite straightforward to read: but Government is not infallible: we are not infallible: we are all of us liable to make mistakes and, therefore, I trust that we shall get ample time to consider the important Bills which have been put down for today.

Mr. President (The Honourable Sir Abdur Rahim): I think if the Honourable Member had mentioned it before, Government might have considered it.

Sardar Sant Singh (West Punjab: Sikh): Sir, there is one thing common between the Honourable Member who has introduced this Bill and myself, that both of us are members of the profession of law. So we need not hear from some friends that they are not lawyers. I would welcome a measure which reduced the number of Statutes which are to be found in India, and, therefore, so far as this Repealing of Acts is concerned, I welcome it when the Acts have really become obsolete. I have studied the whole of the list and the Statement of Objects and Reasons and the Explanations of clauses, and I do not find any of these measures are required in the present day: but the one question which troubled me most when I was going through this list was, why for so many years, sometimes exceeding half a century, these Acts were allowed to remain on the Statute-book, and why the necessity has been felt to repeal them wholesale today. We have been accustomed to such Repealing and Amending Bills in every Session, but I think it is due to us that the Honourable the Leader of the House in his capacity as Law Member will explain to us what Government aim at when they bring forward these Bills from time to time. Why are they not brought all together, particularly so when they have become obsolete for several years. Take, for instance, Ex-King Thebaw's Act of 1895. I doubt very much whether, under the new Constitution, this Legislature has got power to repeal Acts of the Governor General in Council. However, he will explain it. This Act has been on the Statute-book since 1895. Then, there are some which have been there since 1838, the Bombay Sureties Act and the Bengal Ameen's Act. An explanation is due to us why these Acts have been allowed to remain on the Statute-book for such a long time, and why it has become necessary to put them in the present Repealing Bill and not in previous ones which were introduced during the previous Sessions. In the Second Schedule, there are certain Acts recently passed by this Legislature, and in the case of those Acts the Bills were placed before the Select Committee and the Select Committee's Report was duly presented and considered by this House. With regard to the Hindu Women's Right to Property Act and Arya Marriage Validation Act, both these were placed before the Select Committee which presented its Report:

to this House and it was duly considered by the House. In both those Bills certain considerations of policy were adopted. Here you are excluding those portions now from the operation of the Bill. Certainly, an explanation is due as to why British Baluchistan and Sonthal Pargannas are being excluded in the case of those Bills. I hope the Honourable Member in charge will enlighten us, or, if I may venture to put forward a suggestion for his consideration, will it not be better if the Bill is referred to a Committee to consider it and make a Report, say, in a week's time, and thus avoid the whole difficulty that has arisen in the discussion of this measure.

Sir H. P. Mody (Bombay Millowners' Association: Indian Commerce): Mr. President, I have no doubt that my Honourable friend's object is to bury the dead but considering the number of things he is burying, his funeral oration was remarkably brief. I have no objection, to ancient Statutes being given a decent burial, but I find there are as many as 21 which are only four years old, and I would like to know why we should have been called upon to legislate on these measures if after four years they were to be snuffed out of existence. On the other hand, there is a Regulation which is 122 years old, and it still seems to be alive and kicking. It would be quite interesting, Sir, if a census was taken of the various Government Members who were responsible for all these misbegotten children. I am afraid the Government have got into the habit of conceiving rather recklessly.

The Honourable Sir Muhammad Zafrullah Khan: Sir, on the general question of the time available to Honourable Members for the study not only of this particular measure but several other Bills which are down for consideration today, and some of which have already been passed, the House will not have forgotten that yesterday when I proposed a re-arrangement of the Agenda, there were during the course of my very brief statement three outbursts of applause. That is to say, the House agreed that having regard to a certain contingency it would be desirable to postpone the consideration of the Finance Bill till Monday and to start with the rest of the Agenda

Sardar Sant Singh: But the applause was about the first, and not about the second proposal.

The Honourable Sir Muhammad Zafrullah Khan: This morning in the press I noticed the applause equally distributed over the whole statement.

Sir Cowasji Jehangir: May I point out to the Honourable Member that I did mention the Income-tax Bill. I asked him a deliberate question whether the Income-tax Bill was coming on, and why so soon, and he said it would be put right at the end of the agenda.

The Honourable Sir Muhammad Zafrullah Khan: Oh, yes, but there was no protest against the general arrangement. It was accepted that it was more desirable not to start with the Finance Bill first and that these Bills should be taken up earlier. That is the reason why these Bills are down for consideration this morning, otherwise, what Government had originally proposed was that the Finance Bill should be taken up first which would

have occupied two or three days and Honourable Members would have had a little more time to study these measures. That is the first observation I have to make on that aspect of the question.

The second observation is that, as Sir Cowasji Jehangir himself pointed out, so far he has not felt this objection with regard to what has come before the House. I think when we come to the other measures he will also find that they too are specific and "pointed", as he said, and there is no difficulty in following their object.

I now come to the objections raised by certain Honourable Members with regard to this particular measure. They said here is a long list of enactments which it is proposed to repeal wholesale and we are very apprehensive that something might be done the significance of which we have not been able to realise,—we have been given no time to discover what exactly is intended. Two Honourable Members have used the expression that Government expect them to pass this Bill blindly. Well, Sir, my grievance is the other way about. The notes on clauses give adequate explanations with regard to every repeal and amendment proposed, and if Honourable Members will not open their eyes, they cannot complain that they are unable to see.

I will now take some specific matters that have been mentioned. Mr. Lalchand Navalrai is rather perturbed by the feeling that by the repeal of a certain regulation which has proved itself very useful in his province things in that part of the country might even be worse than they are today. I would draw his attention to the Note with reference to the particular Regulation that he mentioned. The Note is the last Note on clauses before the second schedule is mentioned, and it says:

"These Regulations are of a purely amending nature, and by virtue of section 6A of the General Clauses Act, 1897, they can now be removed from the Statute-book."

If Mr. Navalrai had any apprehension, all that was necessary for him to do was to look up section 6A which provides that if an amending measure is itself repealed, then unless a contrary intention appears, the amendment which has been carried into effect shall not be affected by the repeal. That is to say, once an amending measure has become law, its object has been achieved and it can safely be repealed . . .

Mr. Lalchand Navalrai: That should have been made clear.

The Honourable Sir Muhammad Zafrullah Khan: It was made clear. The same applies to the 21 or so measures, to which attention has been drawn by Sir Homi Mody, more perhaps for the purpose of drawing attention to the fact that he has arrived this morning in the Assembly than to any particular objection to these repeals.

Then one point was raised by Sardar Sant Singh, and it was this. He said why is a certain amendment effected in the Hindu Women's Right to Property Act, 1937, and the Arya Marriage Validation Act, 1937, the Explanation is at page 2 of the Notes—the words omitted became inept when certain sections of the Government of India Act came into operation on the first day of April, 1937. The original Act had provided that the Act should apply to British Baluchistan and Sonthal Parganas, and should not

apply to Burma. Well, now, if the Burma part is repealed, it does not become applicable to Burma because we cannot now legislate for Burma. With regard to British Baluchistan and Sonthal Parganas, this Act has already under the new constitution been applied by appropriate action to those areas so that these words have become unnecessary in this Act. If Honourable Members had only taken the trouble to go through the Notes on Clauses, and, if possible, where any doubts were raised, to refer not to the original Acts so much as to the particular measures referred to as the result of which the continuance of the original Acts on the Statute-book had become unnecessary or some amendments had become necessary, they would have received complete satisfaction and that task would not have entailed more than half an hour or an hour's study.

Mr. Lalchand Navalrai: Where was the time?

The Honourable Sir Muhammad Zafrullah Khan: The House rose yesterday at 12-25 P.M.

Sir Muhammad Yamin Khan: Was not the Honourable Member expected to enlighten us in his speech?

The Honourable Sir Muhammad Zafrullah Khan: I had enlightened Honourable Members in the Notes on clauses.

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

"That the Bill to repeal certain enactments and to amend certain other enactments be taken into consideration."

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

The First Schedule and Second Schedule were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Muhammad Zafrullah Khan: 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.

THE INDIAN REGISTRATION (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I beg to move:

"That the Bill further to amend the Indian Registration Act, 1908, for certain purposes, be taken into consideration."

Mr. President (The Honourable Sir Abdur Rahim): The Chair is sorry to interrupt the Honourable Member, but today being Friday, it will perhaps be better to adjourn now.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

The Honourable Sir Reginald Maxwell: Sir, when the House rose this morning, I had moved:

"That the Bill further to amend the Indian Registration Act, 1908, for certain purposes, be taken into consideration."

In view of the remarks which fell from certain Honourable Members in regard to the last item of the agenda, I will not leave the House without some explanation of the contents of the Bill. Section 17 (1) of the Indian Registration Act deals with documents of which the registration is compulsory. Four classes of documents were originally specified in this sub-section, that is to say, those referred to in clauses (a), (b), (c) and (d) of that sub-section. Section 28 dealing with the place for registering documents relating to land covers the documents mentioned in these four clauses and provides that they shall be presented for registration in the office of the Sub-Registrar within whose sub-district the whole or some portion of the property is situate. If the property is not situated wholly within one sub-district, the Sub-Registrar is required by section 64 of the Act to send a memorandum of the document to every Sub-Registrar within whose jurisdiction any part of the property is situate and that Sub-Registrar is also required to file the memorandum in his book No. 1. But an additional clause (e), specifying a fresh class of documents relating to immovable property, of which the registration was compulsory, was added to section 17 (1) by section 10 of the Transfer of Property (Amendment) Supplementary Act, 1929. When that was done, a corresponding addition should have been made to section 28 so that the same procedure should apply but by oversight this was omitted and the result is that documents referred to in clause (e) of section 17 (1) are now governed by section 29 of the Act and are allowed to be registered at the office of a Sub-Registrar within whose jurisdiction no portion of the property is situated. If this happens, the Sub-Registrar to whom the document is presented will neither index the property in his own office nor will he be bound under section 64 or 65 of the Act to send a copy of the memorandum or the document to other Sub-Registrars or Registrars within whose local jurisdiction the property is situate. Consequently there will be no index of the immovable property assigned by such instruments in any registration office and the opportunities intended to be afforded by the Act to investigate the title to any property will be wanting. It is therefore proposed by means of clause 3 (a) of the Bill to make the requisite amendment in section 28 so as to treat documents falling under clause (e) of section 17 (1) in the same way as the other classes of documents specified in that sub-section.

The other section affected by the Bill is section 18 of the Registration Act. This is referred to in clause 2 of the Bill, and it deals with documents

[Sir Reginald Maxwell.]

the registration of which is optional. The documents mentioned in clause (a), (b) and (c) of this section correspond to those mentioned in clauses (b) (c) and (d) of section 17 (1), and these also are mentioned in section 28 of the Act so that the same provisions regarding place of registration and indexing will apply. In order that documents of the class referred to in clause (e) of section 17 (1), when the value is less than Rs. 100, should be subject to similar treatment as regards registration and indexing it is advisable that a corresponding clause should be added to section 18 and completed by a corresponding addition in section 28 of the Act. This is done by clause 2 and sub-clause (b) of clause 3 of the Bill. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill further to amend the Indian Registration Act, 1908, for certain purposes, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Reginald Maxwell: Sir, I move:

"That the Bill be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be passed."

The motion was adopted.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I move:

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

As the House is aware, when the present Government of India Act was introduced, the existing legislation was subjected to a process called adaptation in order that the provisions might be in accordance with the constitutional position resulting from the Act. This lengthy and complicated process has been performed with very few errors but this Bill relates to one of them. Section 29 of the Civil Procedure Code, which Honourable Members will find reproduced in the Statement of Objects and Reasons, relates to the service in British India of summonses issued by foreign courts and the words 'such courts' occurring at the end of the proviso—the last words of the proviso—refer to the foreign courts issuing the summonses in question. The object of the adaptation was, of course, to preserve the same meaning while altering the authority but by mistake, which is translated into legal phraseology by the words per incuriam, these words have been replaced in adaptation by the words 'the courts of the province', that is, not the foreign courts but the courts in the province in which the summonses are to be served, and, thus, the adaptation has altered the meaning and effect of the proviso in a manner which was not intended.

This mistake is to be rectified by clause 2 (1) (b) (ii) and (iii) of the Bill. Those are the important clauses of the Bill. The other provisions of clause 2 are inserted merely to make it clear that section 29 of the Civil Procedure Code applies to processes other than summonses, for instance, judgments of a foreign court which was the actual instance in regard to which the question arose. Clause 3 of the Bill is merely a routine amendment to correct an obsolete reference. I think that explanation will be sufficient for the House to understand this simple measure. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Reginald Maxwell: Sir, I move:

"That the Bill be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be passed."

The motion was adopted.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I move:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

Chapter XL of the Criminal Procedure Code relates to commissions for the examination of witnesses in criminal cases whose presence cannot easily be secured before the trying court and Honourable Members are familiar with its provisions. Before the separation of Burma, this section was naturally applied to commissions issued by British courts to courts in Burma and *vice versa* but the separation of Burma has left us in a position in which the possibility of using this convenient procedure is removed, and in view of the considerable interchange of population between India and Burma, the necessity may arise at any time to make use of this procedure. It would, therefore, be desirable to establish a similar legal procedure on a reciprocal basis between British India and Burma and the Government of Burma have agreed that if we pass legislation on these lines, they will undertake reciprocal legislation. The Bill, therefore, amends the Criminal Procedure Code so as to make the relevant provisions in Chapter XL applicable as between British India and Burma; and in clause 1, sub-clause (x) of the Bill it is provided that the legislation will come into force on such date as the Central Government may notify, in order that the date may be notified when Burma has actually put through the necessary reciprocal legislation. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"The the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Reginald Maxwell: Sir, I move:

"That the Bill be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be passed."

The motion was adopted.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I move:

"That the Bill further to amend the Indian Companies Act, 1913, be taken into consideration."

This Bill seeks to provide for the custody of dividends declared by the official liquidator of companies in liquidation which lie unclaimed and for the subsequent procedure to be followed if such claims to such monies are made in future. There is an old Act called the "Unclaimed Deposits Act" of 1866, but recent legal opinion has brought out that that Act is not applicable to such unclaimed dividends because no suit may lie with reference to them and the Unclaimed Dividends Act refers to suits in courts. There is also a provision in the Presidency Towns Insolvency Act but that is not applicable to proceedings under Part V of the Indian Companies Act. In these circumstances, this Bill has been drafted to provide for the custody of these unclaimed dividends. They will be paid into the Reserve Bank and will be held to the account of the Government, and if after a certain period there is no claim made, they will be appropriated by the Government. If claims are made within that period the applicant will have to go to court and to make his claim and then the amount will be paid out of the funds in the Reserve Bank to that particular account.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill further to amend the Indian Companies Act, 1913, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I move:

"That the Bill be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be passed."

The motion was adopted.

THE WAR DONATIONS AND INVESTMENTS (COMPANIES) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (Member for Commerce and Labour): Sir, I move:

"That the Bill to enable companies in British India to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war, be taken into consideration."

Sir, this Bill arises out of a definite request that has come from some of the companies which have found themselves handicapped by their memoranda of association to make the donation or to invest in war loans as the vast majority of their members would like to do. The Article of Association do not provide for it and therefore no extraordinary meeting or special meeting of the shareholders would help them or the directors to make the investment or to make the donation. Legal opinion was taken and it was ascertained that by a legal provision duly enacted only could this power be conferred. The Bill provides that this power will be exercised only at a special meeting of the shareholders. The directors are authorised either to make the donation or to invest the fund for these particular purposes. This concerns only those Associations or Companies or Clubs which wish to make these donations and Government felt that if there was a demand from these Associations or Clubs that the general shareholders should have the power, Government should facilitate their request by requesting this House to pass this measure. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill to enable companies in British India to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war, be taken into consideration."

Sardar Sant Singh (West Punjab: Sikh): Sir, I have given notice for the circulation of this Bill. If you dispense with the rules of the time-limit, in that case I am prepared to move the motion for circulation.

Mr. Deputy President (Mr. Akhil Chandra Datta): The amendment was received only today at 1-25 P.M. and it has not been circulated. Except with the consent of the House, this amendment cannot be entertained. Does the Chair take it that there is an objection to the amendment being moved?

(Objection was taken.)

Mr. M. S. Aney (Berar: Non-Muhammadan): It only requires the suspension of the Standing Rules.

Mr. Deputy President (Mr. Akhil Chandra Datta): As objection is taken, the Chair thinks it cannot be entertained.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr Deputy President, I am quite in agreement with the principle of the Bill but I am a little doubtful whether the Honourable Member will carry out the object he has in view. May I ask one or two questions? One is of a legal character. Suppose there is a company whose Articles allow the Board of Directors to give such donations or to subscribe to such loans and, particularly, to the interest-free loan, then by clause 3 of the Bill you would be depriving those Directors of those powers. Clause 8 gives those powers to the shareholders and if the Articles already prescribe such powers to the Board of Directors subject to the approval of the shareholders, will you not be depriving those Boards of Directors of the powers they have already obtained under their Articles of Memoranda? I am not quite certain about it. This clause overrules and overrides all Articles of Memoranda that may be in existence. Therefore, as I have said, I am not in a position to offer a legal opinion but I would like that Government should make sure that this will not have the effect I have just stated whereby the remedy will be worse than the disease.

In the second place, when companies give such powers, it is generally to the Board of Directors subject to the sanction or the approval of shareholders. Here, if a company has not got such powers, every time a donation is to be made—the amount may be Rs. 5 or Rs. 5,000 or Rs. 5,00,000—the shareholders' approval and sanction will have to be obtained. That is not an easy process. I would ask my Honourable friend, the Mover of this Bill, to consider that point. Would it not be wiser to give the power to the Board of Directors subject to the final approval of the shareholders when they meet in a general meeting, say, six months or nine months after the donation has been made. That is the usual method that companies adopt when they desire to give such powers for donations. Of course, in most companies the directors have power to invest money in loans, but the difficulty comes in when it is the interest-free loan. No Articles provide that a company shall subscribe to a loan which is interest-free. No such loan was ever heard of. Therefore, the difficulty has arisen that no company can invest in interest-free loans, not even with the sanction of the shareholders, unless their Memoranda is changed, which is a very tedious process. Now, you propose to give this power not to the Board of Directors but direct to the shareholders which will necessitate the calling of a special general meeting and in the case of big companies with a large number of shareholders, the cost of calling the meeting may very easily be equivalent to the donation. I know of companies in whose case it will cost a good penny to call a general meeting. It may cost thousands of rupees and the cost may very well run into more than the donation that the company desires to give.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): That will also be a donation to the Post Office!

Sir Cowasji Jehangir: We are not asked to give a donation just now to the Post Office which you will be asked to give later on and I hope you will give it. At present we are not asked to do that.

Sir, those are the difficulties that strike me and I am not prepared to move any amendment in the matter. It is a matter for the Government to decide. I have brought two points to the notice of the Honourable Member and if the Government is satisfied that in the first case it will not upset the Articles of Association which already give power to their Directors to do what they want and, secondly, if they think that giving this power to the shareholders is an effective method of fulfilling their object, I have nothing further to say. I may point out that Clubs stand on a very different footing to shareholders. A Club may be a limited company. It may be quite easy for the members to meet and pass a Resolution. In that case, it would be just as easy to change their Memoranda for all purposes. It is a small affair. But with companies and especially big companies it is a very different affair. I would suggest that the Honourable Member should consider the points I have placed before him. If a legislation is to be passed, let it be effective and let it be something that will really do some good from our point of view and will facilitate companies subscribing to interest-free loans and giving such donations as they may desire.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, two issues have been raised by my Honourable friend, Sir Cowasji Jehangir. The first issue is whether in the case of a company whose Articles of Association authorise the directors to make such donations or to invest in such loans, there is anything in the proposed Bill which will militate against that position. I can give the categorical assurance that according to the legal advice that I have received, it is not so. Clause 3 of the Bill says:

"Notwithstanding that the memorandum of association or the articles of association of the company do not enable it so to do,"

Therefore, where the Articles of Association or Memorandum of Association do authorise, that is not covered by this Bill at all.

Sir Cowasji Jehangir: Authorise shareholders!

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Authorise directors under the Articles of Association without the necessity for a special meeting of the shareholders: that position is not touched by this Bill at all.

The second question is more difficult and it raises a question of policy. What the Honourable Member suggests is that as companies are very large and the task of convening a special meeting of the shareholders of the company will be financially very heavy, legislation may be promoted which would authorise Directors directly to make such donations. Honourable Members will easily realise, that that is a matter of policy which ought to be left to the shareholders to decide. If Directors, by themselves, 3 or 5 or 7 of them take it into their head to make a donation for whatever laudable purpose it may be and for purposes then approved by the Government, still it will not be fair to the shareholders that donations either of a particular amount or of an amount which the shareholders disapprove of should be made by the directors direct. The Honourable Members suggested that it might be ratified afterwards. I can understand that in case of investments, the shareholders may meet and ask the Directors to cancel investments already made or to reinvest that money

[Diwan Bahadur Sir A. Ramaswami Mudaliar.]

in some other form, but where donations have been made unless you put in a provision, that the Directors will be mulcted and will be asked to repay the amount of donation already made, if shareholders do not approve of it, the shareholders have no remedy. Honourable Members will easily realise that that is not a position which Government can ask the shareholders to take up by legislation. It is on these grounds that this Bill has been drafted in this particular form.

Mr. M. S. Aney: May I ask one question? Why is it that under the existing Companies' Act, there is no arrangement for the companies to get their Articles of Association or Memorandum of Association altered at any time?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That would require a very cumbersome procedure.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill to enable companies in British India to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That clause 4 stand part of the Bill."

Sir George Spence (Secretary, Legislative Department): With your permission, I move an amendment to correct a misprint which has occurred in the last line of clause 4. There is a reference in the last line to section 2 which should be section 3. I move:

"That in the last line of clause 4, for the word and figure 'section 2', the word and figure 'section 3' be substituted."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That in the last line of clause 4, for the word and figure 'section 2', the word and figure 'section 3' be substituted."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

THE RESERVE BANK OF INDIA (THIRD AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That the Bill further to amend the Reserve Bank of India, Act, 1934, be taken into consideration."

Under sub-section (1) of section 42 of the Reserve Bank Act, all scheduled banks are required to maintain with the Reserve Bank a daily minimum balance equal to five per cent. of their demand liabilities and two per cent. of their time liabilities. Sub-section (3) of that section provides a penalty for defaults in the maintenance of the prescribed minimum balance. That penalty is that the Reserve Bank can charge the defaulting banks penal interest on the amount in default and for the time the default continues. Now, Sir, the charging of this penal interest is the only sanction which the Reserve Bank is able to enforce. There is nothing in the Act to prevent a scheduled bank from withdrawing these deposits even to the full amount so long as it is prepared to pay the penal interest. Thus, a scheduled bank finding itself in an illiquid position and unable to provide cash to meet its liabilities in any other manner is able to withdraw funds which should properly be maintained intact with the Reserve Bank. This is obviously a highly unsatisfactory position, and entirely contrary to the intention of this House when making that provision in the Reserve Bank Act. The position has been prominently brought to notice by the failure of certain banks. As a preliminary step towards dealing with this matter, the Government published last year a letter from the Reserve Bank explaining the legal position under section 42. The Bank felt that the public would be misled by section 42 into thinking that a scheduled bank was virtually unable to withdraw the minimum cash balance and so the Reserve Bank made it clear in this letter which we published that in the last resort the only thing which the Reserve Bank could do was to charge this penal interest and that so long as the bank went on paying this penal interest, it could go on defaulting even to the whole extent of its minimum cash balance.

Mr. F. E. James (Madras: European): What was the amount of the penal interest?

The Honourable Sir Jeremy Raisman: I will read sub-section (3) of section 42:

"If at the close of business on any day before the day fixed for the next return, the balance held at the Bank by any scheduled bank is below the minimum prescribed in sub-section (1) such scheduled Bank shall be liable to pay to the bank in respect of each such day penal interest at a rate of three per cent. above the bank rate on the amount by which the balance with the Bank falls short of the prescribed minimum, and if on the day fixed for the next return such balance is still below the prescribed minimum as disclosed by this return, the rates of penal interest shall be increased to a rate five per cent. above the bank rate in respect of that day and each subsequent day on which the balance held at the Bank at the close of business on that day is below the prescribed minimum."

Mr. F. E. James: That is nothing for people who want to defraud!

The Honourable Sir Jeremy Raisman: That was the first step taken to remove misapprehensions in the minds of the public and the depositors with regard to the very limited scope of this section. The Reserve Bank have been watching the position carefully and have recently reported that there has been no improvement in the direction of a decrease of defaults by scheduled banks in the maintenance of their statutory deposits. On the contrary the position has further deteriorated. What is more, in a number of cases the default is persistent and serious. These recurring and persistent defaults obviously threaten to render completely nugatory the provision of section 42 requiring scheduled banks to maintain deposits with the Reserve Bank. The central board of the bank reviewed the whole position at meetings which they held recently and they came to the conclusion that in the interests of sound banking early steps should be taken to tighten up the effectiveness of section 42 in this respect; otherwise there was the danger that persistence in unsound methods of which these defaults were symptomatic might end in the liquidation of several banks. Accordingly the central board have recommended immediate legislation to amend section 42, and the model which they have taken is a provision of the Indian Companies Act which already applies to banking companies which are not scheduled banks. And the curious thing which I want specially to bring to the notice of the House is this that the legislation which this House has passed in recent years has had the effect actually of being more stringent in the case of non-scheduled banks than in the case of scheduled banks who by the very fact of their status as scheduled banks naturally command *prima facie* a greater confidence in the depositing public. The provision of the Indian Companies Act I shall explain in a moment. But in the case of non-scheduled banks they do not of course have to maintain their cash deposit with the Reserve Bank but they have to maintain a cash deposit and a return of the amount so held on the Friday of each week of the preceding month has to be filed with the Registrar. Sub-section (4) of section 277 (11) of the Indian Companies Act provides as follows:

"If default is made in complying with the requirements of * * * this section as to the maintenance of a cash reserve, every director or other officer of the bank who is knowingly and wilfully a party to the default shall be liable to a fine not exceeding five hundred rupees for every day during which the default continues; and if default is made in complying with the requirements of this section as to the filing of the statement, etc.", (*which I have just mentioned*), "to a fine not exceeding one hundred rupees for every day during which the default continues."

The Central Board of the Reserve Bank are strongly of opinion that at least this sanction should be applicable to scheduled banks as it is already applicable to non-scheduled banks. They have recommended that after a certain period of grace, namely, up to the date fixed for the third return under section 42 (2),—these are weekly returns relating to the state of affairs on Friday of each week,—the directors and officers of the defaulting bank who are knowingly and wilfully parties to the default should become liable to a fine not exceeding five hundred rupees for every day during which the default continues,—that is, the same penalty as in the case of non-scheduled banks. But the central board of the bank further desire that provision should be made to the effect that after the period of grace referred to above the Reserve Bank should be empowered to serve notice at their discretion on the defaulting bank prohibiting it from accepting any fresh deposits until the minimum balance.

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with the Reserve Bank has been restored, and that persons knowingly and wilfully parties to any transgression after notice should be liable to a fine not exceeding five hundred rupees for every day during which fresh deposits are accepted and retained by the defaulting bank.

These provisions are admittedly severe but in our opinion they are not too severe for the state of affairs which they are intended to remedy. The effect will be to force the defaulting bank either to comply with the provisions of section 42 or, if its condition is already so serious that it cannot provide the minimum cash deposit, then instead of hiding up this state of affairs and continuing to trade and to mislead its depositors and the public it will be forced into liquidation. That is a desirable development, in my opinion, in order to prevent a scandalous position which is liable to arise under the existing law. Let me remind the House what the position actually is. The position is that you have banks which are already in such a desperate condition that they cannot maintain with a Reserve Bank a minimum cash deposit of five per cent. of their demand liabilities or two per cent. of their time liabilities. The Reserve Bank, the function of which in the Central banking system of this country I need not explain, is, therefore, aware of the condition of these banks. Nevertheless, apart from merely charging this penal interest it is absolutely helpless and is quite unable to save the depositors or the trading public from the effects of the continuance of this state of affairs. That is a situation to which I think the epithet "scandalous" may well be applied and I think it is fair to say that, when this House made these provisions for minimum safeguards, in the liquid assets of these banks, it never contemplated that they could be evaded in this manner

Mr. M. S. Aney (Berar: Non-Muhammadan): What is the approximate number of such banks according to the information of the Reserve Bank? I do not want the names, only the number.

The Honourable Sir Jeremy Raisman: I have not got before me at this moment that information; but the Central Board are of the opinion that the position is sufficiently disquieting to require immediate remedy.

There is only one other point on which I might touch and that is this: it is well-known that the question of a comprehensive piece of banking legislation has been under the consideration of Government and of the Reserve Bank for some time and opinions on the subject have been in process of collection. It will take some time before a comprehensive measure of that kind can be framed in all its details and laid before this House and it is the definite view, both of Government and of the Reserve Bank, that this particular matter ought to be taken up in advance of that general legislation. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill further to amend the Reserve Bank of India Act, 1934, be taken into consideration."

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, there are two points to which I would like to draw attention. One is that in these days when everything is upset on account of war conditions, it is not desirable to place scheduled banks in a

[Dr. Sir Ziauddin Ahmad.]

more embarrassing condition. Mr. Aney inquired what would be the number of banks which would be placed in this position. I would like to know too what would be the effect of this measure which is now before us. It will certainly be more embarrassing to the banks which are already suffering on account of war conditions. There may be some banks with whom the fortunate merchants deal and who may be in a prosperous condition; but there may be other banks which have business connections with persons who are at present not in very fortunate positions: they will probably suffer and therefore it is very desirable that we should visualise in our mind what would be the effect of this measure. The Finance Member has not given any picture or description of that effect. I am sure that those banks which have got connections in Europe will be in a very good position, but some of the minor banks who have got no such connection and who are now included in the scheduled banks may suffer a good deal by virtue of this amendment now before us. The Honourable the Finance Member has not told us very clearly what would be the position of these banks.

The second point, which I think is somewhat relevant to the particular issue, is this: taking section 42 (2) of the Reserve Bank Act, it says the banks have to show their accounts under five different heads—currency notes and also coins. Under what head will one-rupee note come in? Will it be shown under Rupees or under paper currency? We ought to know this clearly

The Honourable Sir Muhammad Zafrullah Khan (Law Member): There are no one-rupee notes: there are paper rupees but there are no rupee notes.

Dr. Sir Ziauddin Ahmad: The Honourable Member tries to make me believe that paper rupee is silver rupee

The Honourable Sir Muhammad Zafrullah Khan: It is a paper rupee: I am not saying it is a silver rupee. If somebody took a hundred-rupee note to the Reserve Bank and they gave him a hundred paper rupees, they would have discharged their obligation.

Dr. Sir Ziauddin Ahmad: My friend may read the Reserve Bank Act: it says "The amounts held in India in rupee coin." Can he call this paper a rupee coin?

The Honourable Sir Jeremy Raisman: The Honourable Member has a question down on this subject, I think, in a few days' time, in the answer to which I shall explain the position to him. I suggest that this is entirely irrelevant to the purpose of the present Bill.

Dr. Sir Ziauddin Ahmad: It does concern us here because in calculating these amounts they will have to show coin separately and notes separately. The banks ought clearly to be told

The Honourable Sir Jeremy Raisman: The term cash includes notes as well as coins, so that for the purpose of a minimum cash deposit it does not matter whether they are silver rupees or one-rupee notes or hundred-rupees notes or what they are.

Dr. Sir Ziauddin Ahmad: I am reading from the Reserve Bank Act:

"Every scheduled bank shall send to the Governor General in Council and to the Bank a return signed by two responsible officers of such bank showing:

- (a) the amounts of its demand and time liabilities, respectively, in India,
- (b) the total amount held in India in currency notes of the Government of India and bank notes,
- (c) the amounts held in India in rupee coin and subsidiary coin, respectively.

The Honourable Sir Jeremy Raisman: To make the point clear, by the Ordinance by which one-rupee notes were introduced, those notes were made, for the purposes of the Reserve Bank Act, equivalent to rupee coin, so that if a bank holds one-rupee notes, they are returned as rupee coin.

Dr. Sir Ziauddin Ahmad: By the Ordinance issued by the Government of India we should take for granted that this one-rupee note is really equivalent to silver coin,—a silver note. I thought that Parliament alone can do everything except making a man a woman or a woman a man: but I find that the Government of India by means of Ordinances can make silver into paper and paper into silver. I know that the Ordinance making power can be used for many things but I never thought that it could be used in this sense, and to make us believe that a paper rupee is really a silver rupee.

Coming to the point, I think it is very desirable that the Finance Member now or at some later stage should tell us very definitely what would be the effect of this change on some of these scheduled banks, especially those which have no connections in Europe. With these words I resume my seat.

The Honourable Sir Jeremy Raisman: Sir, I am afraid that I am not in a position to tell the Honourable Member exactly what would be the effect at the present time of this amendment. I can tell him this, that: very large numbers of non-scheduled Banks up and down the country have all along been subject to this penalty if they did not comply with the requirements of maintaining a minimum cash deposit, and that every sound Scheduled Bank should certainly maintain this minimum cash deposit, that it always was the intention, and it is obviously a very elementary requirement of sound banking that a cash deposit not less than this should be maintained by the Bank. I have already pointed out that if a Bank is in such a bad position that it is quite unable to provide this minimum cash deposit, then to allow it to go on trading and accepting further deposits is a much more serious danger than that of forcing it to come out in the open and be liquidated. That is the point which I would like the Honourable Member and this House to direct their attention upon, that if a Bank is quite unable to maintain this minimum cash deposit, then things are already so seriously wrong with it that it should not be allowed to continue because it accepts further deposits from trust funds and ignorant members of the public

Dr. Sir Ziauddin Ahmad: What about the panic which is now prevalent?

The Honourable Sir Jeremy Raisman: Well, Sir, the position is that of a patient who is already in a very dangerous condition—nothing that you can do can make him worse; and on the other hand, if you allow his condition to remain a secret while you yourself are aware of it, you may endanger

[Sir Jeremy Raisman.]

the lives of other healthy people. Is it or is it not your duty to see that the state of affairs is promptly terminated or brought to light and dealt with? That is all I have to say, Sir.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill further to amend the Reserve Bank of India Act, 1934, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That the Bill be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be passed."

The motion was adopted.

THE MOTOR SPIRIT (DUTIES) AMENDMENT BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move

"That the Bill further to amend the Motor Spirit (Duties) Act, 1917, be taken into consideration."

This Bill, although it appears to embody a somewhat formidable definition, is really of a very simple character. As Honourable Members are aware, power alcohol is now being manufactured in India, and it is used in admixture with ordinary petrol to form motor spirit. Legislation has already been passed in at least one province giving the Local Government power to make the admixture of power alcohol with petrol compulsory. Now, the position from the point of view of the motor spirit duty is this: As soon as the power alcohol is mixed with petrol, then the whole of that becomes motor spirit within the existing definition, and duty is payable already on the whole of that mixture; but the technical position is that until the power alcohol is mixed with the motor spirit, it is not liable to the motor spirit duty. That is an inconvenient position, because it would mean that the usual supervision that is exercised in order to prevent evasion of duty would have to be exercised in a large number of places where the mixing of the power alcohol with the petrol takes place. The object of this Bill is to remove that inconvenience by making the power alcohol liable to the motor spirit duty, immediately it is produced. That object is achieved by amending the definition of motor spirit so as to include power alcohol as well as the forms of motor spirit which were formerly more familiarly.

Sir H. P. Mody (Bombay Millowners' Association: Indian Commerce): Is power alcohol used for any other purpose?

The Honourable Sir Jeremy Raisman: No. Alcohol of a purity which is suitable for this purpose has to be denatured in order to comply with the provincial excise requirements, otherwise it would be alcohol which

could be drunk. If it is denatured in a manner which renders it unfit to be mixed with petrol, that would defeat the purpose, and so the main denaturant is petrol itself. A certain amount of petrol is put into power alcohol, and, as a matter of fact, when that is done, the power alcohol already immediately becomes liable to the duty, but in case any other denaturant were used, it would be possible to argue that the power alcohol was not liable to the Motor Spirit Duty at that stage.

Mr. F. E. James (Madras: European): What is a person liable to if he drinks power alcohol?

The Honourable Sir Jeremy Raisman: The object is to tighten the provisions with a view to that contingency. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill further to amend the Motor Spirit (Duties) Act, 1917, be taken into consideration."

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan): On a point of information, I wish to ask—whether Provincial Governments are entitled at the present moment to tax power alcohol?

The Honourable Sir Jeremy Raisman: As Dr. Banerjee is no doubt aware, as a result of the case which came before the Federal Court last year, a Sales Tax on motor spirit can be levied by a Provincial Government. The excise on motor spirit and on power alcohol will still, under the constitution, belong to the Centre.

Mr. F. E. James: What is the difference between an excise and a sales tax?

The Honourable Sir Jeremy Raisman: I would refer the Honourable Member to the judgment of the Federal Court.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill further to amend the Motor Spirit (Duties) Act, 1917, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That the Bill be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be passed."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Datta): Sir Jeremy Raisman.

The Honourable Sir Jeremy Raisman: In regard to the next motion* which is down in my name (No. 33), I find that there are several Members in this House who feel that the Bill requires some further study on their part and that they have not been able in the short time that it has been before them, to obtain full information on its effect and on its significance.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

In these circumstances, Sir, I do not wish to make the motion at this stage.

THE INDIAN MERCHANDISE MARKS (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): I beg to move:

"That the Bill further to amend the law relating to fraudulent marks on merchandise be referred to a Select Committee consisting of Sir Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr. J. D. Boyle, Dr. P. N. Banerjee, Rao Sahib N. Sivaraj, Sir Homy Mody, Mr. T. S. S. Pillay and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, the House will recall that during the last Budget Session it passed a Bill relating to trade marks which has since become law. This Bill is, in essence, a corollary to that measure, a corollary in more senses than one. In the first place, the same procedure which was adopted with reference to the eliciting of public opinion in regard to the Trade Marks Bill has also been adopted with reference to this measure. A special officer was appointed to make a report. That report was first circulated to Provincial Governments and commercial associations. A draft Bill was thereon framed. The draft Bill was similarly circulated to all commercial organisations, and with the mass of information before us and with the help of the views of Local Governments and commercial bodies, this Bill has been finally framed. A controversy also which was raging for over thirty years over the question whether the Merchandise Marks Act should be amended in particular directions is also proposed to be settled by this Bill which I have the honour of moving.

The last Merchandise Marks Act was passed in the year 1889, fifty years ago, and it closely corresponded to similar legislation which existed at the time in the United Kingdom. It provided for the protection of the consumer against misrepresentations in respect of goods purchased by him, for the safeguarding of the interests of the trading community by preventing goods manufactured by a particular person being passed off as goods manufactured by another person, and, lastly, for special protection to British and Indian traders by requiring foreign goods bearing their name or trade mark to be marked with a special counter indication of the country of origin. During these fifty years our trade has increased

*"That the Bill further to amend the Indian Income-tax Act, 1922, and to make certain transitory provisions with respect to the operation of that Act on the coming into force of Part II of the Indian Income-tax (Amendment) Act, 1939, be taken into consideration."

enormously in both directions. Our imports have grown not merely in volume but in variety. Our industries have developed and we are producing many more goods than we did in 1889. The commercial community, therefore, wants much greater protection to be afforded than has been possible under the Act of 1889, and the provisions embodied in the various clauses of this Bill seek in some measure to meet the wishes of the commercial community. In the first place, the definition of trade mark which was then based, as I said, on the United Kingdom Merchandise Marks Act, did give room to certain anomalies. Foreign trade marks were, in certain respects, placed in a more favourable position than Indian trade marks, because, if a foreign trade mark was merely registered but was not used in India, it still had the protection given to it under the Indian Penal Code. By the definition that we have adopted now by an amendment, through one of the clauses of this Bill, whereby the definition of a trade mark in the Indian Penal Code will be the same as the definition of a trade mark in the recently enacted Trade Marks Registration Act, that anomaly is sought to be removed. Secondly, with reference to the United Kingdom goods there is no need for an indication of the country of origin at all, and it has been a common complaint among the Indian traders that by the use of Indian names without a counter indication of the country of origin, the consuming public and the trading public were often misled into believing that the product was of an Indian origin. That anomaly also is sought to be removed. Thirdly, under clause 11 (a), a clear indication of the country of origin in cases where goods bore the name of a place similar to the one in the United Kingdom or British India is required and is extended to cover names in the Indian States also. Under these provisions the Government hope sounder footing and that there will be no room either with reference to the consuming public or the trading public, for that conscious or unconscious passing off which was still possible under the Indian Merchandise Marks Act of 1889. Sir, I move.

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

"That the Bill further to amend the law relating to fraudulent marks on merchandise be referred to a Select Committee consisting of Sir Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr. J. D. Boyle, Dr. P. N. Banerjee, Rao Sahib N. Sivaraj, Sir Homy Mody, Mr. T. S. S. Pillay and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The Chair understands that it is not necessary to meet tomorrow, and the Chair is asked to announce that the meeting for tomorrow is cancelled. We meet next Monday. The Assembly is adjourned till 11 o'clock on Monday.

The Assembly then adjourned till Eleven of the Clock on Monday, the 11th November, 1940.

LEGISLATIVE ASSEMBLY

Monday, 11th November, 1940

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

†34*—42*.

TRAINING OF INDIAN PILOTS AND MECHANICS FOR THE AIR FORCE.

43. *Mr. Lalchand Navalrai: (a) Will the Defence Secretary be pleased to state how many Indian pilots and mechanics have been trained in India by Government for the Air Force since the commencement of the war? At which places did they receive the training and at what cost?

(b) Do Government propose to train in India pilots and mechanics for the Air Force? If so, how many each year, and at which places will they get the training and on what terms?

(c) How much will be the cost of training each pilot, and who will bear the cost?

(d) Will these pilots and mechanics be trained for permanent purposes for the Air Force in India, or for the present war purposes only?

(e) Have Government received any applications from candidates for pilots and mechanics' training? If so, how many and from which nationalities?

Mr. C. M. G. Ogilvie: (a) and (b). Government are training Indian pilots and mechanics for the Indian Air Force. In order to provide a reserve of trained pilots and mechanics Government have arranged to train 300 pilots and 2,000 mechanics in one year under the Civil Aviation Training Scheme at Civil Flying Clubs and in addition 72 pilots and 327 mechanics have been or are being trained by the Air Force itself at service training schools in Risalpur, Ambala and Lahore. The Initial Flying Training School which has now been established will train 50 officers at a time.

(c) The cost will be approximately Rs. 4,300 for each pilot and 1,350 for each mechanic under the Civil Aviation Training Scheme and the cost of the more advanced training at Service Training Schools is approximately Rs. 16,000 for each pilot. This cost in each case will be borne by the Government of India.

(d) It is impossible at this stage to say what will happen after the war.

† For these questions and answers, see pages 283—97 of these debates.

(e) Yes, many thousands of initial applications and enquiries have been received. Approximately 18,000 for pilots and 38,000 for mechanics. 3,297 who appeared *prima facie* suitable returned completed application forms for recruitment as pilots, and 2,900 for recruitment as mechanics. A statement showing the origin of the candidates is laid on the table.

CIVIL AVIATION FLYING TRAINING SCHEME No. 2.

Statement showing the number of applications in the prescribed form received from the various provinces, and the number selected for interview at each centre.

Place of interview.	Name of Province.	No. of applications received.
New Delhi	Delhi	175 } 187
	Jaipur and Jodhpur	12 }
Karachi	Sind	38 }
Lahore	Punjab	867 }
	Punjab States	65 } 978
	N.-W. F. Province and Baluchistan	46 }
Lucknow	United Provinces	442 }
Patna	Bihar	155 }
Calcutta	Assam	54 } 526
	Bengal.	472 }
Cuttack	Orissa	12 }
Madras	Madras	367 } 526
	Madras States	159 }
Secunderabad	Hyderabad	13 }
Nagpur	Central Provinces	87 }
Bombay	Bombay	259 }
	Central India and Rajputana States.	49 } 333
	Bombay States	25 }
	Total	3,297

Mr. Lalchand Navalrai: With regard to clause (a), my question was how many Indian pilots have been actually trained—not how many have to be trained?

Mr. C. M. G. Ogilvie: My figures relate to those who have been or are being trained and in various stages of completion of training for the Indian Air Force.

Mr. Lalchand Navalrai: May I know how many have been trained up to this time?

Mr. C. M. G. Ogilvie: I shall require notice of that.

Mr. Lalchand Navalrai: The question is, how many up to now have been trained. Are they working or not?

Mr. C. M. G. Ogilvie: I have given the best answer I can.

Mr. Lalchand Navalrai: May I know if any has been sent to England for work?

Mr. C. M. G. Ogilvie: 24 have been sent to the United Kingdom, but their training is by no means complete.

Mr. Badri Dutt Pande: May I know how many training centres you have in India?

Mr. C. M. G. Ogilvie: There are training schools for the Air Force squadrons at Risalpur and Ambala and another one for initial training at Lahore.

Mr. Lalchand Navalrai: With reference to clause (d), may I know if these pilots and mechanics have been informed that they are not being trained for permanent purposes, but only for the purposes of the war, and that, after the war, they will have to go?

Mr. C. M. G. Ogilvie: Yes. Every one is now enlisted for the emergency only.

Mr. Lalchand Navalrai: May I know why they are not being taken permanently, so that we may have these men permanently?

Mr. C. M. G. Ogilvie: It is quite impossible to know what the permanent requirements will be after the war.

Mr. Lalchand Navalrai: If the pilots are being trained for permanent purposes, we can know that they will be useful hereafter?

Mr. C. M. G. Ogilvie: They will certainly be eligible for permanent commissions after the war.

Mr. Badri Dutt Pande: Are there any pilots who are in charge of squadrons?

Mr. C. M. G. Ogilvie: Yes, the Indian Air Force is under the command of an Indian squadron leader.

Mr. Badri Dutt Pande: How many Indian pilots are in charge of air squadrons?

Mr. C. M. G. Ogilvie: I shall require notice of that.

Pandit Lakshmi Kanta Maitra: What is the strength of the ground engineers at the present moment?

Mr. C. M. G. Ogilvie: 327.

Pandit Lakshmi Kanta Maitra: How many of these are Indians?

Mr. C. M. G. Ogilvie: All of them are Indians.

Mr. Lalchand Navalrai: With reference to clause (e), may I know how many pilots have been accepted and selected, and by whom?

Mr. O. M. G. Ogilvie: The Air Force have selected those for whom they had vacancies, and the remainder have been selected by the Director of Civil Aviation.

Mr. Muhammad Azhar Ali: Do Government propose to have these training centres in every province or not?

Mr. C. M. G. Ogilvie: Not at present.

Mr. T. S. Avinashilingam Chettiar: In view of the fact that these men have to serve in the Air Force in England, may I know whether any arrangement has been made by which the expenses of training them are met by the British revenues?

Mr. C. M. G. Ogilvie: The expenses of training all these 24 men are being met entirely by the United Kingdom.

Sardar Sant Singh: May I know whether in the list of these candidates Anglo-Indians have been shown separately or they have been included among Indians?

Mr. C. M. G. Ogilvie: I have got no separate figures for Anglo-Indians here.

Sardar Sant Singh: May I know if an overwhelming number of these are Anglo-Indians?

Mr. C. M. G. Ogilvie: No, Sir.

Sardar Sant Singh: Will the Honourable Member lay down the proportion of the Anglo-Indians to genuine Indians?

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member kindly inform us whether he can say what a genuine Indian is?

Sardar Sant Singh: I think the Honourable Member has been long enough here to know that.

Lieut.-Colonel Sir Henry Gidney: I do not know. I want you to tell me.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

ISSUE OF ONE RUPEE NOTES WITHOUT THE AGENCY OF THE RESERVE BANK OF INDIA.

44. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Finance Member please state whether it is not a fact that the Government of India issued one rupee notes directly and not through the Reserve Bank?

(b) Is such action not contrary to the provisions of the Reserve Bank of India Act?

(c) In case the issue of notes is a war expedient, do Government propose to modify the Act by an ordinance or amend the Act?

The Honourable Sir Jeremy Raisman: (a) Yes.

(b) and (c). The attention of the Honourable Member is invited to the Currency Ordinance, promulgated on the 24th July, 1940.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether this one rupee note is a note with a "promise to pay" or merely a paper promise?

The Honourable Sir Jeremy Raisman: It is a token coin.

Mr. Lalchand Navalrai: What is the backing of it?

The Honourable Sir Jeremy Raisman: The backing is the same as that behind the rest of our token coin.

Mr. Muhammad Nauman: Was this note printed before this war or printed during the war?

The Honourable Sir Jeremy Raisman: I would invite the Honourable Member's attention to the Press Communique which was issued at the time when these notes were first put out.

Mr. Manu Subedar: May I know what is the total amount issued by Government of the one rupee notes which are now current?

The Honourable Sir Jeremy Raisman: I am afraid I cannot give the Honourable Member that impromptu; I shall require notice.

Mr. Manu Subedar: May I know whether it is intended to withdraw these notes and issue notes of a bigger size and of more amenable or convenient use in the near future?

The Honourable Sir Jeremy Raisman: Yes, Sir, that is the intention.

Mr. Lalchand Navalrai: May I know if the backing of these paper notes is silver or sterling?

The Honourable Sir Jeremy Raisman: The question of backing does not arise in regard to a paper rupee; it is not a currency note.

Pandit Lakshmi Kanta Maitra: Is it not a fact that these notes had been printed long before the declaration of war, but were not put into circulation because it was thought that these notes were not suitable?

The Honourable Sir Jeremy Raisman: No, Sir. It is true they were printed a considerable time before the declaration of war, but the reason why they were not put into circulation was that the emergency for which they were prepared did not actually arise.

Mr. Manu Subedar: Have Government received complaints with regard to these notes that the working classes and the agriculturists find it difficult to take care of these notes and how they are either being mutilated or dropped down or spoilt by perspiration, and so on? Have Government received any complaints from district officers or the Reserve Bank on this subject?

The Honourable Sir Jeremy Raisman: Up to the present, these notes have not percolated very widely in rural areas, and in urban areas they have been received with satisfaction and have contributed greatly to the solution of an exceedingly inconvenient problem.

Mr. Manu Subedar: Are Government aware that the industrial employers everywhere in the country are much perturbed, and that the workmen are finding it difficult to carry these notes and to convert them, and has their attention been drawn to a letter in the *Statesman* sometime ago where it was stated that there was a discount on these notes in the Jamshedpur area?

The Honourable Sir Jeremy Raisman: I am not aware that these notes have gone to a discount anywhere. I am aware that the occasion on which they were issued was one in which great inconvenience was being felt by the general public because of the absence of a one-rupee coin or note, and that the issue of these notes did greatly relieve that embarrassing situation.

Maulana Zafar Ali Khan: Will the Honourable Member please tell us what is the number of traders who were actually prosecuted for having refused to cash currency notes?

The Honourable Sir Jeremy Raisman: I have not got that information in my head.

Mr. Badri Dutt Pande: Are Government aware that agriculturists and tenants find great difficulty in cashing these notes in rural areas?

The Honourable Sir Jeremy Raisman: No, Sir. I am not aware that these one-rupee notes to which I presume the Honourable Member refers come up against that particular difficulty.

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

RELAXATION OF THE FINANCIAL CONTROL OF THE GOVERNMENT OF INDIA OVER THE SUPPLY DEPARTMENT.

45. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Finance Member be pleased to state whether he gave sanction to all the new posts created by the Supply Department?

(b) Were he and his Department satisfied that the salaries demanded were not extravagant?

(c) Will the Honourable Member please state the reasons for excluding the Supply Department from the financial control which the Government of India are exercising over the expenditure of all Departments?

The Honourable Sir Jeremy Raisman: (a) Sanctions to new posts are accorded with the prior concurrence of the Finance Department, when such concurrence is required under the rules.

(b) Yes.

(c) The expenditure of the Supply Department is subject to the same financial control as expenditure of other Departments of the Government of India.

Mr. Manu Subedar: May I know whether, with regard to (b), these salaries were demanded by the parties engaged or whether they were offered by the Government?

The Honourable Sir Jeremy Raisman: I do not think it is appropriate to say that the salaries were demanded; the salaries were proposed by the Department after considering all the circumstances.

Dr. Sir Ziauddin Ahmad: May I know whether it is not a fact that the salaries in almost all cases except one were higher than the salaries which they were getting in their own Departments?

The Honourable Sir Jeremy Raisman: I do not think that that is correct, Sir.

Mr. K. Santhanam: May I know whether the cost of the Supply Department is being recouped by a small commission on supplies?

The Honourable Sir Jeremy Raisman: That was the position originally. I believe there has been some change in that respect, but I am not in a position to explain the exact position at this moment.

Mr. K. Santhanam: May I know what part of the cost of the Supply Department is being recouped at present by these commissions?

The Honourable Sir Jeremy Raisman: If the Honourable Member will put down a question, I shall endeavour to answer that.

Mr. Muhammad Nauman: May I know whether it is a fact that members of the mercantile community have been offering sometimes double the salaries what they were offered in those positions?

The Honourable Sir Jeremy Raisman: I am not aware of that.

Sir Cowasji Jehangir: I think I heard the Honourable Member to say that there were some of these posts for which higher salaries were given which were not under the control of the Finance Department of the Government of India.

The Honourable Sir Jeremy Raisman: I did not say that. It is the case that every Department of the Government enjoys a certain amount of financial discretion but that is very limited and it is so hedged about that for practical purposes it may be said that all the salaries of the Supply Department above a certain limit have been fixed with the concurrence of the Finance Department.

Sir Cowasji Jehangir: May I know whether in the case of all higher posts the sanction of the Finance Department was obtained or not?

The Honourable Sir Jeremy Raisman: Yes, Sir.

Mr. Lalchand Navalrai: May I know from the Honourable Member if it is a fact that all the higher posts have been given to non-Indians in the Supply Department?

The Honourable Sir Jeremy Raisman: That question should be addressed to my Honourable Colleague in charge of the Supply Department.

Sir Muhammad Yamin Khan: The Honourable Member said he is not aware of the fact that higher salaries had been given; will he then appoint a Committee of this House to go into these details and put the figures before him?

The Honourable Sir Jeremy Raisman: That is a simple question of fact which does not require a Committee for investigation.

Sir Muhammad Yamin Khan: Will he appoint a Committee to enlighten him as to whether this is a fact or not?

The Honourable Sir Jeremy Raisman: The Honourable Member asked me if I was aware of the fact of so and so, and I said I was not aware of that fact; in other words, I denied that it was a fact.

Mr. Manu Subedar: May I know whether the higher salaries were offered by Government to the Supply Department officers in order to get higher efficiency or higher honesty?

The Honourable Sir Jeremy Raisman: The salaries which were proposed were the salaries which were considered appropriate to the circumstances of the case.

Mr. M. Thirumala Rao: May I know if the Honourable Member's attention was drawn to the Press comment that there is jobbery going on in this Department?

The Honourable Sir Jeremy Raisman: That does not arise.

Mr. Sri Prakasa: Would these extra salaries be regarded as excess profits under the Excess Profits tax? (Laughter.).

The Honourable Sir Jeremy Raisman: No, Sir.

Mr. Sri Prakasa: I only heard the laughter of the House, but not the reply to my question.

The Honourable Sir Jeremy Raisman: I did reply; I said that the salaries were not subject to the excess profits tax.

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

STEPS FOR THE DEFENCE OF INDIA.

46. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Defence Secretary give a brief resume of the present state of war?

(b) In view of the reported attacks on India, as published in the *Statesman* of the 29th October, 1940, will the Defence Secretary be pleased to state what steps the Government of India are now taking for the defence of the country?

Mr. C. M. G. Ogilvie: (a) and (b). A statement is being prepared and will be laid on the table in due course.

Sardar Sant Singh: Will it be after the termination of the war?

Mr. C. M. G. Ogilvie: Not unless the war ends very quickly.

Maulvi Abdur Rasheed Chaudhury: May I know whether, in view of the fact that Assam and Bengal are within bombing distance of Japanese aeroplanes, Government are alive to that danger, and what steps they are taking towards that end for the defence of Bengal and Assam?

Mr. C. M. G. Ogilvie: I submit that this question does not arise.

Pandit Lakshmi Kanta Maitra: In view of the fact that India is a belligerent country in this war, do not Government think it necessary that a full statement on the position of the war should be laid on the table of this House so that Honourable Members may know how matters stand?

Mr. C. M. G. Ogilvie: All I have said is that I am prepared to have such a statement prepared for the information of the Members of the House and if, from time to time, they would like to have further statements, I would do my best to meet their wishes.

Mr. Muhammad Nauman: Is it not the practice of the Mother Parliament to place before the Members of the House of Commons a weekly or fortnightly report? When we are considered to be the partners of the war, we have a right to know what the actual position is.

Mr. C. M. G. Ogilvie: Not so far as I know.

Pandit Lakshmi Kanta Maitra: In view of the fact that even in the House of Commons the Premier has been giving regular statements of the position of the war, do not Government think it desirable to take the Assembly into their confidence at least when it is in Session and let it know what the actual position of the war is?

Mr. C. M. G. Ogilvie: No, Sir. I should have thought that my answer to the question was a sufficient reply to that, namely, that a statement is being prepared.

Pandit Lakshmi Kanta Maitra: Do I understand the Honourable Member to say that a statement will be prepared and laid on the table of the House only when it suits their purposes or when it is convenient to them? What I want to know is this. Now that the Assembly will be in Session for another week or so, will the Honourable Member give an undertaking that before the Session closes he will be able to place on the table of the House a statement showing the actual position of the war?

Mr. C. M. G. Ogilvie: It will be laid on the table of the House before the termination of this Session.

Mr. Badri Dutt Pande: May I know from the Leader of the House if it is the intention of the Government to call for all the details that are given in England to the Members of the House of Commons so that we may know what steps you are taking for the defence or offence of India? It is a very important question and I want an answer.

Mr. President (The Honourable Sir Abdur Rahim): It is not the day for the Leader of the House to answer questions.

Sardar Sant Singh: May I ask the Honourable Member if the Defence Department as such has been taken into confidence as to the actual state of war so far as it relates to India? If it is so, what is the difficulty in not informing the House as to the present state of those conditions relating to the war?

Mr. C. M. G. Ogilvie: Sir, I fail to see what complaint the Honourable Member can have in my answer, which is, that I am prepared to do as I am asked. Such a statement, if it is to be of any value or interest

to the Members of the House, must be prepared with care and it requires contributions of a number of experts, all of whom are extremely busy men. As soon, however, as it can be properly put together, it will be laid before the House.

Pandit Lakshmi Kanta Maitra: Do I understand the Honourable Member to say that to make a statement about the actual state of things as they prevail at present, expert advice is necessary?

Mr. C. M. G. Ogilvie: War is a complicated business.

Mr. Lalchand Navalrai: May I ask if the Honourable Member is unable to give a summary of the things relating to war?

Mr. C. M. G. Ogilvie: I should think that the Honourable Member must know that perfectly well for himself.

Mr. Manu Subedar: May I ask if the Government regard this House only as a place where they can come and ask for money, and that it is not the place where they are bound constitutionally to place full details of the war which they are carrying on?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech.

Mr. Sri Prakasa: Is it not a fact that the defence of the country is completely and absolutely assured by the working of the Defence of India Act and the Rules thereunder?

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

DESIRABILITY OF ENLARGING THE APPELLATE JURISDICTION OF THE FEDERAL COURT.

47. ***Dr. P. N. Banerjee:** (a) Will the Honourable the Home Member please state whether the attention of Government has been drawn to the decision of the Judicial Committee of the Privy Council in *Horiram Singh versus King-Emperor* reported in the *All India Reporter* 1940 Privy Council 54, which makes the appellate decisions of the Federal Court final for all practical purposes?

(b) Are Government aware that important questions of constitutional law have been raised in appeals in the Federal Court whose decisions are practically final according to the Privy Council ruling?

(c) Do Government propose to remove the anomaly that, while practically final decisions are given by the Federal Court in appeals involving important questions of constitutional law, appeals under ordinary civil law must be taken to a higher tribunal, namely, the Judicial Committee of the Privy Council? If so, how?

(d) Are Government aware of the dissatisfaction among the litigant public that there should be two forums for final appeals, and that while a few can get their appeals decided in India, others are forced to go to England?

(e) Are Government prepared to consider the advisability of bringing into operation section 206 of the Government of India Act, 1935, and

investing the Federal Court with the powers permissible under that section with the least possible delay?

The Honourable Sir Reginald Maxwell: (a) to (e). I do not think that the Honourable Member has rightly interpreted the Privy Council decision to which he refers, but the question of the extension of the Federal Court's jurisdiction is certainly an important one and is at present receiving the careful consideration of the Government of India.

Dr. P. N. Banerjee: Are Government aware that on account of the difficulties in communication due to the war it is extremely difficult to take appeals to the Privy Council, and that even if appeals are taken to the Privy Council, it is difficult to manage these appeals there by keeping in touch with the lawyers?

The Honourable Sir Reginald Maxwell: Government have not received any complaints on that score, but, in so far as that is likely to be the case, the probability is being taken into consideration.

Pandit Lakshmi Kanta Maitra: May I ask if the opinions of the different High Courts were obtained on this question of the expansion of the powers of the Federal Court?

The Honourable Sir Reginald Maxwell: Yes, Sir; the opinions of the High Courts were received through the Provincial Governments.

Pandit Lakshmi Kanta Maitra: May I ask if the Honourable Member is going to lay on the table of the House the opinions received by him on this question?

The Honourable Sir Reginald Maxwell: No, Sir.

Pandit Lakshmi Kanta Maitra: May I know the reason why?

The Honourable Sir Reginald Maxwell: It is not usual to lay on the table of the House the correspondence leading up to a decision of the Government on a matter which is under consideration.

Pandit Lakshmi Kanta Maitra: I am only asking for the opinions as expressed by the different High Courts in India upon this specific question. I do not want any correspondence to be laid on the table of the House.

The Honourable Sir Reginald Maxwell: I have said that opinions received through official channels are not usually laid before the House.

TRANSFERRED STARRED QUESTIONS AND ANSWERS.†

PENSIONS OR GRATUITIES GRANTED TO GOVERNMENT EMPLOYEES AT THE KAMARAN QUARANTINE STATION.

34. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** (a) Will the Secretary for Education, Health and Lands please state when the Government of India assumed control over Kamaran Island?

†The meeting of the Assembly that was to be held on the 9th November, 1940, having been cancelled, the answers to starred questions for that day were, in pursuance of convention, laid on the table of the House today.—*Ed. of D.*

(b) How many employees of the Quarantine and Civil Administrations of Kamaran have been granted pensions or gratuities for ten years' service or more?

(c) Was there any condition in their contract or letter of appointment that they would be given pension or gratuity?

(d) How many employees of Kamaran who have rendered more than ten years' service, have not been given a pension or gratuity? If there are any such persons, will their cases be reconsidered on the analogy of those who have got such concessions?

Mr. J. D. Tyson: (a) The Government of India assumed control of the Island of Kamaran in 1915.

(b) to (d). The information is being collected and will be supplied to the Honourable Member in due course.

PROPAGANDA AND EXPENDITURE THEREON BY THE PORT HAJ COMMITTEES.

35. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Secretary for Education, Health and Lands please state whether it is one of the statutory duties of the Port Haj Committees to collect and disseminate information useful to pilgrims?

(b) If the answer to part (a) be in the affirmative, how much money was spent by each Committee in 1938-39 and 1939-40 on publicity?

(c) What amount was spent by each Committee on press advertisements, and in which papers were advertisements published?

(d) Will the Secretary for Education, Health and Lands, kindly place on the table of the House a copy of the literature issued by Port Haj Committees during the years referred to above for the information of pilgrims?

Mr. J. D. Tyson: (a) Yes.

(b) A statement is laid on the table.

(c) No expenditure was incurred. Certain newspapers published advertisements free of cost, and in addition many newspapers included in their news-columns items containing information of value to pilgrims.

(d) A list of the publications issued by the Port Haj Committees is laid on the table and copies of the publications with the exception of one Guide Book which is out of print have been placed in the Library of the House.

Amount spent on publicity by Port Haj Committees.

	1938-39	1939-40.
	Rs.	Rs.
Port Haj Committee, Bombay		260
" " Calcutta	808	679/13
" " Karachi	Nil	Nil

List of publications.

1. Manual of Instructions for pilgrims to the Hejaz (English and Urdu editions of 1938).
2. Supplements to the above manual.
3. A notice (English and Urdu).
4. 'Hejazer Pathe'.

CREATION OF THE SUPPLY DEPARTMENT AND ITS FUNCTIONS AND WORKING.

36. *Mr. Lalchand Navalrai: (a) Will the Honourable the Leader of the House be pleased to state when the Supply Department was created by the Government and whether the Central Assembly was consulted? If so, when?

(b) How much money has been spent on purchases for purposes of war up to now?

(c) Is the Department created for purposes of war only, or is it dealing also with the purchases for other purposes of the Government of India?

(d) How are the purchases made, by tenders or otherwise, and are they given to the lowest tenderer? If not, why not?

(e) Is this Department subsidising or giving contributions to any commercial or industrial concerns in India or abroad in order to encourage them to increase their output for purposes of war? If so, to which and who bears that cost?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Department of Supply was created on the 26th August, 1939. The Central Assembly was not consulted.

(b) The total value of orders from all sources for civil and war purposes placed by the two Purchasing Organizations under the administrative control of the Department of Supply from the beginning of the war up to the end of September amounts to Rs. 56½ crores approximately. In addition to this, the Timber Directorate of the Supply Department had by the end of October of this year placed orders for timber worth over Rs. one crore.

(c) The function of the Department is to procure supplies of all kinds required for the prosecution of the war. Other demands which were in the past dealt with by the Indian Stores Department and the Contracts Directorate are still being received by them direct and disposed of as before. These two organizations have been placed under the administrative control of the Department of Supply and this arrangement will continue for the duration of the war.

(d) I would draw the Honourable Member's attention to the answer given by me to part (e) of Mr. Muhammad Nauman's starred question No. 413 on the 18th March, 1940.

(e) Only in one case has a subsidy been given to a firm to start the manufacture of a certain article. There have, however, been some cases in which Government have agreed to finance the erection of plant to be operated on their behalf by commercial concerns.

THE CONTINUING FIRE IN THE COALFIELD IN SUDAMDIH AREA COLLIERY.

37. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Labour Member please state whether it is not a fact that the coal-field in Sudamdih area colliery caught fire in 1918?

(b) Was that colliery worked by Messrs. Andrew Yule and Company Limited?

(c) What action did they take to extinguish the fire?

(d) Is it not a fact that the fire is still going on?

(e) Have Government estimated the loss of national wealth?

(f) Is it not a fact that the amount of coal that has already been burnt is 200 million tons?

(g) What action do Government now propose to take?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) There are two collieries in Sudamdih mouza: (1) The Empire Coal Company's Sudamdih colliery, and (2) The Sudamdih Coal Company's Sudamdih colliery. Fire broke out in the former colliery in 1916 and spread towards the latter colliery and in September, 1921, smoke issued from one of its inclines.

(b) Messrs. Andrew Yule and Company Limited were the Managing Agents of the Sudamdih Coal Company.

(c) It was not possible to take any steps to extinguish the fire in the two collieries in question although steps were taken to prevent its spreading from the former colliery to the latter colliery.

(d) The fire is not now active.

(e) No.

(f) No. The quantity lost could not possibly be more than a few million tons. The total quantity of coal lost by fires and collapses in both the Jharia and Raniganj coalfields up to the end of 1936 was about 51 million tons.

(g) It is for the present owners to decide what action should be taken.

RESPONSIBILITY OF THE MANAGER IN RESPECT OF THE COAL-MINE DISASTER AT KURHURVARI.

38. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Labour Member please state whether it is not a fact that in the coal-mine disaster at Kurhurvari (Joktiabad) fifty-two persons were killed on account of the accident?

(b) Is it not a fact that the Manager was not absolved by the inquiry committee?

(c) What was the verdict of the inquiry committee about him?

(d) Is it not a fact that he was transferred to a post carrying higher salary?

(e) Is it not a fact that he was brought back again to the same place at a higher salary?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) 62 persons were killed in the accident.

(b) and (c). The Court of Inquiry appointed under section 21 of the Indian Mines Act, 1923, to inquire into the accident observed that they could not absolve the management from the major responsibility in the matter. A subsequent Court of Inquiry appointed by the then Local Government of Bihar under regulation 48 of the Indian Coal Mines Regulations, 1926, came to the conclusion that certain charges had been proved against the Manager of the Kurhurbaree Colliery. Neither of the Courts recommended any action against him.

(d) No, when he became ineligible to hold charge of a colliery owing to the suspension of his certificate by the Government of Bihar, he was appointed to a post carrying a lower scale of pay and given the lower pay.

(e) When the order suspending his certificate was cancelled, he was reposted as Colliery Manager and granted the rate of pay he was entitled to before his certificate was suspended.

PLAYING OF MUSIC THROUGH LOUD SPEAKERS DURING PRAYER TIME AT DELHI.

39. *Dr. Sir Ziauddin Ahmad: (a) Will the Education Secretary please state whether the attention of Government has been drawn to the loud-speakers fixed up in Delhi town at all public places?

(b) Has the attention of Government been drawn to the fact that these loud-speakers play music at the time of prayers, and especially *Jumma* prayers?

(c) Who has installed these loud-speakers?

(d) Who is the person who draws up the programme for these loud-speakers?

(e) Are Government prepared to issue instructions to the authorities concerned not to work these loud-speakers at prayer times and particularly at *Jumma* and *Maghrib* prayers?

Mr. J. D. Tyson: The question should have been addressed to the Honourable the Home Member.

CONTRACTORS FOR THE WAR PURCHASES.

40. *Dr. Sir Ziauddin Ahmad: Will the Honourable the Leader of the House lay a detailed statement before the House giving the names of persons to whom the contracts were given with the amount by all the departments connected with war purchases?

The Honourable Sir Muhammad Zafrullah Khan: I would refer the Honourable Member to the answer given to part (c) of Mr. Muhammad Nauman's starred question No. 413 on the 18th March, 1940, and to the answers given to the supplementary questions that followed.

RECRUITMENT, COMMUNAL COMPOSITION, SALARIES, ETC., OF CERTAIN STAFF IN THE SUPPLY DEPARTMENT AND ALLIED OFFICES.

41. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Leader of the House please state the number of persons drawing more than Rs. 800

per mensem in the Supply Department including its allied offices, such as, the Indian Stores Department and the Director of Contracts?

(b) How many of these are European?

(c) Will Government please state in each case the salary which they were drawing before appointment in the Supply Department and the salary which they are now drawing?

(d) Are these appointments made after duly advertising the posts and a regular selection by the Federal Public Service Commission or the Departmental committee?

(e) If the answer to the above be in the negative, will Government be pleased to state the method of recruitment?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). I place on the table a statement giving the required information.

(d) No.

(e) Appointments to Gazetted posts, other than Secretariat posts held by members of the Indian Civil Service, are made on an *ad hoc* basis and selection is made having regard to the qualifications necessary for the work to be done.

Statement showing the information in connection with Assembly Question No. 41 regarding number of persons drawing more than Rs. 800 per mensem in the Supply Department.

(This statement does not include Military personnel transferred to the Supply Department with their own posts which they continue to hold.)

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
	<i>Department of Supply.</i>				
1	The Honourable Mr. H. Dow, C.S.I., C.I.E., I.C.S., Vice-President, War Supply Board.	European	Rs. 4,000 p. m. as Secretary, Commerce Department.	Rs. 5,000 P. m.	
2	Mr. E. M. Jenkins, C.I.E., I.C.S., Secretary.	Do.	Rs. 3,000 plus £13-6-8 O. S. P.	Rs. 3,000 plus £13-6-8 O. S. P.	
3	Mr. Ghulam Mohammad, Controller General of Purchase.	Indian	Rs. 3,000 as Chief Controller of Stores, Indian Stores Department.	Rs. 3,000 P. m.	
4	Mr. S. H. Y. Oulnam, I.C.S., Joint Secretary.	European	Rs. 2,450 plus £30 O. S. P. as Offg. Deputy Secretary, Education, Health and Lands Department.	Rs. 3,000 p. m. plus £13-6-8 O. S. P. (Normal pay of Joint Secretary to the Government of India).	
5	Mr. J. A. Mackeown, I.C.S., Deputy Secretary.	Do.	Rs. 1,700 in the senior time scale of the I. C. S. plus Rs. 400 S. P. plus £30 O. S. P. as Deputy Secretary, Legislative Department.	Rs. 1,800 in the senior time scale of the I. C. S. plus Rs. 400 S. P. plus £30 O. S. P. (increase due to normal increments).	

TRANSFERRED STARRED QUESTIONS AND ANSWERS

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
	<i>Department of Supply—contd.</i>				
6	Mr. M. Ikramullah, I.C.S., Deputy Secretary.	Indian	Rs. 1,500 as Deputy Indian Trade Commissioner, London (Free of Income-tax).	Rs. 1,500 plus Rs. 400 S. P. Senior time scale of I. C. S. plus the allowance given to Deputy Secretaries.	
7	Mr. H. M. Patel, I.C.S., Deputy Secretary.	Do.	Rs. 1,500 as Deputy Indian Trade Commissioner, London, plus £250 per annum. (Free of Income tax).	Ditto.	
8	Mr. S. Bhoothalingam, I.C.S., Under Secretary.	Do.	Rs. 1,200 as Sub-Collector and Joint Magistrate, Madanapalle Division, Chittoor District, Madras.	Rs. 1,200 plus Rs. 150 S. P. (Normal allowance of Under Secretary to the Government of India).	
9	Rai Sahib Dip Chand, Under Secretary.	Do.	Rs. 1,000 as Administrative Officer, Office of the Controller of Broadcasting, All-India Radio.	Rs. 1,200.	
10	Mr. G. Corley-Smith, Under Secretary.	European	Rs. 1,400 as Assistant Collector of Customs, Bombay.	Pay not yet determined.	
11	Mr. J. Byrne, Assistant Secretary.	Do.	Rs. 580 in the scale of Rs. 500—40—700 plus Rs. 100 S. P.	Rs. 1,050 in the scale of Rs. 1,000—50—1,250.	
12	Lieut.-Col. T. H. Batye, Director of Statistics.	Do.	Rs. 1,325 plus pension.	Rs. 1,325 plus pension.	
13	Major E. C. Ormond, Director of Indents, Directorate General of Supply.	Do.	Recruited from Civil Life.	Rs. 1,530.	
1	Colonel E. Wood, M.C., Director General, Supply.	European	Rs. 2,070 p. m. as Officer Commanding, 2/7th Rajput Regiment.	Rs. 3,000 plus £13-6-8 O. S. P.	
2	Mr. R. W. Targett, Deputy Director General, Supply.	Do.	Rs. 3,200 p. m. in scale of Rs. 3,000—100—3,500 as Chief Controller of Stores, Indian Stores Department.	Rs. 3,500 p. m.	
3	Mr. L. Mason, C.I.E., O.B.E., M.C., I.F.S., Deputy Director General, Supply.	Do.	Rs. 3,250 as Inspector General of Forests and President, Forests Research Institute, Dehra Dun.	Rs. 3,000 p. m.	
4	Mr. D. M. Passmore, Director of Textiles.	Do.	Recruited from business.	Rs. 2,250 p. m.	
5	Mr. D. Stewart, O.B.E., I.F.S., Director of Timber.	Do.	Rs. 1,750 plus £13-6-8 O. S. P. as Joint Timber Advisory Officer, Railway Board.	Rs. 1,950 plus £13-6-8 O. S. P.	
6	Mr. A. E. Hampson, Director of Miscellaneous Stores.	Do.	Recruited from business.	Rs. 1,500 p. m.	

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
	<i>Directorate General of Supply—contd.</i>				
7	Mr. P. R. Crerar, Director, Chemicals.	European	Rs. 1,200 p. m. in scale of Rs. 1,200—100—1,600 as Assistant Civilian Technical Officer, Office of the Late P. S. O. C. (India).	Rs. 1,500 p. m. (fixed).	
8	Mr. C. T. G. Hooper, Director, Co-ordination.	Do.	Recruited from business.	Rs. 1,500.	
9	Mr. W. E. Flewett, Deputy Director, Timber.	Do.	Rs. 1,350 plus Rs. 300 S. P., and £30 O. S. P. as Joint Timber Advisory Officer, Railway Board.	Rs. 1,750 plus Rs. 300 S. P.	
10	Mr. J. Walker, I.F.S., Deputy Director, Timber.	Do.	Rs. 1,250 plus £30 O. S. P. as Divisional Forest Officer, Working Plans, Belgium.	Rs. 1,250 plus Rs. 250 S. P. and £30 O. S. P.	
11	Mr. Lloyd Knibb, Assistant Director of Textiles.	Do.	Recruited from business.	Rs. 900 p. m.	
12	Mr. P. N. Suri, Assistant Director of Timber.	Indian	Rs. 750 in the scale of Rs. 250—25—550—750. Belongs to Punjab Forest Service.	Rs. 750 in the scale of Rs. 250—25—550—750 plus Rs. 150 S. P.	
13	Rai Sahib Bishamber Dass, Assistant Director of Miscellaneous Stores.	Do.	Rs. 1,000 as Offg. Assistant Financial Adviser, Military Finance Department.	Rs. 800 plus Rs. 200 S. P.	
14	Mr. V. S. Kuppuswamy, Officer on Special Duty.	Do.	Rs. 1,100 in the scale of Rs. 575 to Rs. 1,350 as Deputy Conservator of Forest attached to the Utilisation Division, Madras.	Rs. 1,100 in the scale of Rs. 575 to Rs. 1,350 plus Rs. 150 S. P.	
	<i>Office of the Director General, Munitions Production.</i>				
1	Sir Guthrie Russell, K.C.I.E., Director General, Munitions Production.	European	Rs. 5,000 . . .	Rs. 5,000.	
2	Mr. S. R. Zaman, I.C.S., Deputy Secretary to the Government of India, Supply Department.	Indian	Rs. 2,050 . . .	Rs. 2,050 plus Rs. 400 special pay.	Ordinary scale applicable to Deputy Secretaries in Government of India Secretariat
3	Mr. F. H. T. Ward, Assistant Secretary to the Government of India, Supply Department.	European	Rs. 800 . . .	Rs. 1,000 . . .	Minimum pay of Assistant Secretary's scale.
4	Mr. G. S. Butler, C.I.E., Deputy Director General, Armaments Production.	Do.	Rs. 2,350 plus £13-6-8 overseas pay.	Rs. 2,750.	
5	Mr. H. I. Matthews, Co-ordination Officer.	Do.	Rs. 1,750 plus £30 O. S. pay.	Rs. 1,750 plus £30 O. S. pay.	

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
	<i>Office of the Director General, Munitions Production—contd.</i>				
6	Major W. J. K. Viney, Assistant Co-ordination Officer.	European	Rs. 1,530 . . .	Rs. 1,530.	
7	Mr. N. Hackney, Development Officer.	Do.	Rs. 1,375 plus £30 O. S. P.	Rs. 1,375 plus £30 O. S. P.	
8	Mr. K. H. T. Gilbertson, C. E. A. to D. O. F.	Do.	Rs. 1,350 plus £30 O. S. P.	Rs. 1,350 plus £30 O. S. P.	
9	Mr. A. D. McClancy, A. C. E. A. to the D. O. F.	Do.	Rs. 700 plus £25 O. S. P.	Rs. 700 plus £25 O. S. P.	
10	Mr. Madhusudan Singh, Officer Supervisor.	Indian	Rs. 900 . . .	Rs. 900.	
11	Mr. W. L. D. Martyn, Officer on Special Duty.	European	Rs. 1,025 plus £30 O. S. P.	Rs. 1,025 plus £30 O. S. P.	
12	Mr. R. C. Case, Director Civil Production.	Do.	Rs. 2,750 plus £13-6-8 O. S. P.	Rs. 2,750 plus £13-6-8 O. S. P.	
13	Mr. R. K. Innes, Deputy Director, Civil Production.	Do.	Rs. 1,350 plus £30 O. S. P.	Rs. 1,350 plus £30 O. S. P.	
14	Mr. J. B. Durning, Assistant Director of Civil Production.	Do.	Rs. 1,250 plus £30 O. S. P.	Rs. 1,350 plus £30 O. S. P.	
15	Mr. R. C. Frain, Industrial Planning Officer.	Do.	Rs. 1,250 plus £30 O. S. P.	Rs. 1,250 plus £30 O. S. P.	
16	Mr. F. A. Scott, Industrial Planning Officer.	Do.	Rs. 950 plus £30 O. S. P.	Rs. 950 plus £30 O. S. P.	
17	Major G. B. Vinycomb, Assistant I. P. O.	Do.	Rs. 1,530 . . .	Rs. 1,530.	
18	Col. F. B. Piggot, Chief Engineer, Factories.	Do.	Rs. 2,260 . . .	Rs. 2,305.	
19	Capt. I. H. F. Boyd, R.E., Staff Officer, R.E. (II).	Do.	Rs. 1,195 . . .	Rs. 1,195.	
20	Mr. F. G. S. Martin, M.C., Deputy Director General, Engineering.	Do.	Rs. 2,750 plus £13-6-8 O. S. P.	Rs. 2,750 plus £13-6-8 O. S. P.	
21	Mr. J. Humphries, Director Engineering.	Do.	Rs. 2,500 plus £13-6-8 O. S. P.	Rs. 2,500 plus £13-6-8 O. S. P.	
22	Mr. R. A. MacGregor, Director Metals.	Do.	Rs. 2,350 . . .	Rs. 2,350.	
23	Mr. H. Sparrow, Deputy Director Eng. (Mech.).	Do.	Rs. 1,025 plus £30 O. S. P.	Rs. 1,275 plus £30 O. S. P.	
24	Major L. G. Sillar, Deputy Director, Engineering (Elect.).	Do.	Rs. 1,630 . . .	Rs. 1,530.	
25	Mr. P. C. Mukerjee, Deputy Director Engineering (Civil).	Indian	Rs. 1,025 . . .	Rs. 1,025.	

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
	<i>Office of the Director General, Munitions Production—concl.</i>				
26	Engr. Commr. J. Beggs, Director of Shipbuilding.	European	Rs. 1,830 . .	Rs. 1,830.	
27	Mr. J. M. Smith, A.I.P.O.	Do.	£1,000 p. a. . .	Rs. 1,000 . .	Emoluments in private employment before joining present post.
28	Mr. A. D. Wilks, A.I.P.O.	Do.	Rs. 600 plus £25 O. S. P.	Rs. 600 plus £25 O. S. P.	
29	Mr. J. Aitken, A.I.P.O.	Do.	Rs. 600 plus £25 O. S. P.	Rs. 600 plus £25 O. S. P.	
30	Mr. G. Richards, A.I.P.O.	Do.	Rs. 950 . . .	Under considera- tion.	
31	Mr. G. C. Mills, Deputy Director Metals.	Do.	Rs. 1,350 plus £30 O. S. P.	Rs. 1,350 plus £30 O. S. P.	
32	Mr. J. Oswald, Assistant Director Progress.	Do.	Rs. 1,600 . . .	Rs. 1,000 . . .	Emoluments in private employment before joining present post.
	<i>Indian Stores Department.</i>				
1	Mr. H. Sur, Officiating Chief Controller of Stores.	Indian	Rs. 2,500 . . .	Rs. 2,800 minus pension admissible to him.	The ordinary scale of pay of C. C., 1. S. D. is Rs. 3,000—100—3,500.
2	Mr. H. F. Davy, Deputy Chief Controller of Stores.	European	Rs. 2,450 plus £13-6-8.	Rs. 2,750 plus £13-6-8.	Increase due to promotion to a higher scale.
3	R. B. Kirpa Ram, Deputy Director of Administration and Intelligence.	Indian	Rs. 1,725 . . .	Rs. 1,800 (on leave)	Increase due to usual annual increments earned in sanctioned scale of pay.
4	Rao Sahib V. Subrahmanyan, Assistant Director of Administration and Intelligence.	Do.	Rs. 1,100 . . .	Rs. 1,150 . . .	Do.
5	Mr. M. Hashim, Officer on Special Duty (Admn.).	Do.	Rs. 950 . . .	Rs. 950 plus Rs. 150 S. P.	
6	Mr. A. N. Banerjee, Assistant Director of Administration.	Do.	Rs. 800 . . .	Rs. 1,000 . .	Minimum pay of the sanctioned scale of Assistant Director Administration and Intelligence.
7	R. B. D. Sadasivam, Offg. Director of Purchase.	Do.	Rs. 2,000 . . .	Rs. 2,000 . . .	
8	Mr. G. T. Thadani, Offg. Director of Purchase.	Do.	Rs. 1,725 . . .	Rs. 2,000 . . .	Increase due to promotion to higher class.
9	Mr. K. K. Bose, Deputy Director of Purchase.	Do.	Rs. 1,800 . . .	Rs. 1,800 . . .	...
10	R. B. D. N. Chatterjee, Offg. Deputy Director of Purchase.	Do.	Rs. 1,575 . . .	Rs. 1,575 . . .	...

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
	<i>Indian Stores Department—contd.</i>				
11	Mr. D. W. Lewis, Offg. Deputy Director of Purchase.	Indian	Rs. 1,600 . . .	Rs. 1,575 . . .	Increase due to usual annual increments earned in sanctioned scale of pay.
12	Mr. J. Munro, Senior Purchase Officer.	European	Rs. 1,150 . . .	Rs. 1,350 . . .	Increase due to promotion to higher class.
13	Mr. K. C. Pakraai, Controller of Purchase, Karachi.	Indian	Rs. 1,200 . . .	Rs. 1,200 . . .	...
14	Mr. R. P. Mathur, Controller of Purchase, Bombay.	Do.	Rs. 1,150 . . .	Rs. 1,150 . . .	...
15	Mr. T. P. Barot, Assistant Director of Purchase.	Do.	Rs. 650 . . .	Rs. 1,000 . . .	Increase due to promotion to higher class.
16	Mr. P. G. Bhagat, Officer on Special Duty (Mechanisation).	Do.	Rs. 1,000 . . .	Rs. 1,000 . . .	...
17	Mr. E. Dixon, Deputy Controller of Jute (Purchase).	European	Rs. 1,150 plus Rs. 150 S. P.	Rs. 1,150 plus Rs. 150 S. P.	...
18	Mr. A. K. Malik, Officer on Special Duty (Tents).	Indian	...	...	*He draws grade pay plus Special pay of Rs. 300 P.M.
19	Mr. N. M. Adyanthaya, Purchase Officer, Madras.	Do.	Rs. 900 . . .	Rs. 1,000 . . .	Increase due to promotion to higher class.
20	K. B. A. G. Khan, Offg. Director of Inspection.	Do.	Rs. 1,750 P. P. Rs. 150.	Rs. 2,250 . . .	Do.
21	Mr. E. G. Arbery, Controller of Inspection (Metallurgical).	European	Rs. 1,250 . . .	Rs. 1,500 . . .	Do.
22	Mr. R. G. Burt, Offg. Controller of Inspection, Calcutta.	Do.	Rs. 1,250 plus S. P. Rs. 100.	Rs. 1,350 plus S. P. Rs. 100.	Increase due to usual annual increments earned in sanctioned scale of pay.
23	Mr. A. V. Humby, Assistant Controller of Inspection.	Do.	Rs. 1,200 S. P. 150.	Rs. 1,200 . . .	...
24	Mr. P. Hinde, Offg. Deputy Metallurgical Inspector.	Do.	Rs. 1,200 S. P. 50	Rs. 1,250 . . .	...
25	Mr. B. N. Datta, Assistant Controller of Inspection.	Indian	Rs. 1,200 . . .	Rs. 1,200 . . .	...
26	Mr. J. B. Glass, Offg. Deputy Director of Inspection.	European	Rs. 1,200 . . .	Rs. 1,250 . . .	Increase due to promotion to higher class.
27	Mr. E. D. V. Ellison, Controller of Inspection, Bombay.	Indian	Rs. 1,150 . . .	Rs. 1,200 S. P. 150	Increase due to usual annual increments earned in sanctioned scale of pay. The S. P. is attached to the post.

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
28	<i>Indian Stores Department—contd.</i> R. B. Dr. E. N. Chaudhuri, Offg. Assistant Metallurgical Inspector.	Indian.	Rs. 1,150 .	Rs. 1,200 .	Increase due to usual annual increment in sanctioned scale of pay.
29	Mr. C. S. Sarkar, Offg. Assistant Controller of Inspection, Karachi.	Do.	Rs. 1,150 .	Rs. 1,200 .	Do.
30	Mr. F. Ashmore, Offg. Assistant Controller of Inspection, Calcutta.	European	Rs. 950 .	Rs. 950 .	...
31	Mr. M. N. Goon, Assistant Engineer (Inspection).	Indian	Rs. 810 .	Rs. 810 .	...
32	Mr. S. S. Iyengar, Offg. Assistant Controller of Inspection (Calcutta).	Do.	Rs. 750 plus S. P. 100.	Rs. 950 .	Increase due to promotion to higher class.
33	Mr. A. N. Bose, Inspector-in-Charge, Cawnpore.	Do.	Rs. 750 .	Rs. 750 plus S. P. 100.	S. P. is attached to the post.
34	Mr. T. B. Merchant, Offg. Assistant Director of Inspection.	Do.	Rs. 750 .	Rs. 1,000 .	Increase due to promotion to higher class.
35	Mr. R. Alauddin, Offg. Assistant Controller of Inspection, Lahore.	Do.	Rs. 750 .	Rs. 950 .	Do.
<i>Contracts Directorate.</i>					
1	Major F. H. D. Teal, Deputy Assistant Director of Contracts.	European	Rs. 1,250 .	Rs. 1,580 .	Increase due to promotion to higher class.
2	Captain A. B. Haseler, Staff Captain.	Do.	No information, Private Employment.	Rs. 1,090 .	...
3	Captain H. H. B. Gill, Staff Captain.	Do.	Do.	Rs. 1,090 .	...
4	Captain E. V. Hammond, Staff Captain.	Do.	Private employment Rs. 1,000 plus allowances.	Rs. 1,090 .	...
5	Captain G. N. P. Hodder, Staff Captain.	Do.	Private employment Rs. 1,230 inclusive of allowances.	Rs. 1,090 .	...
6	Captain P. C. Tutton, Staff Captain.	Do.	Private employment Rs. 1,566.	Rs. 1,090 .	...
7	2nd Lieut. J. Bannerjee, Attached Officer.	Indian	Rs. 900 .	Rs. 900 .	...
<i>Controllers of Supplies.</i>					
1	Lt. Col. J. B. Marriott, Controller of Supplies, Bengal Circle, Bengal.	European	In business .	Rs. 2,150 .	...

Serial No.	Name and Designation.	Whether European or non-European.	Salary before appointment in the Supply Department.	Salary now drawn.	Remarks.
1	2	3	4	5	6
<i>Controllers of Supplies—contd.</i>					
2	Mr. G. E. Bennett, Controller of Supplies, Bombay Circle, Bombay.	European	Retired Officer of Bombay Port Trust. Pay on retirement Rs. 3,000.	Rs. 1,950 .	...
3	Mr. E. M. Souter, Controller of Supplies, United Provinces Circle, Cawnpore.	Do.	In business .	Rs. 2,500 .	...
4	Mr. M. A. Sreenivasan, Controller of Supplies, Madras Circle, Madras.	Indian	Rs. 1,300 Mysore State Servant.	Rs. 1,600 .	...
5	Mr. S. C. Latif, Controller of Supplies, Sind Circle, Karachi.	Do.	Rs. 1,150 .	Rs. 1,150 plus S. P. 250.	...
6	Mr. Bashir Ahmed, Controller of Supplies, Punjab Circle, Lahore.	Do.	Rs. 540 .	Rs. 1,000 .	...
<i>Advisors, Liaison Officers, etc.</i>					
1	Mr. E. C. Forbes, Deputy Adviser to Government Woolen Industry, Cawnpore.	European	Private employment. Pay not known.	Rs. 2,000 .	...
2	Mr. J. A. Stuart Williams, Assistant to the Adviser on Engineering Supplies, Calcutta.	Do.	Rs. 1,000 .	Rs. 1,200 .	...
<i>Mica Organisations.</i>					
1	Mr. J. Podger, Mica Inspector.	Do.	No information. Private employment.	Rs. 1,500 .	...

RE-EMPLOYED STAFF IN THE SUPPLY DEPARTMENT AND ALLIED OFFICES.

42. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Leader of the House be pleased to state the names of all those persons who are re-employed by the Supply Department, including the Stores Department, the office of the Director of Contracts and the Defence Co-ordination Department, after retirement?

(b) Are such persons entitled to draw their pensions along with the salary of their present posts? In how many cases does the total of these two allowances exceed the substantive salary which these persons were drawing before retirement?

(c) Are Government aware that the general public is very much dissatisfied with the extravagance in giving high salaries to their employees and also higher prices for the articles purchased by them than the marked prices?

(d) If so, are Government prepared to appoint a committee to scrutinise and control the extravagance of the Supply Department?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I place on the table a statement giving the necessary information.

(c) and (d). No.

Statement showing the information regarding the personnel re-employed after retirement in the Supply Department and Defence Co-ordination Department.

Serial No.	Name and Designation.	Present pay.	Whether pension drawn in addition to pay in the present post.	Pay drawn prior to retirement.	Whether the two allowances exceed the substantive salary drawn by these persons before retirement.	Remarks.
1	2	3	4	5	6	7
	<i>Department of Supply (Secretariat).</i>	Rs.	Rs.	Rs.	Rs.	
1	Lieut.-Col. T. H. Battiye, Director of Statistics.	1,325	Yes. (£743 per annum or Rs. 825-9-0 per mensem)	1,700	Yes. 450 9 0	
2	Rai Bahadur S. K. Bannerjee, Officer on Special duty.	500	Yes. (Rs. 400 per mensem.)	1,250	No.	
	<i>Office of the Director General of Supply.</i>					
3	Mr. Faqir Chand Bahl, Timber Directorate.	100	Yes. (Rs. 49-9-0 per mensem)	100	Yes. (Rs. 49-9-0)	
4	Mr. Gonsalves, Assistant Officer.	400	No.	500	No.	
5	Conductor Old	420	Yes. (Rs. 190).	420	Yes. (Rs. 190).	
6	Conductor Walkin.	420	Yes. (Rs. 182.)	420	Yes. (Rs. 182.)	
7	Rao Bahadur Sakharam Patwardhan.	200	Yes. (Rs. 225.)	450	No.	
	<i>Office of the Director General, Munitions Production.</i>					
8	Rai Sahib J. C. Ganguli.	200	Yes. (Rs. 275)	550	No.	
9	Mr. Syamapati Bhattacharjee.	200	Yes. (Rs. 220)	440	No.	
10	Mr. T. P. Mukerjee	45	Yes (Rs. 62).	250	No.	
11	Mr. P. N. Moitra	80	Yes (Rs. 88-10-0).	185	No.	
	<i>Indian Stores Department.</i>					
12	Mr. H. Sur, O.B.E., Off. Chief Controller of Stores.	2,800 less pension.	No.	2,500	No.	Pension not yet sanctioned.

Serial No.	Name and Designation.	Present pay.	Whether pension drawn in addition to pay in the present post.	Pay drawn prior to retirement.	Whether the two allowances exceed the substantive salary drawn by these persons before retirement.	Remarks.
1	2	3	4	5	6	7
	<i>Indian Stores Department—contd.</i>	Rs.	Rs.	Rs.	Rs.	
13	Rao Sahib K. V. Appaya, Offg. Asst. Director of Purchase (Textiles).	740	No.	750 plus S. P. of Rs. 100.	No.	Employed on C. F. F. basis.
14	Mr. K. K. Mukerjee, Offg. Superintendent. Contracts Directorate.	400 less pension, or Rs. 151-5-0.	No.	440	No.	
	<i>Nil.</i>					
	<i>Controllers of Supplies.</i>					
15	Mr. G. E. Bennett, Controller of Supplies, Bombay Circle, Bombay.	1,950	No.	3,000	No.	
16	Mr. P. A. Davies, Personal Assistant to the Controller of Supplies, Bombay.	500	No.	1,350	No.	
17	Mr. Kinaville, Personal Assistant to the Controller of Supplies, U. P. Circle, Cawnpore.	400	Yes. (Rs. 500).	1,100	No.	Present pay will be drawn with effect from 26th November, 1940.
	<i>Advisers, Liaison Officers, etc.</i>					
	<i>Nil.</i>					
	<i>Misc. Organizations.</i>					
18	Mr. M. K. Sambasivarao.	45	Yes. (Rs. 37-8-0).	75	Yes. (Rs. 7 8-0).	
	<i>Controller General of Purchase.</i>					
	<i>Nil.</i>					
	<i>Defence Co-ordination Department.</i>					
19	Mr. H. D. Roy	Under consideration.	Yes	500	No.	

ELECTION OF A MEMBER TO THE STANDING FINANCE COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Saturday, the 9th November, 1940, the time fixed for receiving nominations for the election of a Member to the Standing Finance Committee, only one nomination was received. As there is only one vacancy, I declare Mr. E. L. C. Gwilt to be duly elected.

THE INDIAN FINANCE (No. 2) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That the Bill to alter the maximum rates of postage under the Indian Post Office Act, 1898, to increase the rates of the taxes on income imposed by the Indian Finance Act, 1940, by a surcharge for the purposes of the Central Government, and to increase the rate of super-tax payable by companies, be taken into consideration."

Sir, as I made a full and exhaustive speech on the opening day of the Session on the financial position in which I gave the background out of which these proposals have arisen, I do not propose to detain the House with a speech of any length. I shall, therefore, merely make a few remarks on the provisions of the Bill itself.

The provisions relating to the increase in postage rates are of a simple and self-explanatory character. It is, of course, the case that in normal times our policy in regard to postage rates has been to produce a state of affairs over a sufficient period of time in which this public service results neither in a profit nor a loss. And it is true that the present proposed increase is, in effect, a proposal to use the Posts and Telegraphs as a vehicle for an indirect tax. But I think that action of that kind is defensible in certain circumstances and that the present emergency is one which justifies the levy of an indirect tax of this character.

Coming, Sir, to clause 3 which deals with income-tax and super-tax, the object, as I stated in my speech the other day is to levy a 25 per cent. surcharge for four months of the current year. But as rates of income-tax have to be fixed for the whole of the year at a time that intention is carried out by levying a surcharge of 1/12 on the income-tax rates and super-tax rates. The provisions in sub-clauses (2) and (3) are necessitated by the following facts. Certain types of income have the tax deducted at source at the time when the income is received and for practical purposes it may be broadly stated that those types of income undergo assessment or undergo the payment of tax at the time they are received. It has not been the practice, therefore, to subject the recipients of such income to a double increase at the time when the increase is made. That is to say that their income received in the previous year which would ordinarily be subject to an increase in tax is not subjected to an increase at the same time as their contemporary income is subjected to additional deductions at source. This has been our practice in regard to changes of income-tax both up and down. The result is, therefore, that a man whose income last year consisted both of salaries and other forms of income is liable to different rates of tax in respect of those two types of income and the provisions of these two sub-clauses are intended to provide for that state of affairs. They follow the model which is already set by sub-section (2) of section 17 of the Income-tax Act which deals with the method of applying the slab system of income-tax to an income of which certain portions are exempt from tax.

Sub-clause (3) of clause 3 will enable the surcharge to be deducted in the form of a 25 per cent. surcharge on salaries drawn during the remainder of the current year. In this connection, I may perhaps take the opportunity to correct a slight mistake which was made towards the end of the speech which I delivered on 5th November. I said that:

"In the case of incomes other than salaries there will be a supplementary assessment increasing the tax already assessed for 1940-41 by one-twelfth and in the case of incomes from which tax is deducted at source, that is salaries, interest on securities and dividends the previous deductions will be treated as short by one-twelfth."

That, Sir, was not strictly correct. It is only in the case of salaries that the previous deductions will be treated as short by one-twelfth so that for the remaining four months of the year, deductions will be increased by 25 per cent.

That, Sir, is all I have to say on the provisions of the Bill and as I have already stated, I do not propose to cover the ground which was already covered in the speech which I made on the opening day of the Session. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved.

"That the Bill to alter the maximum rates of postage under the Indian Post Office Act, 1898, to increase the rates of the taxes on income imposed by the Indian Finance Act, 1940, by a surcharge for the purposes of the Central Government, and to increase the rate of super-tax payable by companies, be taken into consideration."

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th December, 1940."

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th December, 1940."

The discussion will now proceed on the original motion as well as the amendment.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Sir, I oppose this motion. The Honourable the Finance Member is a very prosaic gentleman, nothing seems to move him in this world. He moves this Bill as if we are living in times of piping peace, as if India is only anxious to do what the Honourable the Finance Member bids her to do, and as if all the foundations on which the modern civilised world has been built do not seem to be falling around us; and he evidently expects this House to imitate his childlike simplicity and move a set of formal amendments to reduce a thing here or reduce a thing there and then let him walk away with the Finance Bill. This pose of simplicity will deceive nobody whatever. It seems to me that this Finance Bill is an invitation, in spite of all indications to the contrary, to the people of India to tell the world and all neutral countries and to enemy countries that all is right in India, that nothing is wrong, that the Honourable Sir Jeremy Raisman is the Finance Member, that God is in Heaven, and, therefore, India is wholeheartedly co-operating in this war.

In the concluding para. of his speech, to which he referred today, he says:

"That brings me to the end my statement. It is a truism that in time of war Finance is the handmaiden of Defence,"

Perhaps in free countries, but in India what is true in this time of war is that India is the handmaiden of Great Britain,—

"for no country can afford not to take the measures necessary for its own survival."

[Mr. S. Satyamurti.]

I am glad the Honourable the Finance Member has used the Churchillian phrase, forgetting the old phrases, reminiscent of great wars, talking of creating a new world and a new order for all mankind now. In one of his last speeches, Mr. Churchill, with that brutal frankness for which he is famous, said, we are fighting this war to survive. And, therefore, the Honourable the Finance Member says, "no country can afford not to take the measures necessary for its own survival". But I want to know what country he is speaking of. India is bound to survive whatever the fate of this war may be; England may or may not. Is it suggested that because the war may go one way or the other, India may not survive—400 hundred millions of people of a huge country like this? What is the idea of survival? Why should any man or any country survive except it be for great objects? Is survival not a thing to be exhibited in museums? Surely a great nation asking another great nation to help her in the war must put something higher, more dignified, more self-respecting and more appealing than the mere appeal to the physical desire of survival:

"In relation to the needs of the present situation the sacrifices which I have to ask of the community at this stage are not excessive."

He asks the community to make sacrifices. At question time today my Honourable friend was asked about these high salaries; he seemed to be quite happy about them. If he wants to ask the community to make sacrifices, why not begin with his own community? The order of things in this country seems to be, every community to sacrifice except the Indian Civil Service, specially the European members of the Indian Civil Service. No sacrifice there but the other communities must sacrifice, Indian and European, and they are not "excessive". We shall presently see whether they are excessive or not. And he concluded by this warning to us:

"Clearly they are not the last that we shall be called upon to bear if India is to play a worthy part in securing the victory of civilisation over the dark forces that would engulf it."

What is the India he is speaking of, I want to know. "If India is to play a worthy part",—which India is he thinking of, Mr. President? The India of the people who are professional loyalists? I want, if I may, to warn the Government even in their last days against this class of professional loyalists. There are some men in my own country as in all countries who will worship the powers that be, whatever they are. If, God forbid, Hitler comes to India, these loyalists will learn German, buy rose garlands and garland him and say: "Na Vishnu Prithivi Pati" (There is no Lord of the earth except Vishnu) and they will worship him. Do you want these professional loyalists? I do suggest that when the Honourable the Finance Member talks of India, he must give us some indication of what the India is that he is thinking of. And what is this "victory of civilisation over the dark forces that would engulf it"? Of course, the Britisher has got a snug self-complacency; he is God's chosen and the other people are all God's enemies. He is the final repository of all civilisation. I want to know, if it is the methods of warfare, which is the civilised warfare, the bombing of London or the bombing of Berlin? Both are bad according to us. Our heart goes out to the women and children and the innocent men who are being killed by this indiscriminate bombing from the air. But what are you doing? I find the British broadcast says, "Aeroplanes flew over Berlin, houses destroyed, casualties" etc. Of course, it is always the

other way; the other fellow does it, you do not. The other fellow bombs civilians, you do not bomb them, you only bomb armament factories, railway stations, aeroplane factories; as if, at a height of 30,000 feet, you can distinguish so clearly that your bombers are always accurate and observe civilised canons and their bombers are so inaccurate as to bomb only civilians and not objects of armament manufacture. It seems to me, Sir, that we want some more definition of what this civilisation is. And as for "dark forces" what are these dark forces? Germany, Italy, Russia, France and all the countries of Europe? If all Europe has become a dark force, why not say "Europe"? What is the civilised country in Europe, according to the Finance Member, who is fighting with England against these dark forces? It seems to me, Sir, this is a tame ending to a tame speech. Evidently the Honourable the Finance Member himself does not feel enthusiastic, and that is why he is not able to put any enthusiasm into his speech, or even in the concluding paragraph where he tries to be enthusiastic.

Now, Sir, my first point in support of my suggestion that this Bill should be rejected by this House is that at the declaration of this war India was not consulted. I wonder if the Government of India were consulted. I do not know if they will give an answer, but I am sure Lord Linlithgow declared the war at the dictation of Whitehall or of Downing Street. I do not think the Government of India as an entity were at all consulted about the declaration of this war. I can certainly say that the people of India were not consulted; this House was not consulted. Indeed, Sir, this House was not even called in Session for many months even after the declaration of war. And I read the other day a report of a debate in this House in which when a question was raised as to why the House was not summoned, the House gave leave, but the Viceroy turned it down on the ground that this House was not competent even to discuss why it was not summoned earlier. That is the respect which the Government of India pay to this House. Apart from this House, Sir, where the non-official parties function as the Opposition, there were eleven ministries in office in the neighbouring provinces, including the seven Congress ministries. I want to know whether any of these provincial ministries,—whether my esteemed friend, Sir Sikandar Hayat Khan, Premier of the Punjab, even was consulted. India was dragged into this war without so much as "by your leave". Colonel Amery in one of his speeches said: "The complaint seems to be that India was not formally consulted before this war was forced on India". I join issue with him and say, "India was consulted neither formally nor informally". This war was forced upon India without her consent. It is not so in respect of other countries. Mr. Anthony Eden, the peripatetic British politician, goes to America and tells the admiring American people, "Look at our Commonwealth; Australia, New Zealand, Canada,—all these dominions enter into this war of their own free will. They had the right to stay out; they decided to come in". What about India? The answer is, "India is rapidly on the way to become a Dominion". That may deceive American audience, but it will not deceive any Indian audience. The point I am making is that while other countries were given the freedom and enjoy the freedom to say whether they will join this war or not, this country alone was treated as a door-mat, and the British Government compelled a state of belligerency upon us without our consent at all. Moreover, Sir, in the case of these Dominions this power to join the war or not to join the war is not more formal power.

[Mr. S. Satyamurti.]

In South Africa General Smuts by the bare skin of his teeth is trying to keep South Africa on the side of Britain in this war. If General Hertzog and Dr. Malan had their way South Africa would by now have made peace with Herr Hitler. Indeed, Sir, some months ago General Hertzog made a motion in the South African House of Representatives that the South African Government ought to negotiate for a peace with Herr Hitler: and, if today General Smuts orders a general election in South Africa, I have no doubt in my own mind that the vote may be entirely different. And therefore South Africa is in this war after a frank and full discussion in its Parliament and by a pure majority vote.

Ireland which is at the back of England and is its Achilles' heel is neutral. Although she has been given a status slightly higher than a Dominion, there is an Anglo-Irish treaty; and only the other day Mr. De Valera said that, if Britain tried to violate the neutrality of Irish ports, there will be bloodshed in Ireland. Why talk of Ireland? Take Egypt, between whom and England there is an Anglo-Egyptian treaty guaranteeing Egyptian independence, but subject to various safeguards in the mutual interests of Egypt and Britain. Italy has invaded Egypt and do you know, Mr. President, that Egypt has not yet declared war on Italy? Egypt is neutral, and Egypt is not even a dominion. It seems to me, therefore, that to have forced this war on India without the consent of the people of his country is a sufficient insult to the manhood, to the self-respect, and to the patriotism of this country for us all to tell this Government, "If you want to declare war over our heads find the money from your own pockets; we are not going to pay for a war in the declaration of which we had no part or lot". I am not saying for one moment that there may not be Honourable Members here or friends outside who may say that this war is a good war and that we should support Britain. But I ask my friends, whatever their views may be, whether it is right for a self-respecting nation or for a self-respecting individual to be forced to do what he may unwillingly do. After all there is nothing higher in human life than the freedom to do the right, as well as the freedom to do the wrong thing. I claim that this nation has and had a right to declare whether she will join this war or not join this war. We have been denied this right. This Government has no moral right to call upon us to help us in this war. In this matter I am not alone. A writer in the *Round Table*—undoubtedly an Imperialist magazine—said:

"The one discordant note is the refusal of the Congress to back the war effort unless its political demands are first conceded; and even that note might never have been sounded if only means could have been found for obtaining the assent of politically minded India to the inevitable decision to go to war."

I am not saying this—a writer in the *Round Table* says it, that no attempt was made to get the consent of politically minded India to the decision to go to war:

"As it was the crisis caught India when she was still standing on the threshold of dominion status, so that while all the dominions were free to choose, India was committed to war by a constitutional procedure which though legally correct provided for no consultation of the Indian people. That was bound to affront the self-respect of Indian nationalists since the essence of nationalism is the claim to a right of equal freedom in the society of nations."

That is my first indictment against this Bill. We can have no lot or part in a Bill which seeks to finance a war which has been foisted on us and on this country, without its consent.

May I ask if even now the Government of India know—let alone this House—how the war is going on? This morning at question time, the Honourable the Defence Secretary, when pressed by questions as to how the war is going on, parried and thrust and ultimately said that his experts are too busy to inform this House how the war is going on, and whenever they got time, he will make a statement or place it on the table. While the experts are busy about other matters, we have to contribute the funds to a war about whose progress they will tell us nothing. Can insult go further?

I wish to appeal to those who want to support England in this war: assuming they are right and we are wrong, is it consistent with their self-respect that they should be asked to shell out of their pockets money for a war about the progress of which the experts whom we are paying are too busy to inform us? Do the Government of India know what the next moves in this war are going to be and how it is being fought? Above all, do the Government know what the war or peace aims are, any more than the average Indian citizen, who reads newspapers or listens to the radio, knows? What are the war aims? As I said, Mr. Winston Churchill has come down to "survival". By all means survive; but why should I be frightfully enthusiastic about your survival? How does it interest me? When my own freedom and my own country are placed in jeopardy, why should I bother about your survival?

"Mandhata cha mahipati—krita yugalankara bhuta gatah."

Many emperors have lived and gone: the world has not gone with them. You have had two centuries of empire. Go. Why should you survive? By all means, tell me why you should survive, and why you want to survive, and then I shall consider. Tell me the great things which you want to do for civilisation and for humanity. But you say merely "I want to survive". Survive. Why ask me to bear you on my back? What has British civilisation brought to this country for the last two centuries? I ask all friends here, to whatever parties they may belong: India today is one of the poorest countries in the world, with the highest percentage of illiteracy, disease, poverty and hunger stalking the land; and the badge of slavery is upon us; and yet you want that we should help you to survive. By all means survive if you can, but do not ask me to help you to survive.

It is not as if Mr. Winston Churchill spoke in a mood of absent-mindedness about survival. In a later speech reported yesterday, he says in a very expansive mood "Since we have been left alone in this world struggle, we have reaffirmed or defined more precisely all cases of countries with whom or for whom we drew the sword". What are those countries? Austria, Czecho-Slovakia, Poland, Norway, Holland, Belgium and the greatest of all, France, and the latest of all, Greece. "For all these we will toil and strive and the war of victory will lead to the liberation of them all." What about India, asks plaintive India? Echo answers "What?" Mr. Churchill, for whose coffers Sir Jeremy Raisman wants this House to find the money, has got a place in his large heart for all countries—Austria, Czecho-Slovakia, Poland, Norway, Denmark, Holland, Belgium, France and Greece, but no mention of India whatever. They will strive their best to secure the liberation of them all; and having secured their liberation they will sit more tightly on us if they can. That is what Mr. Churchill means when he talks about survival and civilisation.

[Mr. S. Satyamurti.]

Now, Sir, we have a Secretary of State called Colonel Amery. I wish he takes to some other job, for he always puts his foot into it. Latterly he has never spoken without giving offence to India. In a speech at Nagpur Lord Linlithgow said that there are times when silence is better and I wish Colonel Amery follows the advice of his Viceroy. He spoke at Blackpool or some such place about two or three weeks ago, about a new order in Europe. That is the war aim and it had no reference to India at all except when he said that India may be attacked from the middle east. In Colonel Amery's mind—that is the mind of the Secretary of State for India—India does not exist except as a possession of Great Britain; and he is the Secretary of State for India! This new world order for Europe is an over-worked phrase. What is this Europe? A monstrosity of the Treaty of Versailles; and you want to build up a number of small nations fighting among themselves in order that you may create a new world order. Of course, Britain was very lucky: for two centuries she was able to make the European nations fight among themselves, advance them money, and then come in at the peace table for the spoils. But the gods awake, though sometimes too late. The tables are now turned upon Britain, and Europe is an armed camp against England. England is fighting alone, and therefore the idea of creating a new order in Europe is, I think, an impossibility.

Turning back to the Honourable the Finance Member's speech, he says:

"The threats to India's security from land, sea and air have, in the changed world conditions, become infinitely more menacing and clearly necessitated the taking of further measures."

What are these threats? Will he kindly tell us from what countries he expects these threats, and what are the steps which are being taken? No information at all,—but we must be told and we must believe,—for us not to reason, not to question, but to vote and pay. I trust no self-respecting Member of this House will agree to this position that Government will not tell us even what these measures are.

And then Sir Jeremy Raisman sheds what I call crocodile tears when he says:

"It is clear that passing under German domination of many of those European countries with which India had flourishing trade relations must for the time being exercise a serious adverse effect on India's export and import activities."

What has the Government done to help the agriculturists, in whose products there is or there was till recently a slump in prices, to help them to tide over these crises

Then, Sir, my Honourable friend told us that we must defend ourselves, but may I ask him and the Honourable the Defence Secretary one question—what are our defences? How many aeroplanes have we got; how many fighters have we got; how many bombers have we got? What is our strength in defence forces, and who is to run them? God forbid, if Italy, Russia or Japan invades us, believe me, Mr. President, every patriotic Indian who loves his country will have to throw his hands up; otherwise it will be a slaughter of lakhs and crores of innocent men, women and children, because India is undefended today. You may argue as much as you like about it; all this talk about the defence of India is mere bunkum. What they want to do of India is that she shall be an inexhaustible source of supply of cannon fodder, of materials and of

money. As for defending India, they have no use, and as my friend Mr. Asaf reminds me, the Chatfield Committee's Report is a scathing condemnation of the inefficiency of the Defence Department of the Government of India, and yet up to this moment, what have they done? The same old policy of distrust and suspicion, of putting Europeans in key positions, of keeping up the unnatural distinction between martial and non-martial races. It is only in our country defence and patriotism have been sought to be divorced. In every country in the world, the youth of the country are organized in order to defend their country, but in India you keep up a distinction between martial and non-martial classes as a separate class,—we cannot approach them, they cannot approach us; and they are defending British Imperialism in India, and not India. I say that, even if this money is given, it will be spent not properly on India's defences at all, but on the defence of British interests in the Far East or the Near East or the Middle East.

Now, there is a joke in this speech. The expenditure on air raid precautions is to be met by the centre. What are these air raid precautions? In my city I cannot go out after 6 o'clock except at 10 miles an hour, and all the places are absolutely dark. I am a layman, but what is the idea? Cannot aeroplanes come in daylight and drop bombs? Can't they come in moonlight nights and drop bombs? And even if they come, what is the defence that they have got? I am told there are two anti-aircraft guns in Madras, one of which is out of action! That is the kind of precautions they have for the defence of this country.

Then, as regards the requirements of aeroplanes for the defence of this country, Sir Jeremy Raisman gave a negative assurance, for which I feel thankful,—he said the idea of having an aeroplane factory has not been abandoned. What a consoling statement, and with what composure does he make this statement? Is there no anger or resentment in us? You treat us as if we are children

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Non-violence.

Mr. S. Satyamurti: I am grateful to Mr. Jinnah, the Leader of the Muslim League Party, for reminding me of our creed of non-violence, and I for one want to tell him and this House that non-violence is the only creed by which humanity can hope to survive. I put it to my friends, Sir, honestly and sincerely, if this war goes on like this, if aeroplanes are multiplied a thousandfold, a millionfold, if bombs are dropped on innocent men, women and children, if this kind of slaughter goes on, then humanity will soon go back to the level of the Ape and the Chimpanzee, and the world will become uninhabitable by man. You may laugh at us, our flesh may be weak,—mine is weak,—but I put it to my friend Mr. Jinnah as to whether he does not see that the future of humanity rests on the acceptance of the creed of non-violence sooner or later by the whole of humanity.

Mr. M. A. Jinnah: I did not expect the Honourable Member to give us a lecture on the virtues of non-violence. What I said was when he was expressing his urge and anger, it was opposed to non-violence.

Mr. S. Satyamurti: Now, Sir, I am glad to be taught a lesson . . .

Mr. M. A. Jinnah: If I am wrong, why be angry?

Mr S. Satyamurti: I shall control my anger in the hope that he will follow my example. I shall be quite content if Mr. Jinnah also ceases to be angry. That will be good for the country.

Mr. M. A. Jinnah: I don't believe in non-violence.

Mr. S. Satyamurti: I don't believe in being angry.

I repeat, Mr. President, with some confidence,—I put it even to those who are now engaged in this war, that this idea of mutual destruction of humanity can lead humanity nowhere, and I suggest that non-violence is a proper ideal for us all to work. But I am not one of those who say that because we believe in non-violence the moment the first invader comes, India ought to be allowed to become a shambles. Surely, Mahatma Gandhi's non-violence is the non-violence not of the coward, but of the brave. He preaches and practises it, he says that you must resist evil; in whatever form it comes you must resist evil, but non-violently, and therefore there is no point in saying that nonviolence means no resistance. But speaking logically, the motion before the House is that there should be armaments made in this country, army preparations made for the defence of India and of Britain. If that is so, even from the narrow point of nonviolence, am I not entitled to say that you shall not have it? But I argue on the other plane, namely, that today, situated as we are, we shall not be able to resist external aggression or keep internal order, except by minimum force for self-defence. And if I want defences for India, I do not want them like Britain, Germany or France for subjugating other countries. If at all India is to have defences, she will have them only for self-defence, and I think that on that ground I am absolutely sound that the money which we are now asked to vote for is not going to be spent for India's defence, but for the defence of Britain in the East. Take the aeroplane factory,—and what does my friend say? He said that the scheme has not been abandoned? Why? Because Lord Beverbrook cannot spare any machinery for India; England must come first and last. Shipbuilding yards are dropped for the present, and now what are they doing? They are merely bloating the Indian Army without attending to the other arms,—Navy and Air Force.

And we are told that England wants India's co-operation. I doubt that statement. England does not want India's co-operation. Co-operation can be given only by a free people; slaves can give no co-operation, because they have no mind at all; they can be driven. Therefore, if Britain wants India's co-operation, India must be free to decide to give or not to give co-operation. I, therefore, suggest that what England wants today of India is her men, her money and her materials; she does not want the intellectual or the moral or the emotional co-operation, which a free India alone can give.

We are told that sixty thousand troops have been sent out of this country. Where have they been sent, why have they been sent, with whose consent have they been sent? I again put it to those of my Honourable friends who believe that India ought to help England in this war, whether we come into the picture at any stage or to any extent at all. They simply treat our men as if they are their property, our money as if it is theirs, our materials as if they can do whatever they like with them.

And today the Indian defence forces are still under the control of the foreigners and are only an appendage of British defence forces; they are not India's defence forces in the genuine sense. Indeed, India as an entity does not count. Sir Jeremy Raisman said in his speech that at the beginning of this war the assets of India were her man power and her materials. They still only want them and our money.

We have now got in New Delhi an Eastern Group Conference. What is all this pother about? Who is Sir Alexander Roger? A trader coming here to buy? He now sits in this Conference dictating to the Eastern Group Conference, and the whole idea is that India should be and continue to be a hewer of wood and a drawer of water for all the eastern possessions of Great Britain. I want to know whether there is any idea in the mind of the Government to use this Conference or use such opportunities as this war may give, to make India self-sufficient. Other countries have done it and are doing it. Australia has done it. The Australian Premier and other statesmen have said, Australia's defence comes first. New Zealand's defence comes next and Britain's defence comes last. In India's case, Britain's defence first, Britain's defence next, and India's defence comes nowhere.

As for the arrangement of war supplies and distribution of contracts, the less said the better. I am told that the Supply Department of the Government of India is a gross scandal, manned almost entirely by Europeans—higher officers—and striding like a Colossus over New Delhi. They are now engaged in the pleasant task of spending all the money we pay, in terms most advantageous to others' convenience. May I say in passing, Mr. President, that the Indian Stores Department, built up during a period of twenty years by Sir James Pitkeathly and many others after him, today has become a handmaid of the Supply Department? I am told that in the name of expeditious work, audit, previous sanction, the Finance Department's control, all have been given the go-by. Even tenders are not invited. Cousins give orders to cousins, and the whole thing is done over the table as if it is a private matter. I want to know from the Honourable the Finance Member whether the supplies required for this war are being got in such a manner as to conduce to the permanent advantage of India's industries and enure to India's prosperity? As a matter of fact, I am told the argument is, after all, the British taxpayer pays this money; therefore why not British firms benefit by it? I say, if that is so, why should India pay for this war at all? I suggest, Mr. President, that as a matter of fact all this War Supply Department and all the other works of the Government of India are calculated more to help British interests in this country than to help genuine Indian interests.

Then, after the war was declared, the Viceroy met Mahatma Gandhi and Mahatma Gandhi made a magnificent statement in which he said that he was willing that as far as in us lay we should give unconditional co-operation. If at that time there had been a single British statesman with the imagination, the statesmanship and the wisdom to respond, the history of India might have been different. But no. It was not forthcoming. Britain thought that India did not count and she might exploit India without the consent of her people. How did India react? The Congress Party in the Assembly abstained from attendance and the House

[Mr. S. Satyamurti.]

went on merrily. Then the Ministries were withdrawn in the seven provinces where the Congress Ministries were functioning—and they had been successfully functioning, and it had no effect whatever. And we have the suspension of the Legislatures, no election for this Assembly. I think very highly of this Assembly, but it is a seven year old infant which ought to have died after the fourth year,—it is a monstrosity! I mean no offence to anybody. Why should the Government of India be afraid of elections? They are constantly telling everybody that India's public opinion is with them. If so, I invite them to dissolve this House and order a fresh election, and dissolve the Provincial Legislatures and order fresh elections. I promise that they will get no friend of theirs returned. Why then do they say that the Indian people are with them? Are they afraid of elections? War? Why? In Australia they had election during the war. In Canada they had elections during the war. Why not in India? Because the truth of the matter is they know, none better, that the electorates are not with them and, therefore, they fight shy of elections. In the provinces they have set civilians—tired old men—as Advisers who carry on merrily, and they have now issued—I am merely mentioning it as an illustration—an order in Madras that those students who do not attend colleges or schools for a day as a protest against the conviction or sentence of some national leader, like Pandit Jawahar Lal Nehru, may be disqualified for entering Government service, and if students of Government colleges, may be sent away from them. Can pettiness go further? Many of us are old people here, but I think many of us remember our young days. If in our young days we did not protest against this national insult, we should be unworthy of being students. I can understand old people being unpatriotic, but I cannot understand young people being unpatriotic, and it does seem to me that there is some hope for my nation when the young of the nation at least can feel strongly for the wrongs done to their leaders. Wherever you go in the civilised world you do not find that order. If tomorrow a British Cabinet Minister is arrested by the German Government, would not the students of Cambridge and Oxford protest against it? Would you feel less about them?

Then, we are told, we are getting large war fund collections, that shows that the people are with us. I do not know about other provinces; I know about my province. I know His Excellency the Governor says very sincerely that the collections ought to be voluntary. I believe him, but I suggest to him and his Advisers that, unless the agency of the Government officers, especially, the Sales-Tax Officers, Income-tax Officers, Commercial-Tax Officers and policemen are withdrawn, the collections cannot be said to be truly voluntary.

As the war went on, in the first few months very big statements were made by British statesmen about a new heaven and a new earth, and some of us, much to the chagrin of our friends, believed that at the end of this war India would be free and that if British won this war, India's freedom was assured. Now, I have changed that belief altogether. I do not believe,—and I say it very sincerely,—that at the end of this war Britain means to make India free. I am firm in my own mind. No speeches, no repression, nothing will shake that conviction in my mind. And may I quote the testimony of my esteemed friend, Mr. Jinnah, the

President of the All-India Muslim League, who said that the British Government do not seem to be desirous to part with power?

That is the biggest epitaph on this Government. That is my magna carta. It seems to me perfectly clear that there is no Indian in this House or outside this House who believes that this Government mean to part with power. Yes, they want to win this war if possible with our help, if necessary without our help, but after having won this war, they want to sit tighter on the saddle in India. If that is my feeling, I can tell you, Mr. President, that it is the feeling of lakhs and lakhs and crores of people in this country. That is a fact which you cannot ignore, which you cannot repress. I do not believe they mean to part with power, and they seem to argue that their days in Europe are over and that they must therefore keep something, and they want to keep India if they can; but let me assure them that we the people of India are determined to oppose this. We want the defeat of Hitlerism, of Facism and Stalinism but we also want the defeat of Imperialism,—British or otherwise. However this war may end and whenever it may end, I am confident that at the end of this war, there shall be no imperialism. The only question is whether British imperialism will liquidate itself in a generous mood or will be compelled to be liquidated by the combined forces of the free peoples of this country and of the world and, therefore, I believe that we must so far as in us lies see to it that India is not exploited for the benefit of Great Britain.

Now, Sir, if Great Britain told us very sincerely 'We are here. We have conquered you. We propose to stay here. Make no bones about it'. I will at least respect her, but I hate all this sanctimonious humbug. Colonel Amery's speech is a case in point. He begins by paying a tribute to the Congress as the most distinguished political organisation, but he hopes to crush it now. I warn him that even if he tries his best the Congress will rise Phoenix-like from the ashes. Then we have been told—and this is the burden of Colonel Amery's speech, of Lord Linlithgow's statement and of many others. "You are divided among yourselves. That is why we cannot give freedom to you." My simple answer is 'Yes, we may be divided on a thousand issues but I believe we are not divided on the one issue of the freedom of this country'. I do not believe there is a single Indian who says that Britain ought to continue to be here for ever as our over-lord and master. We all want the freedom of this country. Will, therefore, Britain oblige us by saying that at the end of the war she is out of the picture? If they will say so, we can settle all our domestic quarrels and problems overnight:

"Paraspara virodheshu vayam panchot aara satam."

Do not exaggerate our quarrels. We are all Indians first and Indians last. We have been here for thousands of years. Our children and our children's children will be here for thousands of years. We can and will settle our quarrels. You are the fly in the ointment. Therefore make yourself scarce, and if you will not make of yourself a nuisance, we have every chance of settling this quarrel. If tomorrow, Hindus and Muhammadans make up their differences, they will say that the scheduled castes are against us. If day after tomorrow, we settle our differences with the scheduled classes, they will say that the princes are against us. If the day after that, we settle with them, then they will say 'Oh, the European vested interests are against you'. If we come to a settlement with them

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also, they will say: 'We are against you'. Therefore, it is a case of putting up defence after defence. They want to give up last but not earlier. They want to put up these defences. I promise you, Mr. President, that if these gentlemen will honestly say at the end of this war India's freedom is coming, that 40 crores of Indians will make up their quarrels overnight. But while Colonel Amery talks of India being divided, being disunited and having warring communities, on one point it seems to me that we are all united. I want to read this precious sentence of Colonel Amery. Colonel Amery proceeds:

"In no respect has the essential unity of India's outlook been shown more clearly than in the attitude which all parties and communities have from the outset of the war taken up in detestation of Nazi aggression and in their endorsement of our common cause. The greater our difficulties, the graver the disasters that befall the Allied arms, the clearer has been the realisation in the minds of the Indian public that our cause is India's cause, the stronger the wave of sympathetic emotion for this country in its single handed fight, the more widespread the feeling that a purely political deadlock affecting the issues of today and tomorrow should not be allowed to stand in the way of India's contributing a united and wholehearted effort to the cause upon whose victory depends the preservation of all her ideals and the fulfilment of all her aspirations."

We cannot unite on the freedom of our country but we can all unite on England's struggle against Germany. Our people are so international that they cannot be national. They cannot understand India's difficulties but they can understand England's difficulty! I say, Mr. President, that even the Secretary of State ought to have some respect for logic.

Then, Sir, we had the still-born offer of the Viceroy's enlarged Executive Council. I would say no more about it because it is dead. I am sorry that the Indian Members of the Executive Council are as usual absent here, but I want to put it to them: 'Do they count in the Viceroy's Executive Council? Does the Executive Council function at all? Is there any Council Government in Delhi? Was there any in Simla? They may not be able to speak on account of the Official Secrets Act, but to possess evidence and refuse to give evidence is a presumption that the evidence if given will be against you. I put it to these gentlemen that the Executive Council, as it is, is a non-entity, a zero and nothing but a zero. We are told that the Viceroy's offer presented to the Indian Leaders the opportunity of taking an effective and important part in the Government of India. No, a thousand times no! The Executive Council does not function. The enlarged council will not function. Then Colonel Amery gives us an essay on constitution. He says that Dominion Status is higher than independence. May I know then why not give us something lower? And I want to expose one fallacy behind all this. There are some friends here and elsewhere who think that India ought to be content with Dominion Status. My simple demand is that an independent free India ought to be allowed to decide her own political status and her own future. Why should I be told what is good for me? Let India come by her own manhood and I can then understand India deciding in favour of Dominion Status, if it may be. We shall then argue this out, those who are for independence and those for Dominion Status but for you to say: 'I know better than you what is good for you' and to force Dominion Status on me is not consistent with my self-respect or my patriotism.

Sir Gowasji Jehangir (Bombay City: Non-Muhammadan Urban): May I ask, how are you going to decide this important matter? Will the Honourable Member tell us his method?

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Working Committee?

Mr. S. Satyamurti: Let me tell my friend, Colonel Sir Henry Gidney, that he seems to be exactly where he was since I last met him.

I say that this question must be solved with the help of all representative and distinguished Indians who can speak in the name of the people of India. I suggest that the demand of the Congress has been, is and will be that the constitution of a free India shall be determined by a constituent assembly based on adult suffrage in which all minorities will be returned by separate electorates. Can anything be fairer, more democratic, juster? I want to know what is wrong with it. Of course, if they have no use for democracy, I cannot argue about that, but if Britain fights for democracy, I suggest that it is a most democratic, it is a most just solution.

Mr. M. A. Jinnah: Britain has never said she is fighting for democracy.

Mr. S. Satyamurti: Very good, I will leave that to Government and to Mr. Jinnah.

Mr. M. A. Jinnah: Britain has never said that she is fighting for democracy in the world.

Mr. S. Satyamurti: Then, what for? Why should we pay the money then? I am very grateful to my Honourable friend for pointing out that Britain is not fighting for democracy. What then is she fighting for?

Mr. M. A. Jinnah: For her survival.

Mr. S. Satyamurti: That is a different matter, but why should we pay for it? What we have got to vote for is whether we shall pay the money for Britain's survival. I have no interest in that, I am not interested in a museum. I do not want to keep survivals in the museum. Let them pay for their own museum if they want one. (Interruption.) Then, Sir, Mr. Amery told us something very interesting: "Oh, yes, Dominion Status", but Lord Balfour has stated that status is one thing, and function is another and "therefore, while you have Dominion Status, you need not acquire the two functions of defence and foreign affairs". I want to be very courteous to this gentleman, but may I ask what they have made of the defence of this country? Do you know, Sir, they have disarmed the whole nation, emasculated the whole people so much that the firing of time guns at four o'clock startles people, that we cannot look at a formation of bombers but try to seek shelter, and that the booming of guns makes us feel that we are nearly dead? That is what you have made of the defence of this country! Is this country being defended at all, and are our people being rendered capable of defending themselves? Our people are doubtless branded with the seal of inferiority upon us till we are held up to contempt and today we are in the position that we cannot defend ourselves except as humble slaves. I, therefore, say, having mismanaged the affairs of this country for two hundred years, in God's name get out. We shall make something of

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the defence of this country. We are four hundred millions. Out of the talents of these people we shall produce men who can defend the country and who can even save you. You cannot save us.

And as for foreign affairs, Mr. President, may I know how they have managed their own foreign affairs? Who is their friend in the country now? Has Great Britain got any friend in the world now?

An Honourable Member: Greece.

Mr. S. Satyamurti: Greece. Then France, Mr. President, the most chivalrous and the bravest country in the world, France by whom England swore, hates Britain today, and the way Britain talks of the men of Vichy as the traitors of Vichy shows that Britain cannot be fair towards a fallen foe.

Mr. F. E. James (Madras: European): What about the men of Wardha?

Mr. S. Satyamurti: Mr. James tries to talk of the men of Wardha. I suggest that humble people ought not to try to imitate great people. Let him wait till he gets his chance and in the meantime let him keep his tongue in his mouth. I suggest, Mr. President, that the way in which every country in Europe looks at you, what does that show? Who are your friends? Take Germany, Italy, Russia—Russia hates you.

Lieut.-Colonel Sir Henry Gidney: No, no.

Mr. S. Satyamurti: And who are your friends?

Lieut.-Colonel Sir Henry Gidney: The United States.

Mr. S. Satyamurti: Yes: Cash and carry! We are told that the Islamic countries are with Great Britain. Now, Egypt is still neutral, and Turkey won't touch you with a pair of tongs. She would rather be friends with Russia. Palestine knows what you are. And, therefore, I want to know what you have made of your foreign policy; you have made a mess of it; your name stinks in the nostrils of every nation in Europe; they have no respect for you; and as for America, your first cousins, they say, "cash and carry". You borrowed from them, you would not pay them and, therefore, they tell you, "thank you". And if America today wants to sell you more aeroplanes, that is because America knows that the Atlantic is a narrow sea and, therefore, she wants to fight, but I am not saying all this in disgust or anger; but when you try to insult me and say that you are not capable of conducting your own foreign affairs, I say, "you are not the man to tell me about it, you have made a mess of it, give me the chance of a free India functioning in a free world; we shall have no ambitions about Ceylon or Burma or Afghanistan or Nepal or any other country; we shall govern our own country with peace on earth and good will to all men as our ideal. We have no wish to exploit other countries politically or, economically, except perhaps culturally. We shall live at peace with the rest of the world." And,

therefore, I suggest that in respect of defence and foreign affairs, you have proved yourself thoroughly incompetent, get out, and give me a chance and I shall make something better of this country.

And then, Sir, we are told that at the end of the war there will be a new Round Table Conference. I was not in the Round Table Conference but I think I can speak for all those Honourable Members who were on the Round Table Conference that they do not want any more Round Table Conferences. We only want this—that there should be a declaration of independence here and now, to be implemented after the war, no doubt, with a national Government at the Centre, representative of the main parties in this House; and then we said we would help in the defence of India, which would mean in this war, and what was the answer? A contemptuous negative. And Mr. Rajagopalacharia made the offer that we should be quite willing to have a Muslim League Premier choosing his own colleagues

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Was it an honest offer?

Mr. S. Satyamurti: I am surprised at my Honourable friend asking that question. It was a very sincere,—a very honest, a very earnest offer.

Sir Syed Raza Ali: This offer ought to have been made to Mr. Jinnah and not to the *Daily Herald*.

Sir Muhammad Yamin Khan (Agra District: Muhammadan Rural): To whom was it made?

Mr. S. Satyamurti: But the Government have rejected that offer, and, therefore, it has lapsed. So far as the Congress are concerned, the provocation is the most unbearable. If today we wanted to give trouble, to embarrass Britain, nothing is easier than starting some kind of struggle which, whatever its result may be and I have no doubt in my own mind about its result, will cause the maximum inconvenience and embarrassment to all concerned. But Mahatma Gandhi has said—and he always speaks what he means and he means what he speaks—that he does not want to embarrass Great Britain, and, therefore, there is no idea of mass civil disobedience, but Mahatma Gandhi naturally wants that he must vindicate his faith in non-violence and, secondly, the faith which all of us have that India's participation in this war is forced and ought not to be given unless India's freedom is assured. Now that India is not free, we say that we cannot give this co-operation except on the basis of the freedom of India. How are you going to deal with this movement? Yes, Government used Mahatma Gandhi when it suited their purpose. If today there is no revolution in this country, if one man is responsible more than any other for that state of affairs, it is Mahatma Gandhi. Let there be no mistake about it; and when there was a run on the Banks and money was being withdrawn and currency notes were being cashed, Mahatma Gandhi wrote in the columns of the *Harijan* urging people not to do that and I think more than one Provincial Government printed lakhs and lakhs of copies of that article.

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Yes, you found use for him but when he gives you proper advice, which does not suit you just now, you have no use for him. And what do you propose to do with this movement? You think you can repress it. Now, Sir, we have no complaint against the repression as such if we break the law. We do it knowing the consequences, but the sentence of four years on Pandit Jawahar Lal, I am sure, has disgusted every decent Honourable Member in this House. That is not the way in which you can manufacture patriotism or love of yourself in this country. It is just as if Mr. Churchill were to send Major Attlee to prison for four years just to carry on the war against Germany. Pandit Jawahar Lal is not a mere man: he is the embodiment of the freedom-hunger of this nation. Therefore, his imprisonment means the imprisonment of the soul of India. I, therefore, suggest that this kind of repression will lead you nowhere but into a morass.

While you are anxious to get money from us, what about retrenchment? What about a small cut in your salaries? We are told of emergencies always. Why not begin at home and give us an example? There is an increase of salaries galore for doing the same job or slightly easier job. Then, why should there be on the merits of this Bill a supplementary Finance Bill now? It is rather an unusual course. If there is a deficit Budget, will the Heavens fall? The money has been found for all non-recurring expenditure, and why should we not wait till some time later in the year and see what the financial returns are, and where we stand and then bring these up along with the main Finance Bill? Why dislocate trade and industry just in the middle of the year? What is the purpose? Secondly, I was not present here but on Mr. Joshi's pertinent question,—so the newspapers reported,—the cool Honourable the Finance Member with some warmth said: "The House may be presumed to have delegated some powers to the Standing Finance Committee." I do not think the House has delegated to the Standing Finance Committee the power to vote or approve supplemental demands, and, as a member for a number of years of the Public Accounts Committee, may I tell the Honourable the Finance Member and the House that it was agreed that as early as it is possible, supplementary grants should be brought before this House? There is no point in waiting till late in the day especially if the expenditure has been or is being incurred. If you cannot estimate the entire figure, you can put down a token supplementary demand, but the idea of keeping back supplementary demands altogether and sanctioning possible votable expenditure is against even the limited democratic privileges of this House.

Now, Sir, I have said all this in order to convince my Honourable friends in this House that we, who oppose the Finance Bill, are convinced that this war has been forced upon India, that this war today is not India's war, that Britain is not fighting for India's freedom, that Britain does not propose to confer upon India either independence or even Dominion Status or even any higher status than she enjoys now, except with very big reservations like Defence and Foreign affairs. But I want the Government also to understand that while they may get the co-operation of a few people here or a few people there, that is not going to help them to win this war. If this war means the war of right against might, as they themselves claim, then the only right thing they can do is to do the right thing themselves. India is the acid test of Great Britain's sincerity. Will Great Britain do the fair thing by India? Will Great Britain declare India independent at the end of the war? Give us a national Government and then we will

give what we consider necessary for the defence of India. Till then, we feel that they are playing with us: they are trifling with us: they do not want our co-operation: they want to exploit this country for the greater glory of Great Britain. I do not want Hitlerism or Stalinism or Fascism but, I repeat, I do not want British Imperialism to survive this war.

Now, so far as Britain is concerned, she may for the present carry on. By all means carry on as long as you can and as long as we let you carry on, but the day of reckoning is coming sooner than later. Then, I find that even during this war when your hearths and homes are being attacked and when your women and children are being ruthlessly killed, your hearts will not melt. Sometimes in my sad moments I reflect that Britain seems to prefer to be defeated by Germany rather than do justice to India. Is that their feeling? I sincerely hope it is not. Get rid of this colour prejudice. We are human beings just as human as you are. You and we have been together for quite a long time. Before it is too late, do the right thing by us, and a free India and a free England may yet march together. But the sands in the glass are running out, and you seem to think that you can exploit our differences. We are told that the war is going on and they can do nothing now. Was not the war going on when the British Ambassador in Moscow was recalled overnight and Sir Stafford Cripps, the bad boy of the British Parliament, was made the British Ambassador in Russia? Was it not a miracle? When you want to do a thing, you can do it. When you do not like to do a thing, you can invent excuses. Did not Mr. Churchill offer France Franco-British citizenship on equal terms although she is a foreign country altogether? You say that Britain can do the right thing only when India is absolutely undivided. Then the right thing for India seems to be not to do any thing for the present war. The demand of the Congress for India's independence is at least ten years old. It is not a war demand: it has been there. Maulana Zafar Ali Khan knows it and we are not now trying to exploit Britain's difficulties. The question of India's independence has been in the fore-front of India's foremost political organisations all these ten years. Why do you, then, pretend that we are trying to exploit your difficulties? We are too chivalrous, too generous, too humane, to seek to exploit your difficulties, but in God's name do not exploit our present abject condition. Do not try to create more differences among us.

Finally, Sir, I do not know what the fate of the Honourable Sir Jeremy Raisman's motion or the fate of this Bill is going to be. All the Finance Bills have been certified all these years. I hope that will be the fate of this Bill also, because the British Government never learns or forgets. But, so far as this House is concerned, so far at least as this section of the House is concerned, we want to make it perfectly clear by our attitude towards this motion that the people of India are not with Great Britain in this war. You may pretend as much as you like, but we want America to know and we want the whole world to know, we want the neutral nations to know, we want Turkey, Egypt and Palestine to know that we, the people of India, have no part or lot with Britain in this war, until and unless she makes up her mind to do the just thing by India in terms of the freedom of India.

Mr. President, I have given all these arguments in the hope that I have said nothing to make any Indian feel that the Congress speaks for one section or for one Party. We all belong to one great political organisation, but to the extent to which we can, in our faltering accents and weak logic,

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convince the people of India. We want to convince them that the great ideal of the freedom of India for which the Congress fights, will fight, and will go on fighting till it is attained, it is not fighting for any section or community, but for the great people of a great country. With these words, Sir, I oppose this motion.

Mr. L. C. Buss (Nominated Non-Official): I should like, Mr. President, first of all, to express what I think must be general satisfaction from the purely financial point of view that the extra expenditure which has already been incurred and is likely to be incurred during the remainder of the current financial year is, all things considered, on a fairly modest scale. Compared with the expense to the United Kingdom Exchequer of carrying on the war, our liabilities out here appear almost microscopic. But there are both good and bad aspects of that. As I have said, we can hardly avoid satisfaction that the call on our pockets is not larger and there is the further cause for gratification that there has only been a comparatively small encroachment on our reserves of taxable capacity. On the other hand, had we been in a better position to go ahead with our expansion programme, we might well have spent appreciably larger sums to our very great advantage. That, Sir, is what I regard as the adverse aspect of the position, which the Finance Member placed before the House in his statement last Tuesday. It will be no news to the Government of India that there has for a long time been a strong feeling, I might almost say a conviction, in many quarters that the progress made in all forms of expansion has been far too slow. For example, this is the first time we have heard about the 500,000 men of all arms which is the present objective. This is very satisfactory news and a refreshing contrast to previous statements on this subject which have been vague and by no means reassuring—which have in fact given rise to misunderstanding and a feeling of despondency. We welcome both the definite programme which has now been placed before us and the assurance that as soon as it is completed, a further programme will be undertaken as may be necessary in the light of conditions at the time.

It will not be out of place to mention here the general question of Government's activities in the sphere of publicity. I realise very well that it would be highly imprudent to publish to the world every detail of India's war preparations and schemes and that it is no easy matter to decide what can and what cannot be disclosed, but I am afraid that the very meagre information which it is customary to give to the public and, if I may say so, the unimaginative form in which it is frequently presented to them is largely responsible for the uneasy feeling which exists that much more might have been done both to increase the momentum of our war effort and to stimulate the enthusiasm of all who have India's welfare at heart to that pitch of keenness which will be necessary to ensure that we shall emerge victorious from this conflict.

Turning now to the provisions of this Bill, it is a truism to say that none of us like to put our hands more deeply into our pockets than is necessary. The question therefore arises whether the occasion is such as to render necessary the raising of the six crores annually which the Honourable the Finance Member expects to obtain from the increased Income Tax and additional charges under the head of Posts and Telegraphs which he desires to impose. To that I answer unhesitatingly "yes". I will go

further and say that it would have been a dereliction of duty to pursue a policy of *laissez-faire* at this critical juncture in the fortunes of India.

There are, however, bound to be differences of opinion as to the best way of raising the funds now required. We have witnessed in recent years a constant rise in the burden of taxes on income and I think I may say that in ordinary circumstances we should strenuously oppose this further encroachment on the dwindling margin which is left to individuals and business enterprises after meeting the demands of the tax-gatherer. But the circumstances are not ordinary. The times are out of joint and we, on these Benches, feel that we have no option but to face what is coming to us with what cheerfulness we can muster. We are after all still much more favourably placed than the taxpayer in the United Kingdom. Not only is his financial burden a grievous one but also he is faced day after day and night after night with the risk of injury or death to those he holds dear and to himself. Mercifully we in this country have been spared that added burden so far, but if the day comes, as well it may, when we too have to face death and destruction in our daily lives, I sincerely hope we shall be able to emulate the courage and endurance of those who have so well shown us the way how to act in adversity. The least we can do now is to face with *sang froid* the financial responsibility which the stress of circumstances has laid upon us.

I must, however, emphasise that there are visible limits to what 'increased' Income Tax can yield. Those of us who have the privilege of contributing to the exchequer in this way are comparatively few in number and I am sure my Honourable friend the Finance Member has no illusions about what he can expect to raise as an ultimate maximum from this source.

The proposed increases in charges for the postal, telegraphic and telephone services are in a different category and I have no doubt we shall hear a good deal about them during the course of this debate. On general grounds we must all of us regret the necessity for raising the postage charges. The addition of 25 per cent. to the minimum rate for inland letters is no small burden on business houses but it is necessary to bear in mind that the proposed rate was actually in force not so very long ago so that it is merely a question of returning to the *status quo ante*. I can hardly think that there will be serious opposition to this increased charge in times like the present. The other postage increases are naturally unwelcome but I think that in the aggregate they must constitute a lesser burden than the additional charge for postage on inland letters and I cannot seriously contest the Finance Member's plans for raising revenue in this way.

Coming now to the increase in charges for telegrams, here again the total burden on commerce and industry will be considerable but I am bound to confess that I do not think the individual user of the telegraph service will notice any appreciable impact on his budget and the percentage of increase is small.

Finally, there is the proposed enhancement of trunk telephone charges by 10 per cent. and here I must confess I experience considerable difficulty in accepting the Finance Member's proposals. There are two main grounds of complaint against conditions as they at present exist in the telephone trunk service, first, the system of so-called urgent calls at double rates, and, second, the use of the lines on official business.

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As regards the former, the Director-General of Posts and Telegraphs has, I think, already had his attention drawn to the inequitable way in which the double-rate system operates. It is, I admit, good business for his Department and must have brought a lot of grist to the mill, but its effect has been to transform the service from a public utility to the preserve of the rich man and the gambler. The rich man will not boggle at paying the extra cost to ensure a successful call within a reasonable time and the gambler, even though his means may not be very ample, will think it money well spent if he stands to gain an appreciable margin on the transaction which he is negotiating. The unfortunate private individual who is not over-plentifully endowed with riches but has urgent personal reasons for putting through a call may well find himself quite unable to do so without being mulcted of a sum for a double rate call which may be a severe hardship to him, because he finds that the lines are fully occupied for hours on end by the plutocrats and gamblers to whom I have referred. As regards official calls, it is only human nature that when the cost is merely a matter of debiting one Department and crediting another, and when in any case it does not fall on the individual concerned, there should grow up a somewhat elastic idea of what constitutes a reason for urgency and priority. I have little doubt in my own mind that there could be a very material reduction in the volume and duration of official calls without impairing the efficiency of the war organisation, and a corresponding improvement in the service to the public. Indeed, one responsible organisation with which I am in contact goes so far as to claim that the trunk telephone lines are now practically barred to the public due to indiscriminate and excessive use by Government officials!

The imposition of a further 10 per cent. on the existing charges will serve mainly to increase the disabilities of those who are least able to cope with the present situation. I am not aware how much the Finance Member expects to secure from this 10 per cent. surcharge on trunk calls, but if it is not a very material sum, I would earnestly ask him to consider whether its imposition is justified. In particular, what percentage of it is represented by official calls, or in other words the robbing of Peter merely to pay Paul?

To sum up, with this one exception regarding which I ask for further consideration, I am prepared to accept on behalf of the European Group, all the proposals which the Finance Member has placed before this House but in doing so I should be failing in my duty if I did not make one important stipulation. It is inherent in all that I have said today that the expenditure for which we are asked to make this special provision is in furtherance of our war commitments and preparations. Were we not assured of that, our views about this Finance Bill would be very different. We could not at this crisis in our affairs view with equanimity any abnormal expenditure on civil services not connected with the furtherance of our defensive and offensive measures, but I do not think that the Finance Member can be criticised on this score since practically all the additional expenditure to which he has referred in his statement is essentially connected with war conditions.

Even in the sphere of our war activities we should not be prepared to acquiesce in excessive expenditure which could be avoided and I refer particularly to the expansion of establishments and the creation of highly

paid posts, to which criticism has frequently been directed. I commend this to the most careful attention of the Finance Member in the hope that, while affording every possible facility to those Departments which are concerned with India's prosecution of the war, he will be ruthless in pruning expenditure which is non-essential and can be dispensed with.

In conclusion, Sir, I should like to reiterate what has already been said outside this House in far more eloquent language than I have at my command. This war in which the British Commonwealth of Nations is engaged is our war here in India just as much as it is the war of our brothers overseas in Europe and the Middle East who are already in the fighting line. Let us make no mistake about that, and let us be prepared to bear our share manfully of the financial burden imposed on us, in thankfulness that we have so far been spared the added trial of blood and tears.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, as it is possible that in the course of the remarks that I might

I P. M. be called upon to make, there may be some harsh expressions, some bitterness, some unpleasantness, I should like, with your permission, at the very outset to pay my tribute of praise, of admiration, of affection and of sympathy to the countless men, women and children of many nations who are today innocent and helpless victims of aggression, and are suffering so terribly only to satisfy the ambitions of the wicked few who are in charge of the Governments of all these nations. I should like to say straight-off that my affection for all the peoples of the world is equally great and my condemnation of their governments is also equally profound.

Sir, it must be a matter of some satisfaction to my Honourable friends opposite to find that the representatives of the Indian National Congress have arrived in the nick of time to give them the moral support of their presence in the arduous task of saving the world. And it is a matter of some satisfaction to me also to be here almost as a stranger in a House which was so familiar, when I find that two of my colleagues, one whose seat I find is next to me, Pandit Sri Krishna Dutt Paliwal, and one whose seat is in front of me, Professor N. G. Ranga, are safely clapped in jail in order, I fear, to defend my country from danger! I have also some sombre satisfaction in the fact that hundreds and thousands of other noble men and women of our country are being hounded down by the senseless, the nefarious, the scandalous Defence of India Rules. I shall come to these rules before very long. Above all my heart is very full when I think that one of the noblest of the sons of our country, one of the greatest of living men, one of the truest of human beings, Jawaharlal Nehru, has been sentenced to no less than four years of rigorous imprisonment. (Cries of "Shame".) It is not so much a matter of shame as of sorrow, because there is something wrong somewhere when things like that can happen. The only reason that I can think of, on the spur of the moment, as to why Jawaharlal Nehru, to whom I am bound by the strongest ties of affection because of a friendship that has existed for two generations, why that great man has been sentenced to no less than four years, is that the Secretary of State for India was born in Gorakhpur, and Jawaharlal Nehru was arrested for a speech made in Gorakhpur and sentenced there. If the two things have anything to do with each other, it is indeed a matter for some tragic satisfaction. I understand that all

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these things are done in order to save the liberty of my country, and the Honourable the Finance Member used words of great fervour and eloquence towards the end of his speech when he called upon every man and woman and child to bear the burden of taxation he was imposing on all so that the "dark forces" that are threatening to engulf the world may be warded off.

Now, what is liberty? I understand there are two famous statues dedicated to liberty in the world today. I understand one dominates the Atlantic—it is on the shores of that great ocean on the soil of America. That statue beckons to all to fight against an aggressor, to throw off the yoke of whoever tries to subjugate a nation. It commemorates the war of independence of the American people against the British. Therefore, if liberty means anything it means this, that it is the right of every people to see to it that no foreigner shall rule them. The other statue of liberty is in Paris: it stands where the Bastille once stood. It is a beautiful statue on a tall pillar. It carries a torch of knowledge in one hand and the broken chains of slavery in the other. It stands for internal peace and internal order. It calls on all to fight against their own people if they oppress the weak. What did the Bastille stand for? It stood for just this: that any one could be clapped into jail for an indefinite period without charge or trial. Every jail in India has today been turned into a Bastille; and if my Honourable friends will only care to see the Defence of India Rules, they will find that the smaller fry in the districts can get hold of any one they dislike and put him in jail without charge or trial, against all the provisions of the Criminal Procedure Code, for two months.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can resume his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. Sri Prakasa: Mr. Deputy President, in the course of the few minutes that I was privileged to speak before the House rose for lunch, I paid a tribute to the innocent inhabitants of all the countries that were suffering from aggression, whether of Nazi Germany or Imperialist England. I should like to repeat that I am full of admiration for the fortitude and the courage with which all these innocent persons are carrying on their day to day work and trying to keep social life going. One cannot but think of the brave little children on the great boat, which unhappily was called after my own city of Benares, which was engulfed in the dark waters of the Atlantic. We cannot but be sad for the innocent lives that were lost in such tragic circumstances; and so also, Sir, we are sad that the great treasures of art, whether represented by St. Pauls in London or by the Churches in Rome, should be endangered, because some persons cannot find any other way of ventilating their grievances or expressing their resentment except by bombing these which are really the common heritage of all mankind.

Sir, before I proceed any further, I should like also to say, that speaking in this House, I have a sad, almost an unholy feeling that I am playing the coward. This House is a privileged Assembly, and one can speak anything one likes without any danger from the activities of the other side. But, Sir, I am hoping that, not before long, the ban on our lips will be removed, and that we shall be free outside to speak, as we are speaking here today; and then, Sir, at least we shall be able to wash off the charge of cowardice that today can be safely laid at our door, because when we are speaking in this House it can be said that we do so in a privileged position. I make this reference here, because it was my unhappy lot on one occasion when the predecessor of my friend the Finance Member did say that I was taking undue advantage of the privilege of this Assembly to speak what I dared not speak outside. On that occasion, I told him as well as the Government that I was willing to walk out with him outside the magic circle of the privilege of this House, and speak what I was speaking here. At this moment, however, I cannot say so, because my orders are not to speak openly just yet; but I am hoping that these orders will be gone before long.

Sir, I was saying this morning that under the Defence of India Rules various officials have been authorised to catch hold of any one they dislike and keep him in jail for a couple of months. Section 129 of the Defence of India Rules reads:

"Any police officer, not below the rank of a head constable, etc., may arrest without warrant;"

And a person so arrested, is kept in confinement for a couple of months. Then, on some dark night, somebody moves the Government of India at headquarters here, and that charge is suddenly changed from one under section 129 to one under section 26. I have no idea whether Government here take any pains to find out whether the person who has been run in by a police constable at Benares is a person who deserves to be kept in indefinite confinement or not. I believe they sign like so many automatons. They have plenty of time to sign blank papers of that sort, I believe. I find it difficult to believe that my friends opposite can possibly have in their offices here the dossiers of all these youngmen who are run in under section 129 and later charged under section 26 while they are still in confinement. I will give the case of a student of the Kashi Vidyapith of Benares, Mr. Krishnaswamy; and as no one opposite is taking any note, I take it that no one cares. This youngman is a brilliant student of the Vidyapith. He has just passed his graduation examination; he is preparing his thesis, the submission of which is necessary before he can finally get that degree. One fine morning he is arrested under section 129. I looked up the rules. I said to myself: 'It does not matter; it is only a question of two months; the youngman will be set free and he will come back to us.' Then, suddenly, I understand that the section has been changed to 26, and he is there in confinement for an indefinite period. The Joint Magistrate informed me over the phone that he is to be confined during His Majesty's pleasure. . . .

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): What is the charge against him?

Mr. Sri Prakasa: The charge is that the head constable of that locality does not like him, because the section requires . . .

Pandit Lakshmi Kanta Maitra: What is his age?

Mr. Sri Prakasa: He is about 24 years old. This youngman is in jail, and I got word that his spectacles have got broken, that he is in great pain, because his eyes are bad, that he has spoken to the Superintendent of the Jail, that he has even sent a letter to the District Magistrate, that he has had the privilege of even talking on the subject to the Commissioner of the Division who happened to visit the jail after his confinement. He said to them that he was suffering intensely for want of spectacles, that his eyes were very painful, that he could do no reading, that he was preparing his thesis for the examination, that he should be supplied with the necessary materials to do his work . . .

Pandit Lakshmi Kanta Maitra: That will impede war effort, I believe.

Mr. Sri Prakasa: It did impede his studies in any case. I was horrified to find that he was deprived even of ordinary medical assistance. I wrote to the District Magistrate. I said to him that the youngman was a brilliant student, that he has been clapped into jail without charge or trial, that it is up to Government to show that he was guilty because the ordinary principle of jurisprudence is that a man shall be regarded as innocent till he was proved to be guilty. I had a reply from the District Magistrate saying that he will write to the Government, because in all such cases he was required to write to the Government for orders. I had also written to the District Magistrate that, if the Government found it rather difficult to find the wherewithal to get him examined and to supply him with the necessary pair of spectacles, I would be quite prepared to stand the cost myself on behalf of my student. The District Magistrate wrote back to say that he had been thinking of recommending that the Government Ophthalmic Surgeon should examine him, but that he was now recommending that my offer should be accepted, that my Surgeon should visit him at my expense and the spectacles be supplied to him, if necessary, at my expense.

Now, Sir, things were rather taking a long time, and most of us, who have been in jail know how long it takes to get things done there. So I had no other means except to arrange to get the broken spectacles, find out the original oculist, get a new pair of spectacles fitted in and sent. Later on, I learnt that my surgeon was permitted to visit the youngman to examine his eyes carefully. I do not know whether the spectacles have yet been fitted in. I shall receive a bill in due course, and then I shall know that the finale has been reached.

What was the difference between a procedure like that and those adopted in the pre-revolutionary days of France? Did not the Kings then give their landlords, feudal lords and favourites, signed blank forms and permit them to fill these and confine those they disliked in jail for eternity? There, some decent gentlemen at least were made responsible. Whatever you may think of the French aristocrats of the time, they were gentlemen. But, here, our head constables have the right which even the French monarchs gave only to their gentlemen attendants. I gave the example of a case that came uppermost in my mind as I am speaking. Thousands of such individual cases can be cited, but one or two more from my own City of Benares I must cite. I know the risks I am running. The privilege of this House only extends to this House; for the reverberations of the speeches in this House reach the districts, and the district officers are not so kind to us when we get back.

Two young men in Benares were caught hold of under some sort of suspicion. For three whole months they were put in extra heavy chains in the jail lock-up. The law, so far as I know, is that within 24 hours the accused must be brought before a magistrate. For three whole months and more these men were not brought before any magistrate at all, and remands were given behind the men's back without their knowing that the police were making an application for remand. So far as I understand the law, it is that the accused must be brought before the magistrate, every time the remand is asked for; but these men were never put before any magistrate. Heavy chains, extraordinarily heavy chains, were put upon these boys day after day, and night after night for three months and more in succession! The law is very funny. When an accused has been sentenced, the fetters are cut off, but while he is still an undertrial prisoner, while still no proof has been given of his guilt, while still the police are searching for proofs, he is put in heavy chains in the lock-up. And now after three and a half months when the police find that there is nothing against them—they wanted to run them in for dacoity—they let them go. Small satisfaction indeed it is to the men that they were proved to be innocent, after having been in heavy chains for three months and more without charge or trial. Three months and more in chains in jail is more than many years of rigorous imprisonment. Honourable Members opposite do not know what they are talking about, when they treat such cases light-heartedly. I was saying this morning that, if the Government are keen on preserving the liberty of our country, are trying to defend us from all danger, this is not the way of going about the business. Liberty, as I ventured to suggest, as represented in the American Statue, shows that it is the right of every nation to be free. Liberty, as represented in the Statue in France, shows that it is the right of every man to be tried before he is punished, and that there must be an equitable arrangement between man and man inside the country.

In India also we are fighting both against external aggression and internal injustice, and whenever we raise our voice in protest, we are told that we must not do that, we can do that only at our peril. A preceding Home Member waxed eloquent over the various public enemies, Nos. 1, 2, and 3. He, it seems, felt that any one who tried to get liberty of the American model was public enemy No. 1, and any one who tried to get liberty on the French model was public enemy No. 2. He thought that terrorism was public enemy No. 1, communism,—public enemy No. 2, and civil disobedience,—public enemy No. 3. I said that to my mind public enemy No. 1 was militarism, public enemy No. 2 was capitalism, and public enemy No. 3 was bureaucracy. Instead of fighting the three real public enemies,—poverty, ignorance and disease—we create, out of our own imagination, all sorts of public enemies and like Don Quixote go on tilting at the windmills. I should not have liked to waste much of the time of the House while speaking on a Bill like this, but the Honourable the Finance Member has repeated over and over again in his speech that the new taxation measures are entirely for the defence of the country, and, therefore, it is but right and proper that we should study this war in all its aspects before we can take any decision about it. My question—straight, simple, honest question put in as simple a language as I am capable of using—is: what is the type of liberty we are fighting for? And if I am assured that the liberty, that the Honourable Members opposite

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are seeking to fight for, is worth fighting for, I shall be with them. I shall even risk my reputation as a member of the Congress Party, resign from that Party and join them, if I were assured that the liberty that is coming to my country is the real genuine liberty,—freedom from external aggression, freedom from internal injustice; but so long as I am not assured that that is the liberty the Government are fighting for, that is the liberty for which the Government are seeking money, so long I cannot possibly be a party to the financing of their projects.

In order to understand the background of the present struggle, I think it is necessary that we should make a short resume of the history of England. I shall not take as long as it has taken the unfortunate people of that island to go through the centuries of their existence; but I shall go through their history in a very few moments. When first we hear of the English people, we find them in costumes not far from nude; and not very much later, they came under Roman sway. We read of a Queen Boadicea who struggled for her country's freedom. As a little boy, I remember to have read:

Rome shall perish, write that word

In the blood that she has spilt;

Perish, hopeless and abhorred,

Deep in ruin as in guilt.

I was only about ten when I read those lines, but I wanted to change Rome into something else! Then, later on, Sir, we find that the Romans made all those aqueducts, bridges and roads and other things that the British have built for us in India; and still Boadicea did not like them! That is the irony of the situation. Rome had to go. I am almost afraid, a similar fate is awaiting my Honourable friends opposite. Well, Rome had to go; and then I read all sorts of Germans—Anglo-Saxons, Jutes coming over to England as invaders and conquerors. I read all that with more or less indifference. I remember, however, as a student of Cambridge, the Director of Studies there once asked us to write our weekly essay on "the conditions of our German ancestors at the time of Julius Caesar and Tacitus." Then I searched my family tree and I found no German blood either on the maternal or the paternal side; and I said to myself "How can I write about my German ancestors whom I do not find anywhere in my family tree?" And it is a very long one; it goes back to nineteen generations, to almost 400 years. So I said that these were ancestors of some one else and I changed the question and wrote about the German ancestors of the English people in the time of Julius Caesar and Tacitus. I do not know whether the teacher liked it or not.

Anyway, it seems to me that when my ancestors have conquered a piece of land, I may also be legitimately entitled to a share in it. I believe it was some such principle that led the English to claim the American colonies as a part of their Empire. They said "We have conquered these lands. You are our children. Give them to us." But the American people got restive and they said: "No, thank you." Instead of remaining a child, the American has now become Uncle Sam.

I thought it would be perhaps better to call Nephew Somebody. Though Wordsworth has said that "the child is the father of the man", still I never knew that colonists could be uncles. In any case, the German claim to England may be traced, in a remote sense, to the desire to get a bit of the land that their ancestors had captured over a thousand years ago. Soon after the Germans, came the Danes, and then the Normans. After that, English history settles down. Instead of being aggressed against, they become the aggressors; and from Queen Boadicea we come down to Queen Elizabeth. English history goes from queen to queen. Women have always played a greater part in English history than men. So, in the time of Queen Elizabeth, England becomes the aggressor and carries on a war in all the continents. At that time it was always thought that the person who can beat is more civilised than the person who is beaten. When a British bomb falls from a British aeroplane across the borders of India, the homes that that bomb desolates are the homes of the uncivilised, because if the bombed people had been civilised, they would have thrown a bomb in return. But when a German bomb falls on a British home, then the person on whom it falls is more civilised than the person who throws the bomb. This logic I find it difficult to understand. In other words, it simply means that when the Britisher does anything good or bad, it is in vindication of liberty, it is a symbol of civilisation. When somebody else does the same thing against him, it is barbarous, uncouth, wicked. George Bernard Shaw, whose epigram it is almost impossible to improve upon, was right when he said: "When a man kills a tiger, he calls it sport; when a tiger kills a man, it is called ferocity."

So, England spread all over the world and they engaged in many wars.

One war lasted for a hundred years. Other wars lasted for 3 P.M. longer or shorter duration.

An Honourable Member: Thirty-years War.

Mr. Sri Prakasa: The 30 years' war was an internal war in Germany. The English began to civilise and Christianise the various peoples. They destroyed the original inhabitants of America, Australia and New Zealand and various other places. In India, they could not destroy, because there is something in us that prevents our destruction. The capacity for procreation is very strong in India and my friend, the Honourable Mr. Dow, was right when he said on a previous occasion that the only industry that is prosperous in India is population. Owing to this infinite capacity of ours, to people the whole earth, the English did not find it easy to destroy us. But they did destroy the peoples of all such continents, who, I must confess with sadness, were more self-respecting than we were, where there were no Quislings, where the people were not willing to surrender and serve and hug the chains of slavery; and who preferred to die rather than be subjugated. That brings us to Queen Victoria, the third great English Queen, under whom the British Empire was finally consolidated, and we were hopelessly chained to the chariot wheels of England's victory. Heaps and heaps of us were only too glad to get jobs under the British, from the highest to the lowest, in order that their rule may be made permanent in our land. Now, Sir, at last, when the English have met their masters on land and sea and air, then their ideas of spiritual worth and value have also changed and

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Mr. Winston Churchill, of whom I shall have something to say later, said that it was an abuse of science that Germans were indulging in, when they were using all the subtleties of their brain in order to destroy the world. I agree with Mr. Churchill; but I shall go further. If the German is less civilized than the British, because he uses stronger arms—and the British, I understand, are getting increasingly and quickly even less civilized, because, I am told, they are now able to use still stronger arms—how is it that so long we were told that the person who could use stronger arms was the more civilized and why were the English to be regarded more civilized than ourselves because we could not fight them, with their own weapons.

Now, Sir, let us go through quickly the history of England's connection with India. So far as I know, in the sixteenth century the Venetians, who held the monopoly of the Eastern trade, inordinately raised the prices of spices so that a thing worth a rupee was sold in England for about rupees five hundred. England did not like that. They did not know the use of ice. They liked fish all the same, and fish would rot without ice. They had to use spices in order to keep things going, dead fish alive, so to say. So they got their Queen Elizabeth to give them a charter, a charter that proved to be one of liberty to do what they liked, but really it was only a charter to enable them to trade in pepper. They came to us for pepper, they proved very hot pepper for us indeed. They came first to Madras; and Madrassese generally are very fond of hot pepper. These people, however, proved to be hotter pepper. From a trading people they became a conquering people: they intrigued, they bullied, they raised armies, they did all sorts of things in order to be here. Many of us proved faithful to them through thick and thin. I am very glad to see my Honourable friend, Sir Arcot, in front of me because that name is famous in Indian history. We all know that Indian soldiers drank the gruel themselves and gave to their English masters the rice to eat. I am glad that the history of Arcot is being repeated in Delhi today. Sir, in this way England's foothold became strong in India and we became a subject people.

And then I come to a funny part of my story. My Honourable friends in this House will not have forgotten the sensational motion for adjournment when the House condemned the Government when the Commander-in-Chief, helped and assisted by the highest Christian Divine of this place, went to commemorate the memory of the victory of the British in the battle of Badli-ki-Serai, not far from Delhi. A skeleton was then discovered. Sir, it is easy to find out when a man is clothed in flesh and blood, whether he is English or not English. I do not know, Dr. Deshmukh can help us, whether it is possible to find out from a skeleton whether it belonged at one time to an Englishman or an Indian. In any case, Sir, a skeleton was discovered; and Delhi, which is "the grave of so many empires"—I am quoting an ex-Viceroy of India, Lord Curzon.—Delhi is full of skeletons. They raised a memorial. I have not yet been to that memorial, I may go there some day. They said that this was a brave British general who fought the Indian mutineers. So any attempt at the freedom of India became a mutiny. Why is a mutiny? Let us examine the psychology of the English people *vis-a-vis* the present war. The history of this war has yet to be written. I do not think that

England's conduct towards Belgium and towards France would bear the scrutiny of impartial history. I think that when the history of these relations comes to be written, it will be found that England betrayed these countries. In any case, Germany has got a stranglehold on these countries today and that stranglehold is not stronger, is not deeper, is not greater than England's stranglehold on my country. Still those who should be regarded as loyal persons, those who are accepting the scheme of things like the Ministers at Vichy, are put down as traitors and guilty of vicious conduct, while those who have gone over to England are treated as patriots,—men who should, according to the definition of the Government opposite,—General de Gaulle and others, should be put down as mutineers. I am sorry, my Honourable friend, the Defence Secretary, is not in the House, but I should have asked him today to consult his dictionary afresh, because that day he said that under no stress of interpretation could the conduct of Indian fighters at the Badli-ki-Serai battle be dubbed as anything but mutinous. But what is the case today? Why do we call all those persons who are helping the German Government in France today as traitors, and those who are fighting that Government as patriots? The same conduct is judged differently in India and on the European soil.

I should like to say many things today. I cannot say them all. I think, however, I had better dispose of an important item. It is the attitude of responsible persons in England towards my country. I come to Mr. Winston Churchill. I have no quarrel with him. I do not know him and I shall never know him.

An Honourable Member: How do you know?

Mr. Sri Prakasa: I might perhaps meet him, but, ordinarily judging, probably I shall never know him. I can assure the House, I have no quarrel with him. But I do remember this that, on one occasion, in a fit of sarcastic fury, he described Mahatma Gandhi as a naked *Fakir*. If he thinks that these expressions are forgotten, especially when they are used by persons favourably placed, towards persons who are in a subject state, he is very much mistaken. Memories are long when the sensitiveness is high; and the skin is always raw when a man is in a depressed condition. Men, who have the power, and men, who are in a position of authority, must always make sure that they use the proper language and extend proper courtesy to those over whom they rule. Not so, Mr. Winston Churchill. And though there is nothing wrong in being a naked *Fakir*,—in India, ordinarily, those words would be regarded as complimentary rather than contemptuous—the fact does remain that Mr. Churchill did not use that expression in that sense. He was horror-struck that a naked *Fakir* should be permitted to climb the steps of the Viceroy's House, that was, I believe, originally erected by the naked workmen working for a pittance for years together. You want the labour of the naked, you want to exploit the naked; but when a representative of those naked men in almost naked form comes before the Viceroy, then this great statesman resents the intrusion.

Then, Sir, there was another gentleman also, whose name my Honourable friends may not have forgotten, and who was the Secretary of State for India. He was called Sir Samuel Hoare. He must be a great man.

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Again, I have no quarrel with him. I have never met him and never hope to meet him. But do you know what he called us? He called us dogs. In 1930, he said: "Let the dogs bark, the caravan will go on." The caravan of British Imperialism has got a stop after all, and today we, the naked *Fakirs* and dogs, are required to come out and help those who have insulted us. Have we forgotten Shakespear's moving play, the Merchant of Venice? Does not my Honourable friend, the Finance Member, remember the way in which they treated Shylock? Does not the blood of my Honourable friend, the Finance Member, rise in revolt against the treatment they meted out to one of his people? My sympathies are entirely with Shylock. And if my Honourable friend, the Finance Member, wanted to take revenge of the ancient grudge and the insults that had been heaped over him and his people, I do not think he would be wrong. And today if we also feel that we should speak out our minds freely and tell them how we have been feeling all these years and that those persons who speak to them words of flattery, who praise them in private and who seek their service are not the only people who live in this land. I think my Honourable friends opposite will excuse me.

So, Sir, we in India are being deprived of every vestige of liberty. We are not allowed to speak, if our speeches go counter to the wishes of Authority. We are not allowed to write what we like even if the writings are innocent. Today's *Statesman* says that Major Quisling has banned a book of Norway's famous novelist, a Noble Prize winner, called Sigrid Undset. Here in India we have Mahatma Gandhi's writings banned; and I cannot believe for a moment that Sigrid Undset could be a greater person than Mahatma Gandhi. So, we cannot speak, we cannot write, we cannot even form associations. In my province, we are not allowed to drill. Pandit Jawaharlal was solemnly informed by the Police Officer when he inquired at Cawnpore as to what form of drill would come under the Defence of India Rules, that if three men walked in step, it would be infringing the law. If two men walked in step, it would be all right. Probably that would be regarded as accidental, but if three men walked in step, it would be against the law. It is the habit of English people always to walk in step. Even if there are four or five English persons, they will be walking in step. Whether that will be allowed by the Government of India or not, I do not know. They can try it in a Cawnpore street. When liberty is crushed in every aspect in our country, I think it is improper to demand of us a vote in favour of raising the revenues in order to finance this war which is not being fought for liberty but to crush liberty in my country.

In India at the present moment English women are doing a good bit of rifle practice in the districts. They have no difficulty in getting licences for arms which are denied to us; and they get arms because they may be called upon to defend their children. I understand that in Delhi a number of officers' wives are doing war work. They do it only for a small consideration of Rs. 7/8 per day. Ordinarily, that would be regarded as a princely salary in the country; but that amount just suffices for their petrol and other things which are necessary in order to bring them to their work. It is a fact that a number of officers are getting enhanced salaries. Therefore, I should like to offer my praise to all such persons who are, at considerable sacrifice to themselves, remaining in my country to defend us against external aggression! I understand that their country is in danger. Ordinarily, I should have thought that every Englishman should be going

out of India to defend his people at home or to serve them in some other way. He is not doing that. He is remaining in this country. What a terrific sacrifice he is making! I stand aghast as I see around me so many Englishmen that still remain to protect us in our own country against ourselves and are allowing their own people to suffer quietly in their land. Sir, I also admire my countrymen who are helping them to keep the chains of slavery riveted on our feet. I admire, above all, the great British Prime Minister, Mr. Winston Churchill, who has a fine record of work to his credit. If my Honourable friends were to read his Autobiography of the first 26 years of his life, they would find that Churchill is a person who escaped from prison, who ran away from prison; and I give this tip to the Honourable Member for Communications, this Mr. Churchill actually travelled in a train without a ticket. You can read his Autobiography, "A Roving Commission", and verify my statement for yourself. Many more details are given in his book. A man who ran away from prison, a man who travelled in a train without a ticket, which is one of the most heinous offences in India today, ought to be punishable with a year's imprisonment, such a man is offered the Prime Ministership of England, such a man is the head of the British Empire to whom we, naked *Fakirs* and dogs, should offer our help to fight for his country. He is talking of the freedom of Europe. Does he ever talk of the freedom of India? Never, so far as I know.

He has also said in that book, "A Roving Commission", in his most inimitable language that in war there should be resistance, in defeat there should be defiance, in victory there should be magnanimity, and in peace there should be goodwill. We in India offered Government goodwill when there was peace. Well, they declared a war against us. We are bound to resist it. It may be that we have failed in our war, or we may fail. Then, there is nothing else left, but to defy. I have the authority of the British Prime Minister to defy when I am defeated. So, Sir, we, the naked *Fakirs* of Mr. Churchill and the dogs of Sir Samuel Hoare have at last got the chance of telling our masters that we are also men, that if you tickle us, we also laugh, if you poison us, we also die; but if you hit us, we also hit.

We have been denied freedom of speech. In this connection, I should like to give one instance of the working of the Defence of India Act, so far as freedom of writing is concerned. I take the case of the *Sainik* newspaper of Agra. *Sainik*, published in its paper, as all other papers did a Resolution of the Council of the Provincial Congress Committee; and it reprinted 2,000 copies of these for distribution, as desired by the Provincial Congress Committee. The police then came on the scene and locked up the *Sainik* office, which was owned by my Honourable colleague, Pandit Sri Krishna Datt Paliwal, whose presence I am missing here. Law's delays are proverbial, it took months before the District Judge declared that the order of the police locking up the *Sainik* office was illegal. The Government then released the press. Within a week after that, the police locked the place again. The managers have not even been told what the offence was. Perhaps they have done something which, in the opinion of the men in authority, was not consistent with Government policy, and, therefore, the press must be locked up! Editors of newspapers are called to the office of District Magistrates in the various districts and they are given instructions as to what they should do, and what they should not do. When they ask the District Magistrates to give those orders in writing, the magistrates refuse to do so. But if the Editors act contrary to the oral instructions conveyed to them at those meetings, then they are punished. So, we

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have no liberty of speech, we have no freedom of association. The poor people suffer in many ways. Forced levies are collected from poor business people or from poor peasants. At some places there is a levy so much per plough, and the zamindars are threatened that if they do not sing to the tune of the District Magistrates, they would suffer various pains and penalties! Such is the condition of our people. I do not understand why we should grant any money at all.

One thing I did not mention till now, that is, that if the Government think that a majority of us are with them, they are very much mistaken. Do not the Government remember that an important Prince in India in a public statement said to the Indian National Congress: "Why do you want to paint the whole of India *red* when we want the whole of India to become *yellow*." Red, as Honourable Members know, is the colour of the British Lion; and yellow is the colour of the piping Princes. I do not know what happened to that Prince; but evidently that was something that should make the Government sit up. There must have been explanations; and I believe things were managed quietly and big subscriptions were paid by the Prince. In any case these words did indiscreetly leave his lips. I wish the Defence Secretary were here because I should like to tell him something about his Department. There is not all peace and happiness inside his army. There have been mutinies and desertions. There have been shootings, there have been court-martials, there have been sentences sending soldiers to the Andamans. If Government think that these items of news do not percolate through the land despite censorship, they are very much mistaken. Not only are the Indian soldiers unhappy over the situation, but also the British soldiers. The British soldiers are asking: "Why are we fighting, what are we fighting for?"—almost in the language of the Indian National Congress. They also ask: "Why are you ill-treating the people of this country? Why do you want us to kill persons whom we cannot hate? There is something more, many officers are glad that they have got heaps of extra cash and additions to their salaries. There are others, honest men who think that they are being paid too much and that very little work is required of them. Officers have deserted their posts in order to attempt to join as privates in the army in Europe. They are trying to run away from India. Some Officers have felt that their country being in danger, they should go and join the fighting ranks, and, even if they are not taken as officers, they are willing to go as mere privates. Some who went away like this were caught in Bombay and brought back and made officers again, because their motive was good and they were not punished any further.

As I just now stated, a number of officers feel that they are getting too much. That is the difference between the army and the civil service. The civilians want more and more pay, but the army men feel that they are to do their duty also and not merely feed fat at the expense of the country. So they say: "We have been paid too much, what are we to do with this money?" There has been a case where an officer actually deserted, burnt his uniform and rushed to Pandit Jawaharlal Nehru and told him that he was ashamed that Englishmen should be treating India in the manner they do. His family was associated with the Indian army for three generations, his grandfather had seen active service in Sind; and would Jawaharlal Nehru advise him to do something

which could be better than just serving in the army? Jawaharlal Nehru,—no truer friend England has in India.—advised the man to go back to his army, to don his uniform once again, and to do his duty where he was called upon to do it. And so he has gone back and I have no further information about him. Sir, I have brought forward these examples in order to show that all is not well in the State of Denmark,—by which I mean Honourable Members opposite. All is not well in the real Denmark either. I think all these matters should be looked into carefully for no attempt at lying propaganda can help them in keeping the truth away.

One thing I cannot understand. When the Recruiting Bill was being discussed in this House, many a dark Knight from the Punjab informed us that they were hungering for war and that they were most anxious for war. It is possible that light has since dawned on that Knight, but I find them all here. Why are not they at the front? They were dying to fight, they were anxious to be recruited, but why are they here?

An Honourable Member: The dark Knight has gone to fight.

Mr. Sri Prakasa: I hope he is in the land of the living. But as for others, I thought they were all most anxious to fight. They said these bantias are anxious not to fight because they are so cowardly, but the martial races of the Punjab are dying to fight. I said on that occasion that it is the bania who wants you to fight, because he will not go to fight; but will make money. And as contractor, he is already making money; and so now the joke is the other way round. It is now the soldier who wants the war to be finished, because nobody is anxious to prolong it, as far as I know, and they want peace to come soon. But to the bania, whether English or Indian, it does not matter, because he is making his money by getting contracts of all sorts for supplying good or bad things.

Sir, England and India have been in close association, for better or for worse, for the last 200 years. It was the desire of our leaders that this association should continue in mutual peace, amity, concord and goodwill. Offers were made again and again so that the resources of both the countries could be harnessed together in a common effort. But over and over again came the reply that India must wait for ever for her own redemption and must help the British to fight their battles across the ocean. Our question was simple: Why should we fight if our liberty is not to be secured to us? For whom should we fight? They ask: What will happen if the Germans come? What will happen if the Japanese come? What will happen if the Russians come? That is the threat that is given out. After two hundred years of association that is the position to which we have been reduced: that if the English go out somebody else must come in and we cannot take care of ourselves! Now supposing somebody else comes, how are we worse off. Speaking spiritually, we are slaves today, we shall continue to be slaves tomorrow. We are speaking English in this Assembly. We shall speak Japanese. And Indians are good at languages; they learn languages fairly quickly. My Honourable friends opposite after thirty years of association with us, cannot speak two or three sentences of an Indian language coherently and correctly. But, however ungrammatical my language may be, I believe I am fairly intelligible. So,

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Sir, we shall learn some other language. How shall we be spiritually worse off than we are today? I ask you this simple question: We are slaves and we shall only continue to be slaves. Have we not read "Britannia rules the waves, Britons never shall be slaves?" I wish the whole House would rise and sing: "Britannia rules the waves, Britain always shall make slaves." They say they will never be slaves themselves, but they will always revel in the slavery of others.

So, Sir, spiritually we cannot be worse off. Then shall we be worse off intellectually? Is German literature so much poorer than English literature? We read Shelley, we shall then read Heine; we read Shakespeare, we shall then read Goethe. If we are to continue to be slaves, slavery under the one is just as good or bad as under the other.

Dr. G. V. Deshmukh: Scientifically we shall be better off.

Mr. Sri Prakasa: And my Honourable friend, Dr. Deshmukh, with greater knowledge of scientific instruments, tells me that scientifically we shall be better off. Then, Sir, shall we be worse off socially? I am answering the problematic and hypothetical question as to what will happen if the British withdraw and somebody else comes. Materially we cannot be worse off than we are today. Socially we shall not be worse off. Our position in the world is pretty low and it cannot be lower. So I do not see how we shall be worse off even if the threatened invasion of another power materialises. But it will not be so. So far as I can scrutinise the chess-board of international politics today with all the misery and starvation stalking the land, I may be wrong—I see that Germany is out to get a good bit of Europe, that Italy is out to get a good bit of Africa, that Japan is out to get a good bit of eastern Asia; and that the two great countries of America and India are to be free and remain free. India is the enemy of no one and no one has an eye on India today, if I understand anything of this chess-board. I do not pretend to understand much, but I think no one has an eye on India, and therefore we are in no danger of any foreign aggression. Russia and Japan hate each other sufficiently not to allow each other to rob us of our country; and so far as our internal differences go, on which the British bank in India, I think we shall be able to settle them before very long, if left to ourselves and make ourselves really free and great, spiritually, intellectually, materially and socially. But, Sir, there is the war staring us in the face in all its horror. How is it to be financed? That is the plain and simple question. You want six crores of rupees and somebody must pay it. Why not we? But who profits most by this Government? Let that party pay. The Government servants are the best-off in this country. The highest offices in India carry emoluments greater than the highest offices even in England. And the Government servant, grade for grade, is any day better off than his brother not in office. He has to do less work, he gets more honour and he gets more pay; he gets more time to play and dance and dine. He can surely pay. What is the amount of money that is given in salaries to Government servants? I think it is a fair amount,—crores upon crores it must be. It is six crores only in my own province; and in the whole of India it must be any number of crores. Four or five times six crores. Then why not ask them to pay 50 per cent? No. On the contrary in the United Provinces Government they have increased the travelling allowances of Government servants which had been reduced by the Congress Government

because presumably they want their assistance to crush the people. Why cannot Government servants themselves in a sportsmanlike fashion come forward and say: "We shall pay 50 per cent of our salaries, and we shall go on paying it so long as the war lasts." You will be creating a sensation in the country: You will be making a gesture the like of which has never been seen, and you will be able to finance the war to the full. You will not need to bully the poor man into paying money: many persons have been bullied even into selling their cattle—such are the complaints that have gone to Mahatma Gandhi supported by chapter and verse—in order to pay for this war effort. I say all that will disappear if only the large number of persons who are receiving salaries from this Government, who are most interested in the maintenance of this Government, will do as I say.

What can the poor peasant give you? Go to the countryside. The peasant says: "What have we got to do with the war? We shall have to continue to till the soil, to produce the crops; we do not stand to gain or lose, whoever may be ruling the country." I do not know how far it is correct, but the story is that a statement of Pandit Jawaharlal Nehru about the war was printed in America. It was featured in a large number of newspapers. Then the British Ambassador wrote to the British Government in England saying that there must be some counterblast, and that the Government must get hold of some one who should write against a thing like that, so that that might also be printed in America. Then it seems that the Government of India was asked to approach a distinguished leader of a great party to write something. The expectation was that that writing would be a refutation of the Congress position. It appears, however that the leader who was approached, wrote that so far as the masses are concerned they do not care whether the British rule or whether the Germans rule. This was also featured in America; and the Ambassador there wrote angrily to the British Government: "What has the Government of India done? There must be some fool in the background somewhere who does not know what things to send out to print in a foreign land!" That is how the story goes. Whether it is true or false,—the truth is that the general mass of the people are quite indifferent. The stronger elements, the Princes and others, are hoping that when there is some sort of commotion they will be able to expand their territories and the eighteenth century will come back to India.

The fact remains that we are nobody's concern, and nobody worries about us anywhere; and so if it were possible for a certain amount of understanding between the British and the Indian, it would be for the good of all; and if there is no understanding there is bound to be an eternal struggle. However poor, dispirited, depressed and weak we may be, there is this fire burning in our hearts that we too should live the lives of self-respecting men and women in the world; and we hope that somehow things will so adjust themselves that we shall be as free as any other nation is. So far as the war is concerned, we have nothing to do with it. Honourable Members opposite are strong. They may squeeze us and they may bleed us and do whatever they like with us; but they cannot have our hearts. I have spoken with some warmth. I have also spoken with candour so that honourable friends opposite may know that there is another picture than the one presented to them day after day by interested

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people, as they comfortably sit in New Delhi. So far as we are concerned, our duty is plain. We must hope and pray and strive for a day:

"When the war drums throb no longer and the battle flags are furled
In the Parliament of Man, the Federation of the World.
When the commonsense of most shall hold a fretful realm in awe,
and the kindly Earth shall slumber wrapped in Universal Law."

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, when this war was declared against Germany, it was declared in the name of 400 millions of Indians, 100 millions of whom are Muslims and the rest non-Muslims; and the whole world was led to believe by constant propaganda that the moral support of these 400 millions was at the back of the British Government. But, in his heart of hearts, the Governor General must have known that, in order to substantiate the assertion, it must be proved that those who were really the accredited representatives of the nation are for this war. In order to achieve this object, interviews were arranged with the High Command of the Indian National Congress and the High Command of the Muslim League, and then certain proposals were put forward. What were those proposals? They are very well known: everybody knows them—expanded Councils and a War Advisory Committee. These expanded Councils were mere play-things, as the Hindus and Muslims both knew very well, and the offer which was made was spurned both by the Indian National Congress and the Muslim League. The British Government unfortunately—let me be very frank—has a peculiar knack of turning its friends into enemies. The attitude of the Congress is quite plain. When the war was declared, they said "Why was this war being waged? What is the object of this war?" No reasonable answer was given to this plain question. For some time they kept silent. Later on, Mr. Winston Churchill, who is brutally frank, declared from the housetops in England that the war was being waged in order to make Europe safe for democracy, in order to protect the weak nations, in order to rehabilitate Poland, Czechoslovakia and other small countries which had been raped, to their old position of independence. That is what he said. We, in India, were waiting for some word of hope from the Prime Minister. No such word came. India was not in the picture at all. The war was being waged in our name, but it was really for doing good to Poland, Denmark, Holland, Belgium and France which came under the German domination. This sort of thing went on for some time, and then the Muslim League, which used to be looked upon by certain unfriendly critics as the handmaid of British statesmanship and British diplomacy, rose to the height of the occasion and declared that they too had something to say. The Muslim League said that, when the war was declared, they were not consulted; if the Hindus were not consulted, the Muslims too were not consulted, in fact the whole of India was not consulted, and if India is dragged into the war against her will, there is no reason why the British Government should try to enlist her aid. It is a principle of universal application that he who pays the piper calls the tune, but this is India. Here we, who pay the piper, have not the right to call the tune. It is Sir Jeremy Raisman who has the right to call the tune. We are called upon merely to vote and find the money.

In this connection, Sir, I should like to make a few observations with regard to the defence of India. You say, and it is certainly true to a

large extent, that these are war times, these are abnormal times, and the expenditure runs into millions and millions. We in this country have already been overtaxed, and as the Finance Member told us the other day, India spends 20 lakhs of rupees per day, India contributes 20 lakhs of rupees towards the cost of the war, which, in other words, means 72 crores of rupees a year which India is now paying towards the cost of the war. But what is that amount, after all, against the huge sums that are being spent in England every day? I am told that England is spending about 14 crores of rupees every day, but at this rate even the wealth of the whole world will not be sufficient. What are you doing here? You will extract a few pice or annas from the poor man; the poor man will be taxed and taxed and re-taxed, and with all this how much will you be able to get? Say two crores or three crores. That, according to an Indian expression, is mere "*chutncy*". You want six crores. There is a deficit of 13 crores, and you want six crores now for the next four months. What is this six crores. Even if we were sure that this sum would be spent on the actual defence of India, we would have taken this Bill into consideration and discussed it on its merits, but we do not know where it is going to be spent, we do not know where the money is going. The Finance Department does not take us into its confidence. How are we to know where the money is going or how it is spent or that it is spent really for the defence of India?

Sir, so far as the defence of India is concerned, the real defenders of India are its western neighbours,—Afghanistan, Persia, Turkey, Iraq and the Arabian world. As long as these countries are safe, as long as these countries are not invaded, as long as their integrity remains undisturbed, India is free from danger. I have been to Turkey myself. In the year 1913, I paid a visit to Constantinople, and through the courtesy of His Excellency Jamal Pasha, who was the Governor of Constantinople then, I paid a visit to the famous Chatalja lines, a small corner on the other side of Istanbul. Coming from the west on the left is the Black Sea, and on the right is the sea of Marmora, and there is a neck of land only eight miles broad. Then, there are three paralalled lines of hills which were fortified. I saw the lines myself, and it is the judgment of the military critics that of the Chatalja lines are defended by a couple of hundred thousand brave men, they can withstand the armed might of Europe. Let 50 lakhs of warriors from Europe advance, but if 200,000 Turks are behind the Chatalja lines, the invaders will not succeed, and this is as true today as it was then. Then, Turkey was effete, Turkey was being trampled under foot by Europe. Since that time, however, there has been a marvellous revival under the guidance of the late lamented Mustafa Kemal Pasha. Today Turkey is a very strong power which stands as a barrier between Germany and India, and, therefore, as long as Turkey is safe, as long as Persia is safe, as long as Afghanistan is safe, India need not spend a single pie on her defence.

But you don't trust India, the British Government do not trust India. In the name of Imperialism, you cannot get even one soldier or recruit, but so far as Muslims are concerned, in the name of the Islamic countries, millions are ready to shed their last drop of blood. Only the other day, when a mass meeting of the Muslims was held in the Fatehpuri Mosque in Delhi, I told them that there was just a possibility of the Islamic countries being invaded by the Axis Powers, and I asked them

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if it was not their duty to come forward in their thousands to form an army of 50 divisions, and whether we should not ask the British Government in India to give our people military training for six months, so that these trained recruits may go forward and fight shoulder to shoulder against the invaders, because thereby we would be doing a service to Britain also. So a Resolution was passed unanimously, but I should like to know from the Defence Secretary if such a movement takes material shape, whether he is prepared to back it up. If he can help us, then we are ready to offer our men. Unfortunately, we have got very little money. The money is with the capitalists. Sir Cowasji Jehangir might be able to give you something, but I cannot. I have got only blood to offer you; rivers of blood had been shed and it will continue to be so shed, so far as the Islamic world is concerned, in the interest of Turkey and other Islamic countries.

Sir, the question of these Islamic countries has become an international question and is of very great importance to India, and my friends, the members of the Indian National Congress, feel convinced that in order to defend India, we must try and preserve the integrity and independence of the Islamic countries which are a barrier between Asia and the aggressors in the west. This is so far as the defence of India is concerned.

Now, what is the position in India? Our position is, as was so eloquently stated by my friend, Mr. Satyamurti, and by my friend, Mr. Sri Prakasa, over there, that of slaves. We are talking constantly from day to night and night to day about the desirability of our emancipation from foreign bondage, that we want to be as free as the proverbial lark, that we want to be free like other countries. Why should we remain slaves? We should be free. That is our one wish. There was a golden chance for the British Government to take time by the forelock and do something just by India. When the Indian National Congress, in its Delhi sitting, passed its famous Resolution calling upon the British Government to form a national Government at the Centre, it meant that the country was prepared to offer you men and money to fight the war. That was the time when the British Government should have jumped at the offer. Mahatma Gandhi had to go, because he does not believe in the sword. He believes in *ahimsa* instead of believing in the sword; he believes in charkha. I don't agree with him there, and there are many Congressmen who do not believe in the philosophy of *ahimsa*, whatever my friend, Mr. Satyamurti, may say. My temperament as a Mussalman revolts against the idea of acquiring an empire by means of spinning a few yards. So, that was the time so far as the Hindus were concerned.

Then, there came another opportunity. The Viceroy had a heart to heart talk with the leader of the Indian Muslims, Mr. Jinnah.

4 P.M. I think the Viceroy was convinced by my Honourable friend's relentness logic, but then he would not accept the terms that were placed before him on behalf of the Mussalmans. So, the Government alienated, on the one hand, the sympathies of the Congress, and, on the other, of the Muslim League. And now Government want us to vote for this Bill. Well, they may do what they like, but it is against human nature. It is against human nature that we

should pay for a matter which has no interest for us. The Viceroy and the Secretary of State are not prepared to do anything for India except a promise of a very vague sort of giving India Dominion Status after the war was over. Now, in order to be in a position to attain this status, a nation must have become well advanced, and it must be taken for granted that, because the Government are going to offer us membership of the British Commonwealth of Nations as equal partners, we must have attained that position. If we are in that position, I ask, why was Pandit Jawaharlal Nehru arrested the other day and given a thundering sentence of four years? If Pandit Jawaharlal Nehru can be arrested and given a sentence of four years, why should not General Hertzog who wants to conclude a separate peace with Germany be given four years? Now, look at that man, De Valera of Ireland. The position of Ireland is one of a Dominion. Ireland has remained neutral and wants to maintain her neutrality with the power of the sword. When Ireland and South Africa, which are partners of the British Commonwealth of Nations as Dominions, are allowed this liberty, why should this liberty be denied to India which we are glibly assured will have it, when the war comes to a definite conclusion, although I am not very sure about it. I am not very sure that after the war Dominion Status like a ripe apple would fall into our hands. (Interruption.) We do not expect that.

Let me tell you, and I will be very plain and very frank. I repeat the sentence that I used a few days before on the floor of this House, that, if, after the war, the liberal and profuse promises that are being made to India in the name of the British Government that Dominion Status would be conceded to her after the conclusion of the war—if those promises are not fulfilled, then the first man in India who would raise the standard of revolt against you, would be myself, and I think that then will come the time for the Congress and the Muslim League to join hands. If there are any two organisations which are nearer each other than others, they are the Muslim League and the National Congress. There are very small differences among them. People think that the differences cannot be bridged, that it is a gulf unbridgeable. I do not believe in that. It is my firm conviction that as long as the Muslim League and the Indian National Congress do not join their hands together, there will be no freedom for India, no liberty for India, no emancipation from foreign bondage. Let them come together, and I think the matter can be very easily settled. If only all the money spent and all the endeavours exerted on behalf of British Imperialism, by the powers that be, had been devoted to bringing these two together, bringing Hindus and Mussalmans together, I think the question would have become a very simple one, but unfortunately nothing was done and it is up to us alone to sit together, put our heads together and then arrive at some formula which is acceptable to both of us. There is such a formula, and I think Mr. Jinnah will tell you, he has already told you what that formula is.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair].

After all, you want Swaraj, you want an Empire, but you have to pay for it. Don't care for what others say. It is for you to say, it is for the Indian National Congress to prove that she represents the whole of India—although, unfortunately, the case is not true up to the present

[Mr. Lalchand Navalrai.]

Parliament. Here we are not allowed to take part in the war functions. We are not given an opportunity to say whether the money required should be spent on the objects on which Government want to spend it and whether it should have been spent with the consultation of the Assembly. That has not been done at all. So the Indian Government do not feel any responsibility to the Members of the House and with what face then do they ask for money now, without telling us anything or affirming that they will be responsible and that they will consult us or that they won't do anything without our sanction? Therefore, they do not feel any responsibility and I do not think they can, in justice, ask for any money being given to them.

Then, Sir, some people resented that Government have been carrying on their functions for war purposes without consulting us and even an adjournment motion that was placed before this House in order to know such things was disallowed. Therefore, in what way are we to convince ourselves or to convince our constituency to which we are responsible that everything is all right? We are to consider this Bill and give our own opinion; we give a particular opinion, but we cannot say we are responsible to our constituents because they will say, "On what facts and figures did you take part in this Bill and give your sanction for the Finance Bill?" Sir, I would further submit that, several Departments have now been opened and these Departments have not got any sanction of the Assembly and they are being carried on in a manner and are being maintained with high salaries without any consultation with us. Is that fair, I ask? And I submit also that it is being alleged that great profiteering has been taking place in regard to the appointments and other happenings of these Departments. It is for the Government to satisfy us that this is not correct?

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): What Departments?

Mr. Lalchand Navalrai: The Supply Department.

Dr. Sir Ziauddin Ahmad: And allied Departments?

Mr. Lalchand Navalrai: Yes, of course. It is, therefore, that I am asking how the expenses have been incurred. I put the question the other day to the Honourable the Finance Member to tell us in detail how this money has been spent. The Honourable Member said, "well, look at my statement that I made on the first day and that will satisfy you." I have read the statement but I do not find out how the money is being spent. I am told that what you want is there in the statement. But how have you spent this, whether the particular officers that were appointed were rightly appointed and so on, whether the pay that was given to them was proper, all these were the things on which we required to be satisfied. Then, Sir, it is said that the high appointments in the Supply Department have been given to non-Indians and certain people have been brought in there from outside the Government offices, directly, on very high salaries. Now, is there any reply given to it? When we put that question, there was a very evasive reply. We do not get a direct reply. Why not put a list before us and say, "well, these are the officers appointed on such and such pay", so that we may have confidence in what the Government are doing.

Then, Sir, with regard to the purchases for war purposes. We do not know whether the purchases that were being made were by tender or how they were made. Was any delegation of power made to a particular officer, who was put in charge of them, to make purchases by asking for competitive prices? Nothing has been done. At any rate that has not been brought to our notice. Then, Sir, I cannot also understand why, while for past seven months everything with regard to the war and allied purposes, was being done by ordinance, this was not similarly done; it would have been much better to have this money too asked from the country by ordinance, and why throw the responsibility upon us? It may be that His Excellency the Governor General may have been satisfied by the Department, but when you ask that the Assembly should give the sanction, then you must place all the data before the Assembly, which has not been done at all. Besides that, ordinarily, when a Finance Bill is placed before the Assembly, it is done after the Budget is presented so that we see what would be the expenses and it is then after that the Finance Bill is presented. Now that is not done here. Only a few statements are made, certain items are referred to, and then we are told, "we shall require so much money". That is absolutely an incorrect procedure. It practically comes to this that the Finance Member says, "well, believe me and give the money". I do not think the country would be ready to do that nor the Honourable Members of the House would be prepared to do that.

Then, Sir, to raise the money even for war purposes by an extra tax on incomes, which already bear so many taxes such as the ordinary income-tax, the super-tax, the excess profits-tax, then if this tax is levied, I would submit with confidence and in all earnestness that that would be exhausting the economic capacity of the people who are already poor. The first way of raising money should have been by applying the axe to the already too extravagant expenditure; this has not been done. Even ordinarily at the time of the Budget, whenever any new taxes are sought to be put, it is claimed that first of all apply the axe,—make retrenchment, lower the higher salaries and then come to us for new taxes; in the like manner that should have been done—not that you directly present the Finance Bill and say, "you pay this money and we will give you the account afterwards". Then, afterwards, they will say, "we never anticipated this, we could not have prophesied that this would have happened". Now that is absolutely wrong. I would submit, Sir, that if the Government of India were really intent upon applying the axe, certain Departments could be suspended for the time being. Now, we have the Audit and Accounts Departments. Why should not these, in a time of emergency, be amalgamated? In the like manner there are other Departments also which should be joined together or suspended for the purpose of making economies. This could be easily done in the Railway Department, which now has a prosperous budget and no deficit to face, for it is indicated in the statement of the Honourable Member that the Railways will make some contribution. If the axe is applied there, the contribution will be greater. You say, "leave all that aside, let those things remain as they are, let them carry on as they wish, you may protest against that, but we will not do anything in that direction, we want more money, more and more". Sir, I submit that the economic condition of the country is too poor and to impose an additional burden on their already scant income is to embarrass the people. You want that the

[Mr. Lachand Navalrai.]

British people should not be embarrassed in the country but you are actually embarrassing us. Besides that, there are many ways for the Government of India to raise money. They can float loans. The Government of India have got the credit and they can raise large loans and carry on the Government for the time being. (Interruption by Seth Haji Sir Abdoola Haroon.) The Honourable Member is a very rich man and he will be ready to give loans. Take hold of such fat and rich people but do not tax the poor people who are living from hand to mouth.

Then, Sir, I would like to quote the views of some of the commercial concerns. These are the views of the Indian Buyers, Shippers and Merchants. They say:

"This poor country is already groaning under heavy taxation quite disproportionate to its capacity. Its struggling industries and trade have suffered stunning blow from Excess Profits tax. There is heavy depression in trade and prices of principal agricultural produce have maintained low levels owing to export restrictions and prohibitions, inadequate shipping facilities and price control."

These points that I am reading out have already been admitted by the Honourable the Finance Member in his statement. Then, why should you place further burden on these people? The telegram goes on:

"Trade industries badly need due relief and fostering care from Government to survive and play their part in national economy and defence in these most critical times. In these conditions, Government's imposing 25 per cent. enhancement tax on all taxable incomes will be a step most indiscriminate, uncalled for and particularly detrimental to small incomes represented by most of indigenous industries and trading companies. Increase in postal, telegraphic and trunk call charges further aggravate their miserable plight and Committee seriously apprehended such measures would only result in curtailment facilities and will fail to yield expected increase."

What I am submitting is this that in levying taxes it is very necessary to see whether the people have the capacity to pay them. From time to time these taxes have been increased and even at the last time when the income-tax was being increased it was shown that the people were not in a position to pay. That is especially so in these days of depression.

Now, Sir, the House knows that when this tax, that is being asked for, will be levied, it will be paid by the whole of India and all the provinces will be affected. Therefore, I feel it my duty to refer to the conditions of Sind. I shall show the callousness of the Government of India and that of the Governor General in Council. I shall also show that no help has been given to the Hindus in Sind with the result that their economic capacity has been undermined. Therefore, it will not be right to call upon them to pay this tax.

Sir Syed Raza Ali: May we suggest that the Hindus of Sind should be excluded from the payment of this tax?

Mr. Lachand Navalrai: These are my general comments on the Bill. But as the Bill affects equally my part of the country, I would like to put forward certain conditions. One is the outrageous treatment which has been extended to the Hindus who mostly pay the income-tax. They are receiving most callous treatment at the hands of the lawless people who have killed a very large number of well-to-do Hindus. This cannot possibly be denied. It has appeared in the press and everybody knows it.

Then, the present economic capacity of the people of Sind must also be taken into consideration. As I have shown, this matter has got to be considered mostly from the point of view of the ability of the Sind Hindus to pay because it is mostly the Hindus who pay the income-tax in Sind.

Sir, the Hindus of Sind have a grievance against the Government of India. Fully knowing that murder after murder of innocent Hindus has taken place and the law and order has been violently disturbed, Government have failed to restore peace and order. The Governor has refused to take law and order in his own hands and the Government of India have done nothing to avert such unprecedented calamity. It is they who now want those very people to co-operate with the Government. When I moved an adjournment motion, the Leader of the House said that the Government of India are different from the Governor General. Now, this money is asked for on behalf of the Governor General and if the Government of India have not even the power to give advice to His Excellency the Governor General to do certain things, then it would mean that they do not exist. I will therefore say, just as the Honourable Mr. Satyamurti said today, that in other matters also the Executive Councillors do not exist. If that is the position, it is most deplorable. In cases where people are being killed and where the local authority has failed to give them protection, is it not the duty of the Members of the Governor General to come forward and take measures to see that all that lawlessness is rooted out?

Dr. Sir Ziauddin Ahmad: Do you want the constitution to be suspended and the administration taken over by the Governor in Sind?

Mr. Lachand Navalrai: I am now asking for law and order being maintained. I am saying that every one in this House and outside should help the Hindus in Sind. It is a mere pretext to say that this is a provincial question. The Government of India is the highest government in this country and it is responsible for the good administration of the whole of India, no matter even if power is given to the provinces. When any province shows that it has failed in its duty of maintaining law and order, then it is the duty of the Government of India to step in. The theory of non-interference, as is sometimes propounded, cannot be sustained and this only shows want of common sense. How is the Government of India different from the Governor General? This is merely punning upon words. The Executive Council members are the colleagues of the Viceroy and all of them are paid from the Indian exchequer. At this critical juncture in Sind, the Government of India should give proper advice to the Governor General and they should not leave the people of Sind to the tender mercies of hooligans. If the Government of India cannot do this, it only shows a bankruptcy of brains. The Government of India want money for war purposes. They should, therefore, leave no stone unturned in Sind and restore law and order. The condition of the Sind Hindus is simply woeful. The Hindus are being killed in trains, on public roads, in fields, in mufassil villages. That is the present state of affairs in Sind. Many lives of young men have been taken away and enormous property has been looted. The Hindus are obliged to incur extra heavy expenditure to keep what is left. The Hindus in Sind are law-abiding people, and if they are called upon to make contributions to the war funds by way of enhanced income-tax, and so on, they simply cannot do it.

Seth Haji Sir Abdoola Haroon (Sind: Muhammadan Rural): The Government in Sind is helping them.

Mr. Lalchand Navalrai: I know what help you are giving there. You will merely tell yarns. I am convinced of this. I did not want to generate any heat in this debate. It is only the interruption of my Honourable friend that makes me refer to these things. (Interruption.) I do not mind what my Honourable friend, Sir Syed Raza Ali, says, because I do not attach any value to his words.

I would, therefore, appeal to the Government of India that in order to save their reputation and honour they should take strong measures and restore tranquillity in Sind. The point that I wish to make is this. If the Government restores tranquillity and peace in Sind, then the Sind Hindus will be able to bear their share of taxation. At present their earning capacity has gone down. If the Government should restore law and order, the Hindu zemindars will go to their fields and till their lands and make a living. To ask them at present to contribute funds for the prosecution of the war is not right at all. It is out of question. They will not be able to pay anything. I again submit that it is the duty of the Government of India, though not directly, at least by advising the Governor General to come forward at this juncture and help the people of Sind. The economic condition of the people there is really miserable. Here I may take the instance of the United Provinces. When the Provincial Government imposed a tax on professions in addition to income-tax subjecting Government officers there too and when these officers represented and said they will not be able to pay that tax, what did the Government of India do? In order to ensure that their pockets were not touched, the Government of India went so far as to see that the Government of India Act was amended. Therefore, my submission is that if you want Sind should contribute any money for war purposes, they will willingly do so if their lives and properties are made safe. It would be in the fitness of things that though once they refused to help Sind, at least now the Government of India should step in and see justice is done to the Hindus of Sind. The Britishers are fighting for their hearths and homes, the Government of India say that they are fighting for their hearths and homes. The Sind Hindus are fighting for their hearths and homes; they are struggling for their very existence. Their earning capacity has been affected by this lawlessness. How can they pay income-tax? Though the Government of India have failed in their duty till now, at least they can come forward now and help the poor Hindus of Sind. The area affected by lawlessness is not small. It is not only Sukkur that has been affected. The trouble has spread beyond that district. Lawlessness has extended to Jacobabad also. Therefore, it is not merely the capacity of the people of Sukkur that is affected.

Sir Syed Raza Ali: Jacobabad is a hot place.

Mr. Lalchand Navalrai: But it is not a hot place for people to be killed. The lawlessness in Sind is something unthinkable. Even now people are taken with the help of convoys to their villages. How can they go to their lands to till them?

So far as this Bill is concerned, I would submit there are two points upon which the House should be satisfied to the utmost. Firstly, whether

this war that is being waged is for Imperial purposes or for the defence of India. If satisfactory explanation is given, then I am sure the House will consider this Bill. The second point is that the Government should feel that they owe a duty to the Members of the Assembly and show them how they have behaved up to this time, how they have spent money up to this time. They should also say how they are going to spend money hereafter. It is only then they can be helped by this country. With these words, I resume my seat.

Mr. Abdul Qaiyum (North-West Frontier Province: General): Sir, I rise to oppose the motion moved by the Honourable the Finance Member, and, in order that I should do so, I must bring the House back from the deserts of Sind to the Assembly Chamber in New Delhi. My Honourable friend, Mr. Sri Prakasa, made a very long speech and in doing so he said all that there was to be said from the Congress point of view. But while he was developing one of his arguments, he appears to have said that any other rule in India could not be worse than the existing rule of the British in this country. I do not want anybody to run away with the idea that there is anybody in this country who wants British rule to be substituted by any other form of alien domination. We are out to put an end to British rule in the sense in which it exists today. We want to see an end of British Imperialism and British domination in this country. And once we are strong enough to do that, I think the people of this great country, once they are united, can face any outside attack, be it from the east or from the west or even from a combination of hostile States from outside our own country. Therefore, I want to make it clear that the Party to which I have the honour to belong, and the vast majority of the people of this country do not want any change of masters, that they are out to free themselves, and I hope that with God's help it will not be long before we shall see the last of this British or alien rule in our country.

I am really amazed at the Honourable the Finance Member expecting us to supply money for his war. Why should we help this present Government? Did they consult us before they entered into the war? Did they consult the people of this country? Did they consult the Central Legislative Assembly or any of the Provincial Assemblies which were then in Session, when the British Government decided to declare war upon Germany and later on against Italy? As we were not consulted, the other question for us to consider is whether this war is being fought for the good of our country, or for the defence of our country, or is it a war which is being fought for the maintenance of British imperialism and for the maintenance of British vested interests all over the world? We find that with the lapse of time the war aims of Great Britain have undergone remarkable changes. Formerly, it was a crusade to set up democracy in Europe; later on, these have been reduced to a much humbler ambition, namely, that of survival in this world. But we all know what survival of Great Britain in its present form means. It may mean one thing for the Irish Free State, it may mean one thing for South Africa or for any of the self-governing Dominions of Canada, Australia or New Zealand, but for India it means nothing but stark naked Imperialism and a type of Imperialism which we have learnt to loathe and detest, the type of Imperialism that we want to end once and for all. How can we help this Government? It was only the other day, Sir, that the Leader of the largest Party in this Assembly and my Leader, Mr. Bhulabhai Desai, a member of the Congress Working

[Mr. Abdul Qaiyum.]

Committee, accompanied by the Secretary of this Party, Mr. Asaf Ali, another member of the Congress Working Committee, visited the Frontier Province with a message on behalf of the All-India National Congress to the tribes which inhabit the areas which immediately border on the settled districts of the Frontier Province. What was the treatment that was accorded to them? An order came from the Government of India and from the Provincial Government that not only was their entry forbidden into the tribal area, but another order before which I think all orders which have so far been passed by Herr Hitler or by Signor Mussolini pale into insignificance was passed, namely, that they were not allowed to visit Bannu which is a settled district, part of a province where Provincial Autonomy has been working as in the rest of India. Definite restrictions were placed upon their visiting a district which is a part of British India. While it is possible for an Englishman to go to Bannu in great luxury and under the protection of the army and all other available forces which have been provided for by the Indian taxpayer, this irresponsible Government of India had the effrontery to stop Mr. Desai and Mr. Asaf Ali from visiting Bannu. The things that have been happening in the Frontier Province and the way they have been playing with the liberty of the people is not known to people in the rest of India, because of the stringent press censorship. Only those news which the British Government consider proper in their own interest are allowed to be presented to the public in India, but the real news is being suppressed.

Look at the way in which people who had dealings with Afghanistan have been treated in the Frontier Province. Most of them have been arrested on suspicion; traders, lorry drivers who had their business connections with Kabul have been clapped into jail. For months they are rotting there without any trial and their families are absolutely stranded; and all the time Government are announcing that they are about to prosecute them under the Defence of India Act. There are respectable persons among them who are rotting in prison since the middle of July and the Government there have not thought it fit even to bring them to trial. I know of one case where a person's house was searched on suspicion only, and after a night-long search the police seized one document which had been presented to him by me and which I had received, namely, a pamphlet on behalf of the All-India Muslim League in favour of the Pakistan scheme. They considered that there was something dreadful in that document and it was after a lot of correspondence that they found that it was a very harmless document and that there is nothing in it against the British Government. This is the way people are being treated; this is the way the Leader and the Secretary of the largest Party in this Assembly have been treated by this Government of which the Honourable the Finance Member is a member and on behalf of whom he requests us to supply him with the means to carry on the war in order to make Britain triumphant; so that Britain can crush us all the more; and in order that Great Britain may rule us for a much longer period than it is able to do. We have no sympathies with Germany and we have no sympathies with Italy, but I assure this House that at the same time we have no sympathies with British imperialism either. I think as far as this country is concerned, in relation to Indian freedom British imperialism is as bad as German imperialism in Denmark, Norway, Holland and Sweden, or Fascist imperialism in Albania or Abyssinia. In all its naked horror, in its callousness, in its brutality, in its

suppression of the freedom of speech, freedom of association and freedom of movement, British imperialism stands out in as bad colours as any Fascist or German or any other imperialism in any part of the world. We who have been slaves of the British know what imperialism means. We know how the people of Denmark feel about the domination of Germany. We know how the people of Belgium and of Luxembourg and of the countries and states which have been recently overrun by the Germans and Italians feel.

Mr. F. E. James: May I ask my Honourable friend a question? Will he be allowed, if he were in Denmark, Holland, Belgium or France, to make there the kind of speech against Germany that he makes here?

Some Honourable Members: Yes; in the Assembly they do.

Mr. Abdul Qaiyum: Let me tell my friend one thing. A British officer went to the Afridi territory and told one of the Afridis "Do you know what will happen if the Germans came? There will be this and that kind of atrocity and all sorts of horrible things". The Afridi said:

"Well, we have had a taste of your rule. How can we condemn the other fellow before we have had a taste of his rule? It may be worse than yours, but I do not think that you are in any way better considering the way you have treated the people in this country."

Sir, I assure you that this country is heading for a revolution. The Government are blind: they are deaf: they are not amenable to reason, and forces are working in this country and the Government are forcing those forces in such a direction that India is heading for a first-class revolution.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can stop now.

The Assembly then adjourned till Eleven of the Clock, on Tuesday, the 12th November, 1940.

LEGISLATIVE ASSEMBLY

Tuesday, 12th November, 1940.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

WANT OF SHUNTING FACILITIES AT BUKHTIARPUR JUNCTION OF THE EAST INDIAN RAILWAY.

48. **Mr. Muhammad Nauman:** (a) Is the Honourable Member for Railways aware :

- (i) that there is considerable detention of working goods trains at Bukhtiarpur Junction in Dinapore Division of the East Indian Railway for want of shunting facilities, resulting in unnecessary expenditure on the running of these trains;
 - (ii) that such trains have also on that account to be stabled;
 - (iii) that successive station-masters of Bukhtiarpur have been writing to the Divisional Superintendent, Dinapore, for the extension of the yard and the introduction of 'B' class system of working at Bukhtiarpur;
 - (iv) that 'B' class system of working had actually been introduced in 1927, but later was withdrawn; and
 - (v) that, due to the present war condition, it is not possible to extend the yard at present?
- (b) If the answers to parts (i), (ii), (iii), (iv) and (v) be in the affirmative, do Government propose economising expenditure on these trains by introducing single line system of working within the local limits only of Bukhtiarpur to relieve one line for shunting purposes?

The Honourable Sir Andrew Clow: Enquiries are being made from the Railway Administration and a reply will be laid on the table in due course.

DUTIES AND EMOLUMENTS OF THE CIVIL ADMINISTRATOR, KAMARAN.

†49. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** (a) Will the Foreign Secretary please state the duties and emoluments of the Civil Administrator, Kamaran?

(b) How much of his time does he ordinarily devote to the work of pilgrims?

† Answer to this question laid on the table, the questioner being absent.

(c) What part of his salary is met from Government funds and what part from the quarantine fees realised from pilgrims?

(d) Will he get any pension or gratuity from the amount of fees collected from pilgrims when he retires from service?

Mr. O. K. Caroe: (a) The Civil Administrator, Kamaran, is responsible for the entire administration of the Island. He is also the Director of the Quarantine Station and in that capacity exercises general supervision and control over the whole staff of the station. He is employed on contract and draws pay in the scale of Rs. 900 (probation)—950—100—1,350, subject to proportionate reduction by the amount of pension he may be drawing.

(b) Like other members of the staff he is in touch with the pilgrims during the pilgrim season and for the rest of the year he is in charge of the arrangements which are made for the pilgrims.

(c) The entire pay of the Civil Administrator is met from quarantine revenues.

(d) No pension or gratuity is granted as a rule, but any case requiring special treatment is considered on its merits and the amount involved charged to the Quarantine Station Fund.

DACCA MAIL DISASTER.

50. *Maulvi Abdur Rasheed Chaudhury: (a) Will the Honourable the Railway Member please state the cause or causes of the 8 Down Dacca Mail disaster on the 5th August, 1940?

(b) Was any enquiry committee appointed to enquire into the cause or causes of disaster, and who were the members of the committee?

(c) Did the committee submit any report? If so, will the Honourable Member place a copy of the report on the table of the House?

The Honourable Sir Andrew Olow: (a) The cause of the accident was the removal of a rail from the track before the arrival of the train.

(b) and (c). No: the accident was enquired into by the Senior Government Inspector, a copy of whose report is in the Library of the House.

Maulvi Abdur Rasheed Chaudhury: May I know, Sir, why in these cases no judicial inquiry was made?

The Honourable Sir Andrew Olow: The Honourable Member was not present during the debate which took place last week, from it he will find the reasons.

Mr. K. Santhanam: Was any inquiry made by the Provincial Government?

The Honourable Sir Andrew Olow: I believe the Provincial Government has decided to make no judicial inquiry.

Mr. K. Santhanam: May I know, Sir, whether the Provincial Government approached the Central Government on the matter of this inquiry, and did the Central Government offer any advice to them?

The Honourable Sir Andrew Olow: I am not sure what the Honourable Member means, when he asks whether the Provincial Government approached the Central Government, but there has been a certain amount of correspondence on the subject.

Mr. K. Santhanam: May I know if the Central Government suggested to the Provincial Government that an inquiry need not be held?

The Honourable Sir Andrew Olow: I am not prepared to disclose any correspondence which took place demi-officially between two Governments.

Mr. K. Santhanam: Am I to understand then that the Honourable Member does not deny that the Government of India might have suggested to the Provincial Government that no inquiry need be held?

The Honourable Sir Andrew Olow: The Honourable Member is not going to get it disclosed by asking whether I deny or affirm it.

Mr. N. M. Joshi: May I know, Sir, whether the Government Inspector is still under the control of the Railway Department or he is made independent of that Department?

The Honourable Sir Andrew Olow: He is subordinate to the Railway Department, but not to the Railway Administration.

Mr. N. M. Joshi: May I know whether Government propose to remove him from the control of the Railway Department and place him under some other Department?

The Honourable Sir Andrew Olow: They have that question under consideration.

Mr. N. M. Joshi: May I know, Sir, for how long have the Government of India been considering that question?

The Honourable Sir Andrew Olow: I think during last year, actively.

Mr. N. M. Joshi: Is the Honourable Member aware that in the new Constitution of the Railway Board the Government Inspector is made independent of the Railway Department?

The Honourable Sir Andrew Olow: I believe that is so.

Mr. N. M. Joshi: May I know, therefore, that this question has been under the consideration of the Government for a much longer time?

The Honourable Sir Andrew Olow: Not actively, Sir. I think the question was raised in this House in the Budget before last, and it was raised in the Council of State in the last Session.

RELIEF GIVEN TO THE VICTIMS OF THE DACCA MAIL DISASTER.

51. *Maulvi Abdur Rasheed Chaudhury: (a) Will the Honourable the Railway Member please state how many people were killed as a result of the 8 Down Dacca Mail accident and how many were injured?

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(b) What steps, if any, were taken to render first aid to the injured, and what steps, if any, were taken for giving medical relief to the injured after the first aid?

(c) Were any steps taken to repatriate the injured to their homes at railway expense?

The Honourable Sir Andrew Olow: (a) and (b). I would refer the Honourable Member to the copy of the Senior Government Inspector's report on the accident which is in the Library of the House.

(c) Yes.

Maulvi Abdur Rasheed Chaudhury: May I know, Sir, how many of the injured were repatriated at Railway expense?

The Honourable Sir Andrew Olow: I have not got the numbers here.

ACCIDENTS TO THE DACCA MAIL IN 1939 AND 1940.

52. *Maulvi Abdur Rasheed Chaudhury: (a) Will the Honourable the Railway Member please state the total number of accidents to the Dacca Mail in 1939 and 1940?

(b) Is it a fact that the accidents are mostly due to defective engines?

The Honourable Sir Andrew Olow: (a) Government only receives information of serious accidents as defined in the Government of India, Railway Department, Notification No. 1926-T., dated the 19th March 1930. There have been two such accidents, one in 1939, and one in 1940.

(b) No.

Maulvi Abdur Rasheed Chaudhury: May I know, Sir, what is the cause of these accidents if it is not due to bad rails?

The Honourable Sir Andrew Olow: The reason for the first accident was one train crashed into another train which was standing at a station; the reason for the second accident was removal of a rail.

Maulvi Abdur Rasheed Chaudhury: By whom was the rail removed?

The Honourable Sir Andrew Olow: If the Honourable Member will give me their names, I shall be very grateful to him indeed.

Pandit Lakshmi Kanta Maitra: If the inquiries disclosed that the accident was due to sabotage, may I know if the miscreants have been traced out?

The Honourable Sir Andrew Olow: Investigations are still proceeding.

Pandit Lakshmi Kanta Maitra: May I know, Sir, if the Honourable Member has been in communication with the Provincial Government to find out what steps they took or are taking on this particular section to trace the miscreants?

The Honourable Sir Andrew Olow: Steps are being taken to trace out the miscreants, but I do not know whether they will be successful or not.

Pandit Lakshmi Kanta Maitra: Are these steps taken by the Government of India or by the Government of Bengal?

The Honourable Sir Andrew Olow: I think by both; we have had a police officer on special duty.

Mr. Badri Dutt Pande: Are these lines guarded by the police?

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

DIVERSION OF CARRIAGE OF POSTAL MAILS BETWEEN SYLHET AND SHILLONG FROM ROAD TO RAILWAY.

53. *Maulvi Abdur Rasheed Chaudhury: Will the Honourable Member for Communications please state:

- the reason for the diversion of carriage of postal mails between Sylhet and Shillong from the road to the railway;
- the time taken for carriage of the mails by the respective routes and their respective lengths;
- the steps that are being taken, or are contemplated, to restore the old route by road, and when it is expected to be restored;
- whether it is a fact that for some time mails were carried by a passenger-carrier concern at a nominal charge of rupee one per year and that contract is no longer available having been terminated by the Postal authorities themselves;
- whether offers to run these mails are still available at Rs. 300 a month, and why the offers are not accepted;
- the volume and income from these mails; the reasons for refusing the offers; whether the importance and income-value of these mails do not warrant the expenditure of a sum of Rs. 300 a month which works at about one anna per road mile;
- whether any communications passed between the Government of Assam and the postal authorities about carriage of these mails;
- whether the above mentioned contract at rupee one only was terminated on the advice of the Government of Assam, before making suitable arrangements to carry the mails by road;
- whether the postal authorities used discretion, or merely accepted the advice of the Provincial Government;
- the present cost of carriage of these mails by railway route and otherwise by runners, etc.; and
- the cost per road-mile of carriage of mails by motor vehicles on other hill roads of the province?

The Honourable Sir Andrew Olow: (a) The reason is that the remuneration demanded by the contractor for conveying mails by motor was excessive.

(b) The distance by direct road from Sylhet to Shillong is 86 miles and the time taken to convey mails by motor was 6 hours and 5 minutes. The distance by railway route via Lumding and Gauhati by road from Gauhati to Shillong is 368 miles and the time taken is 40 hours.

(c) The matter is under examination in consultation with the Provincial Government.

(d) The reply is in the affirmative except that the amount paid was Re. 1 per month and not per year.

(e) Yes, the offer was not accepted as the amount demanded was considered excessive and unjustified.

(f) The average weight of mails carried by road between Sylhet and Shillong was about two maunds a day. Information about the income from these mails is not available. Government do not consider that either the volume or the importance of the mails warrant the expenditure of a sum of Rs. 300 per month.

(g) and (h). Yes.

(i) In view of certain information received from the Provincial Government, the local postal authorities considered it necessary to give notice of termination of the contract.

(j) Rs. 72-8-0 per month.

(k) The cost varies from five annas three pies per mile to ten pies per mile.

Maulvi Abdur Rasheed Chaudhury: Is it a fact, Sir, that it was due to financial reasons that this mail route was diverted?

The Honourable Sir Andrew Olow: I have given the reason for the diversion of the mail route in the reply which I just read out.

Maulvi Abdur Rasheed Chaudhury: I find, Sir, according to the information placed before the House by the Honourable the Communications Member, that formerly the mail was carried at Re. 1 per month; may I know what is the cost now for carrying the mail from Sylhet to Shillong?

The Honourable Sir Andrew Olow: I also gave that figure in my reply to part (j).

Maulvi Abdur Rasheed Chaudhury: May I know, Sir, when the cost is so small as Re. 1 per month, what is the financial gain on account of the diversion of the mail route?

The Honourable Sir Andrew Olow: It is not a question of financial gain. It is a question of cutting down the financial loss; the difference is that between Rs. 72-8-0 and Rs. 300 per month.

Maulvi Abdur Rasheed Chaudhury: It was carried at Re. 1 per month?

The Honourable Sir Andrew Olow: Yes, but the Contractor is not willing to carry it at that rate now.

Pandit Lakshmi Kanta Maitra: What was the amount tendered by the contractors for carrying the mails by motor?

The Honourable Sir Andrew Olow: The amount demanded was, I think, Rs. 300.

Pandit Lakshmi Kanta Maitra: What was the rate before that?

The Honourable Sir Andrew Olow: One rupee per month.

DISCRIMINATION IN THE MATTER OF PASSES AND PRIVILEGE TICKET ORDERS BETWEEN AN ADOPTED AND STEP-SON ON STATE RAILWAYS.

54. *Mr. Lalchand Navalrai: (a) With reference to the supplementary question to my starred question No. 521, asked on the 26th August, 1938, will the Honourable Member for Railways be pleased to state whether it is a fact that step-children of an employee on the North Western Railway are entitled to passes and privilege ticket orders, even when he has natural born legitimate children of his own?

(b) Is it a fact that under the present railway rules, an adopted child loses the privilege of passes and privilege ticket orders, when the employee is blessed with his natural born legitimate child?

(c) If the reply to parts (a) and (b) be in the affirmative, what are the reasons for discrimination in the matter of passes and privilege ticket orders between an adopted and step-son?

(d) Are Government aware that the right of adoption is permitted only to Hindus, who have generally no step-children amongst them and that this restriction is objected to by the Hindu employees?

(e) Is it proposed to issue instructions to ensure equal treatment to employees of all communities by allowing similar treatment to the step and adopted children in the matter of railway passes and privilege ticket orders? If not, why not?

The Honourable Sir Andrew Olow: (a) and (b). Yes.

(c) and (d). The difference was based on the legal position in respect of adoption. I have not seen any complaints from employees on this score, but the question will be re-examined.

(e) If any further instructions are issued to State-managed railways, they will be based on the principle of according similar treatment in the matter of passes and privilege ticket orders to the children of employees of all communities.

Mr. Lalchand Navalrai: May I know from the Honourable Member if, when there are more than one son who are natural born, all of them will be entitled to passes, or only one?

The Honourable Sir Andrew Olow: I think they are all entitled to passes.

Mr. Lalchand Navalrai: May I ask if the Honourable Member knows that even if when an adopted son is there, a natural son is born, the adopted son continues to be a son, and both the natural born son and the adopted son are considered as two sons? Then, why should they not get passes? Will the Honourable Member consider the question from that point of view?

The Honourable Sir Andrew Olow: The Honourable Member seems to be arguing. I have promised that the question will be re-examined.

Maulvi Muhammad Abdul Ghani: May I know whether there is any proposal with the Government of India for the abolition of passes altogether?

The Honourable Sir Andrew Olow: The abolition of passes is not under consideration at present.

Mr. Sri Prakasa: With reference to the reply to part (d) of the question, is it not a fact that plenty of Hindus have plenty of natural born legitimate step-children?

The Honourable Sir Andrew Olow: I have never heard of a natural born legitimate step-child. (Laughter.)

PERCENTAGE RESERVED FOR MUSLIMS IN LABOUR AND INFERIOR SERVICES ON STATE RAILWAYS.

55. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether any percentage has been reserved for Muslim community in labour and inferior services on the Indian State Railways and particularly on the North Western Railway? If so, what is that percentage for each railway, separately?

(b) If the reply to the first portion of part (a) above be in the affirmative, will the Honourable Member please state under what rules or resolution of the Government of India percentages of services on the railways have been reserved for minority communities in inferior and labour services?

(c) Is it a fact that the percentage of subordinate services to which the principle of communal reservation in services applies is fixed at 60 per cent. for Muslims on the North Western Railway? If so, why does the North Western Railway administration apply the ratio of 70·1 per cent. or thereabouts for recruitment to the inferior and labour services?

(d) Does the Honourable Member propose to redress the inequalities? If not, why not?

The Honourable Sir Andrew Olow: (a) Specific percentages of 29·7 and 61·3 have been reserved for the Muslim community in recruitment to inferior services, including labourers, on the Eastern Bengal and North Western Railways respectively. No such percentages have been prescribed for Muslims on the East Indian and Great Indian Peninsula Railways.

(b) Under executive orders issued by the Railway Board.

(c) The answer to the first part is in the affirmative. As regards the latter part, the percentage reserved for the Muslim community on the North Western Railway for recruitment to inferior services, including labourers, is 61·3 and not 70·1, as stated by the Honourable Member.

(d) As the answer to part (c) indicates there is no large difference between the percentages for subordinates and for inferior services, but the question of the percentages fixed for the latter will receive consideration in connection with the examination of Mr. D'Souza's report.

Mr. Lalchand Navalrai: May I know why it is that on the North Western Railway 60 per cent. has been fixed, and elsewhere it is less?

The Honourable Sir Andrew Olow: 60 per cent. is for subordinates. The percentages were fixed with a view to giving larger percentages in areas where there was a large Muslim population and smaller percentages in areas where their population was small.

Mr. Lalchand Navalrai: Then, while there are more Muhammadans in the tract traversed by the Eastern Bengal Railway, why is it that the number there is less?

The Honourable Sir Andrew Olow: The Honourable Member is, I think, confusing two things. He is now referring to inferior services. In the case of inferior services, the percentages were based on the actual representation of communities in the railway services at the time the orders were issued.

Mr. Lalchand Navalrai: May I, therefore, request the Honourable Member—I refer not to the superior services—that the question of distribution by means of this communal representation may be gone into now as an enquiry will be made with regard to the report that has come?

The Honourable Sir Andrew Olow: The question will be examined in respect of the inferior services, but I am not myself convinced that there is any case for revision in the case of subordinates.

Mr. N. M. Joshi: May I ask whether the percentage of employees is equal to the percentage of the population between the two sections of the population or is in excess?

The Honourable Sir Andrew Olow: The actual numbers in employment—I have not got the figures with me, but I imagine that the percentage of Muslims is smaller than the percentage of the population.

Mr. N. M. Joshi: May I ask what is the reason for giving larger percentage in the employment?

The Honourable Sir Andrew Olow: The reason why the Hindus and others have a larger percentage of employment is that there was no communal reservation until very recently and therefore it did not have time to have full effect.

Pandit Lakshmi Kanta Maitra: Is it maintained in the recruitment of the ordinary labour force?

The Honourable Sir Andrew Olow: There is a percentage fixed only in the two railways I have mentioned.

COMMUNAL CONSIDERATIONS IN THE PROMOTION OF GUARDS FROM GRADE II TO GRADE III ON THE NORTH WESTERN RAILWAY.

56. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state the number of grade II guards recently promoted to grade III, on the North Western Railway, and the communities from which they were drawn giving separately the number for each?

(b) Were those persons promoted on the top of the seniority list of grade II guards for the whole of the North Western Railway?

(c) If the reply to part (b) above be in the negative, what was the individual position in the seniority list of guards grade II of each man so promoted?

(d) Is it a fact that the promotion of guards was made on communal considerations? If so, why is it at variance with the Honourable Member's speech printed on page 717 of the Legislative Assembly Debates for Monday, the 26th February, 1940?

(e) If the reply to part (d) be in the negative, what justification was there to deprive senior grade II guards of their promotion?

(f) What steps do Government propose to take to ensure that there be no communal discrimination in the matter of promotions? If not, why not?

The Honourable Sir Andrew Clow: I have called for information and a reply will be laid on the table in due course.

REPRESENTATION FOR CONSTRUCTION OF A TRUNK ROAD FROM HYDERABAD (SIND) TO BOMBAY *via* BADIN AND VIRAMGAM.

57. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Communications be pleased to state whether Government received any representation for construction of a trunk road from Hyderabad (Sind) to Bombay *via* Badin and Viramgam? If so, how was the same disposed of?

(b) If the reply to part (a) above be in the negative, do Government propose to consider this question, specially, when the proposal of having the Sind Bombay direct railway connection has been suspended?

(c) Are Government aware that the Honorary Secretary of Sind Road Development Branch made a report that the State officials in Kathiawar, etc., appeared to be interested in the project? Do Government propose to ask the Central Road Traffic Board, or the authority responsible for road development, to take up this matter? If not, why not?

The Honourable Sir Andrew Clow: (a) and (b). No.

(c) I have seen the report. The answer to the second part of the question is in the negative. If the Provincial Governments or other authorities primarily responsible for road development wish to develop communications in this direction, it is open to them to do so, and if any Government desires to utilize any part of its share of the Road Fund on the project, the Government of India will consider such a proposal. Having regard to other and more urgent demands, I can hold out no prospect of allocations from the Central Reserve of that Fund for the purpose in present circumstances.

Mr. Manu Subedar: Has there been any communication with the Indian States in whose areas such a road would pass?

The Honourable Sir Andrew Clow: The Government of India have not made proposals for such a road.

Mr. Lalchand Navalrai: With regard to the last part of my question, making an enquiry from the States through which the road is to pass is a Central business and not the Provincial Government's. Therefore, I ask, will the Honourable Member make an enquiry from those States, and if they give facilities, then the Government of India might help?

The Honourable Sir Andrew Clow: As I have already explained, we are not in a position to help this project from the Central Reserve.

Mr. Lalchand Navalrai: At present it may be, but will the Honourable Member do it from the point of view I have put, so that the Provincial Government may do something?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already replied. Next question.

APPOINTMENT OF CANDIDATES IN THE POSTS AND TELEGRAPHS SUBORDINATE SERVICE IN THE SIND AND BALUCHISTAN CIRCLE WITHOUT THE PRODUCTION OF VALID DOMICILE CERTIFICATES.

58. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Communications be pleased to state whether it is a fact that appointments in the subordinate Posts and Telegraphs service, are confined (i) to the inhabitants of the circle, or (ii) to persons domiciled in the circle in which vacancies are filled?

(b) Is it a fact that a domicile certificate attested by the Collector of the District, in case of candidates referred to in item (ii) of part (a) above, is to be attached with the application for appointment?

(c) Is it a fact that in certain divisions of Sind and Baluchistan circle, such as Baluchistan and Karachi General Post office, etc., certain candidates have been appointed without such domicile certificates having been produced? If so, why?

(d) Is it a fact that certain candidates in these or other divisions of this circle, have produced certificates from Justices of Peace or Honorary Magistrates only? If so, why have such certificates been accepted?

(e) Is it a fact that rules provide that the domicile of the son is the same as that of his father, and of no other relative, unless the old domicile is abandoned and a new one acquired by the candidate by residence for the prescribed period?

(f) If the answer to parts (b) and (c) above be in the affirmative, do Government propose to issue necessary orders to reject such certificates and declare the appointments invalid? If not, why not?

The Honourable Sir Andrew Clow: (a) Candidates must as a general rule belong to the revenue division concerned, but sons and dependants of Posts and Telegraphs employees are eligible for the division where the employee is serving and Anglo-Indians are eligible throughout India.

(b) The certificate need not be attested by the Collector. A candidate is also permitted to produce a domicile certificate signed by any gazetted officer of the Central Government or the Provincial Government or a Justice of the Peace, provided these officers are able to say from their personal knowledge that having regard to the regulations existing in the Province with regard to domicile, the candidates for whom they are giving the certificates are domiciled in the particular area in which they are applying for employment.

(c) Yes; a certain number of Muslims who had qualified in the Punjab were appointed to reserved vacancies for which Sindhi Muslims were not available.

(d) No certificates produced from Honorary Magistrates were accepted. Certificates from Justices of the Peace were, however, accepted in view of the position explained in the reply to part (b).

(e) The rules of domicile prescribed by the Local Governments in that Circle do so provide.

(f) In view of the position explained in the replies to parts (b) and (c), Government do not propose to issue any such orders.

Mr. Lalchand Navalrai: May I ask if the Honourable Member is aware that many certificates of domicile are presented which are easily obtainable from the Justices of the Peace?

The Honourable Sir Andrew Olow: Does the Honourable Member mean incorrect certificates?

Mr. Lalchand Navalrai: Yes.

The Honourable Sir Andrew Olow: No such case has come to my notice.

CATERING AS A SOURCE OF INCOME TO RAILWAY ADMINISTRATIONS.

59. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Railway Member please state whether it is not a fact that the Central Advisory Committee for Railways has advised Government that catering should not be used as a source of income by Railway administration?

(b) Was it not the intention that the Railway administration should charge nominal fees from vendors, tea-stalls and refreshment rooms to cover out-of-pocket expenses incurred by the Railways?

(c) Has the Railway Board fixed minimum and maximum charges to be levied on these vendors by different Railways? If so, what are the maximum and minimum charges?

(d) Are these fees charged from the hawkers and contractors in lump sums or according to the numbers of hawkers and bearers they employ?

The Honourable Sir Andrew Olow: (a) It is not a fact: the Honourable Member's attention is invited to page 2 of the Central Advisory Council's proceedings for the 16th September, 1939.

(b) No

(c) and (d). The fixation of charges and the method by which they are levied has been left to Railway Administrations acting in consultation with Local Advisory Committees. The practice varies on different Railways.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether those rates have now been provided and fixed, or are enquiries still being made?

The Honourable Sir Andrew Olow: I am not sure what rates the Honourable Member is referring to.

Mr. Lalchand Navalrai: I mean, vendor's license fees.

The Honourable Sir Andrew Olow: There was no question of their being fixed at the centre.

Mr. Lalchand Navalrai: According to certain rates the vendors have to pay so much for rent, so much for license fee. Have all that been uniformly fixed at least on the North Western Railway?

The Honourable Sir Andrew Olow: I do not think there was any question of fixing them at all uniformly. I have here the rates on the Great Indian Peninsula Railway, but there is no question of fixing uniform rates to be applied all over India.

Dr. Sir Ziauddin Ahmad: Is it a fact that the Advisory Committee in 1937 definitely laid down that catering should not be considered to be a source of income to the administration, and, in the memorandum presented to the Railway Board in September, 1939, it advocated the reversal of the policy, but it was an expression of opinion by the Railway Board. In view of this established policy of the Railway administration, that catering should not be taken to be a source or income to the Railways, why has he issued instructions to the contrary?

The Honourable Sir Andrew Olow: I do not think it was ever laid down that catering should not be a source of income. I would refer the Honourable Member to the last conclusion of the Central Advisory Council on the subject. Certain members added an opinion to that regarding the making of catering a source of profit, not a source of income, but that was only their view and not of the Council as a whole.

Dr. Sir Ziauddin Ahmad: Is it the opinion of the Honourable Member that catering should be taken as a source of income to the railways? I want an answer "Yes" or "No".

The Honourable Sir Andrew Olow: I do not think the Honourable Member is entitled to ask me my opinion at question time.

Dr. Sir Ziauddin Ahmad: I am not asking for your opinion. I want to know whether the Government have issued instructions or is adopting the policy that catering should be taken as a source of income to the railways.

The Honourable Sir Andrew Olow: The Honourable Member began by asking whether it was my opinion?

Dr. Sir Ziauddin Ahmad: I did not ask for the opinion of the Honourable Member.

The Honourable Sir Andrew Olow: The Railway Board endorsed in their instructions the conclusions reached by the Central Advisory Council.

INSTRUCTIONS FOR CHARGING RENT FOR USE OF RAILWAY REFRESHMENT ROOMS AND STALLS.

60. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Railway Member please state whether the Railway Board have issued instructions that rent should be charged for the use of refreshment rooms and stalls?

(b) If so, what is the basis of these charges?

(c) Is any differentiation made between Indian and European refreshment rooms? If so, why?

The Honourable Sir Andrew Olow: (a) The Railway Board have prescribed that reasonable charges must be levied for refreshment rooms and for licenses from vendors.

(b) The basis of rent for refreshment rooms is that an economic rent be charged in all cases except when after consultation with the Local Advisory Committee the Administration concerned decides that it is necessary to charge a lower rent or even no rent to avoid the necessity of withdrawing an existing facility.

(c) The instructions make no such differentiation.

Dr. Sir Ziauddin Ahmad: What is the definition of reasonable rate? Does the definition of reasonable rate include a profit to the administration?

The Honourable Sir Andrew Olow: "Reasonable" must depend on the circumstances of the time.

Dr. Sir Ziauddin Ahmad: Does it include a profit to the administration or not?

The Honourable Sir Andrew Olow: I do not think it is possible to separate profit in a case like that. The idea is that they should be given on reasonable rates. I do not see how it is possible to say that so much is profit and so much is not.

Dr. Sir Ziauddin Ahmad: Will the Honourable Member give a straight reply to my straight question. Is it the policy of the Government to derive benefit from the catering on railway platforms and make it a source of income.

The Honourable Sir Andrew Olow: The policy is to derive a reasonable income where it is possible.

Dr. Sir Ziauddin Ahmad: The Railway Board's idea of reasonable is always expressed in lakhs and crores.

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

Mr. T. S. Avinashilingam Chettiar: The Honourable Member said that in consultation with advisory committees the Railway Administration may charge refreshment rooms either nominal rents or no rent at all. May I know whether these exemptions have been generally exercised in favour of European refreshment rooms.

The Honourable Sir Andrew Olow: I do not think it is at all general.

Mr. T. S. Avinashilingam Chettiar: May I know why the Railway Administration has not exercised these exemptions in the case of Indian refreshment rooms?

The Honourable Sir Andrew Olow: I can think of one case where it has been.

Qazi Muhammad Ahmad Kazmi: On the same station, while the Indian refreshment rooms are being charged for, English refreshment rooms are not being charged for. This is at one and the same railway station.

The Honourable Sir Andrew Olow: I said in reply to the previous question that there is a case.

Qazi Muhammad Ahmad Kazmi: Will the Honourable Member give the reason why the economic rent which is charged from the Indian refreshment rooms is not being charged from English refreshment rooms.

The Honourable Sir Andrew Olow: The question of economic rent differs in different cases. If you cannot get a contractor to carry on an amenity at the same rent, you have got to lower the rent or else close down the amenity altogether.

Qazi Muhammad Ahmad Kazmi: Is it because of the small number of customers that come to English refreshment rooms, as compared to Indian refreshment rooms, that no rent is charged?

The Honourable Sir Andrew Olow: I think that is very probably the explanation.

Mr. T. S. Avinashilingam Chettiar: In view of the fact that people going to the European refreshment rooms are generally well to do, will Government consider the advisability of giving no exemption in favour of European refreshment rooms?

The Honourable Sir Andrew Olow: I have no doubt that if the Honourable Member opposite or any other person would come forward and offer a substantial economic rent for carrying on that facility, the railways would be the first to welcome it.

Mr. T. S. Avinashilingam Chettiar: You may abolish these European refreshment rooms, if they are not running economically?

The Honourable Sir Andrew Olow: There is not much point in abolishing them, if they can continue without loss to the railways.

Qazi Muhammad Ahmad Kazmi: In the case of Indian refreshment rooms which are running at a loss, will Government consider the desirability of not charging any rent from them?

The Honourable Sir Andrew Olow: If the railway administration found that Indian caterers were not willing to come forward at the rates fixed, I have no doubt they would lower the rents or abolish them.

Qazi Muhammad Ahmad Kazmi: Have the Government ever applied a test of that kind in the case of English refreshment rooms?

The Honourable Sir Andrew Olow: The question is very general. If the Honourable Member will put down a question regarding a specific case, I shall try to give him an answer.

UNSTARRED QUESTIONS AND ANSWERS.

INSTRUCTIONS FOR EXCESS RESERVATION FOR MUSLIMS IN THE VACANCIES OF WORKS MISTRIES BY THE GENERAL MANAGER, NORTH WESTERN RAILWAY.

39. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the General Manager,

North Western Railway, has issued instructions to the Divisional Superintendents that 70.1 per cent. or two vacancies of Works Mistries in their respective divisions, should be given to Muslims and the remaining percentage or one vacancy be treated as unreserved?

(b) Is it a fact that it has further been ordered that this proportion be allotted for each year, and on the advent of the new year no balance of recruitment in the unreserved category be carried forward?

(c) Is it a fact that the number of Works Mistries' vacancies in each division generally does not exceed two per year, which is below 70.1 per cent., with the consequence that only Muslims are recruited in these posts, while members of other communities get no chance of appointment?

(d) Is it a fact that some Divisional Superintendents have protested against this procedure as being unfair to the members of other than Muslim community? If so, what action has been taken in the matter? If none, why not?

The Honourable Sir Andrew Olow: (a) The instructions are of the character indicated by the Honourable Member but the percentage which he quotes refers only to the Karachi Division.

(b) No. A running account is maintained and any genuine deficiency in the recruitment of labourers and inferior services is carried forward for adjustment in the next year. This supplies equally to reserved and unreserved vacancies.

(c) No.

(d) The answer to the first part is in the negative, the latter part does not arise.

EXEMPTION OF THE EUROPEAN AND ANGLO-INDIAN GUARDS ON LAHORE DIVISION OF NORTH WESTERN RAILWAY FROM WORKING CERTAIN SHUNTING AND VAN TRAINS.

40. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that European and Anglo-Indian guards are exempted on the Lahore division of the North Western Railway from working shunting and van trains between Lahore and Wazirabad?

(b) Is the working of shunting and van goods trains a harder job than the working of through goods and other trains?

(c) Is it a fact that the Divisional Superintendent, North Western Railway, Lahore, had received complaints from Indian guards, requesting that this racial discrimination be abandoned? If so, what action was taken in the matter?

The Honourable Sir Andrew Olow: (a) and (b). Yes.

(c) Yes: no action was taken, as there is no running room for European and Anglo-Indian guards at Wazirabad.

REPRESENTATION FROM THE STATE-MANAGED RAILWAY ADMINISTRATIONS FOR ALLOWING SECOND CLASS PASSES TO INSPECTORS AND ASSISTANT INSPECTORS.

41. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether the Railway Board received a representation from the State-managed Railway administrations that Inspectors and Assistant Inspectors while travelling on duty be given second class passes, irrespective of their pay?

(b) If the reply to part (a) be in the affirmative, how was the same disposed of?

The Honourable Sir Andrew Olow: (a) Certain recommendations have been received from the State-managed Railways.

(b) These recommendations are still under consideration.

PAUCITY OF SINDHIS IN THE SUBORDINATE SERVICES ON THE NORTH WESTERN RAILWAY.

42. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state the number of employees recruited on the North Western Railway, in the following categories of staff from 1st April, 1939 to 30th September, 1940:

- (i) Station Master's group,
- (ii) Commercial group,
- (iii) Relief Clerks,
- (iv) Guards, grade II and III,
- (v) Ticket Collectors,
- (vi) Train Examiners,
- (vii) Works subordinates—Inspectors as well as Assistants, and
- (viii) Permanent Way staff Apprentice as well as Assistant Inspectors?

(b) How many in each category were Sindhis?

(c) If the number of Sindhi recruits was small or disproportionate to the total number of staff employed in Sind area, what steps does the Honourable Member propose to take to ensure adequate share of appointments to Sindhis in the North Western Railway subordinate service? If none, why not?

The Honourable Sir Andrew Olow: (a) A statement is laid on the table giving the required information.

(b) Government have no information, recruitment is not made on a territorial basis.

(c) It is not proposed to allocate shares in recruitment to provinces. The acquisition of more appointments by candidates from any particular area must depend on their personal claims.

Statement showing the number of employees recruited on the North Western Railway in the various categories shown below during the period from 1st April, 1939 to 30th September, 1940.

No.	Category of Staff.	No. of employees recruited.	Remarks.
(i)	Station Masters Group . . .	360	
(ii)	Commercial Group . . .	172	
(iii)	Relief Clerks—		
	Ticket Collectors . . .	30	The term " Relief Clerks " included Ticket Collectors and Trains Clerks. This term is not now in use. Recruitment is now made separately for Ticket Collectors and Trains Clerks.
	Trains Clerks . . .	15	
(iv)	Guards—		
	Class I, grade I . . .	34	Grades II and III for Guards are old grades. Recruitment is now made in the revised scales as shown.
	Class I, grade II . . .	8	
(v)	Ticket Collectors, Class I, grade II	4	Temporary.
(vi)	Train Examiners, Class I grade 2 .	4	
(vii)	Works subordinates—		
	Inspectors of Works . . .	5 (Three Apprentice Inspectors of Works recruited in 1938 were, on completion of their apprenticeship, appointed as Inspectors of Works in 1939 and two were appointed to the open line from construction work). Four Apprentice Inspectors of Works were recruited.	
	Asstt. Inspectors of Works . . .	Nil, but two Apprentice Assistant Inspectors of Works were appointed.	
(viii)	Apprentice Permanent Way Inspectors.	Nil	
	Assistant Permanent Way Inspectors.	16. Apprentice Permanent Way Inspectors were, on completion of their course, appointed as Assistant Permanent Way Inspectors.	

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 492, asked by Dr. Sir Ziauddin Ahmad on behalf of Khan Bahadur Shaikh Fazl-i-Haq Piracha, on the 21st March, 1940.

QUARANTINE STATION AT KAMARAN.

(a) and (b). The Kamarin Quarantine Station was first established in 1882 by the Ottoman Government for the protection of the holy places of Islam against the introduction of cholera by pilgrims from India and the East. It was taken over by the British Government in 1915.

(c) It is necessary to maintain the quarantine station at Kamarin under the provisions of the Anglo-Dutch Agreement and to levy a fee for this purpose.

(d) With the exception of the Government of the Yemen all the Governments either maintain quarantine stations or require their pilgrims to utilise quarantine stations on payment of fees.

Information promised in reply to starred question No. 530, asked by Pandit Krishna Kant Malaviya, on the 27th March, 1940.

AUTHORS OF DRAMAS BROADCASTED BY THE ALL-INDIA RADIO.

(a) and (d). During the year 1939, All-India Radio broadcast 58 Hindi and 311 Urdu plays. Rs. 510 were paid for the Hindi and Rs. 5,847 for the Urdu plays. If by Hindi authors and Urdu authors the Honourable Member means authors who write exclusively in one language or the other, the information asked for is not available.

(b) Hindustani dramas are broadcast from the Delhi, Lahore, Lucknow and Bombay Stations of All-India Radio. Out of the four Programme Assistants in charge of Hindustani drama at these Stations, three are Muslims and one is a Hindu. Three of them can read and write Hindi with facility and two of them have written plays in Hindi.

(c) Yes; eleven such plays were broadcast during 1939. All the actors taking part in these plays could render their parts in Hindi with sufficient facility; many of them could also read and write Hindi.

ELECTION OF A MEMBER TO THE COUNCIL OF THE INSTITUTE OF SCIENCE, BANGALORE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that Dr. Sir Ziauddin Ahmad has been elected to represent the Assembly on the Council of the Indian Institute of Science, Bangalore.

THE INDIAN FINANCE (No. 2) BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the following motion moved by the Honourable Sir Jeremy Raisman:

"That the Bill to alter the maximum rates of postage under the Indian Post Office Act, 1898, to increase the rates of the taxes on income imposed by the Indian Finance Act, 1940, by a surcharge for the purposes of the Central Government, and to increase the rate of super-tax payable by companies, be taken into consideration."

Mr. Abdul Qaiyum (North-West Frontier Province: General): Mr. President, I wish to start with the question of bombing. In common with the other Honourable speakers from my Party who have preceded me, I look upon bombing of civilian populations, whether that population may be German population or British population or any other population, with the utmost horror. But I want to remind this House that not long ago I protested several times on the floor of this House against the practice or bombing which was being frequently resorted to by the British Government and the Indian Government as against the tribes inhabiting the North-West Frontier Province. I am glad that the Honourable Mr. Ogilvie is here, and to my repeated questions he used to inform the House, the rest of this country, and I believe the rest of the world, that it was more humane and that it was in the interests of the tribes themselves that they should be bombed because fewer people would be killed and more people would be saved. In fact he took great pains to assure this House that it was something like the humane killing of animals which had been recently introduced. It was a scientific invention. . . .

(Mr. C. M. G. Ogilvie rose in his seat.)

Mr. Abdul Qaiyum: I am not giving way.

Mr. President (The Honourable Sir Abdur Rahim): It is the etiquette to give way when personal explanations are sought to be given.

Mr. Abdul Qaiyum: I shall never give way.

Mr. President (The Honourable Sir Abdur Rahim): I cannot force the Honourable Member to give way. Mr. Ogilvie can give his explanation when the Honourable Member has finished his speech.

(Mr. Abdul Qaiyum kept standing.)

The Honourable Member ought to resume his seat when the President is speaking.

Mr. Abdul Qaiyum: I must apologise to the Chair. I am not giving way to any Member of this Government as the time at my disposal is very limited. I remember Mr. Ogilvie's words only too well, but the trouble that has now arisen is this. Britain still adheres to the principle laid down by the British Premier in the House of Commons when all the world was clamouring that the bombing of the civilian population should be stopped, it was the late lamented Mr. Chamberlain who stood up in the House of Commons and said that a certain exception should be made in the case of bombing which is resorted to for purely police purposes against the primitive tribes of the Frontier Province. Well, they are still adhering to those principles, but very unfortunately for them, that same principle has been adopted by Hitler's air squadrons as against the great City of London, and now they realize that the boot is on the other leg and now they understand what the bombing of the civilian population means. But the British Government and the Indian Government as usual have learnt very little and have forgotten very little. I was travelling near Waziristan only last month and I was told by reliable persons that the British Government still persisted in the bombing of those unfortunate people, and

that their air squadron had only recently visited various parts of the area to bomb people—of course, bent on this mission of mercy as described by the Honourable Mr. Ogilvie.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): That may be training practice.

Mr. Abdul Qaiyum: Of course, this is training practice as my Honourable friend, Mr. Manu Subedar, states.

Then, Sir, we were told when Great Britain joined the war that they had been forced into this war—'oh, Czecho-Slovakia has been over-run, Poland has been over-run, and Czecho-Slovakia and Poland were dear to the hearts of Great Britain, and, therefore, they must join this war; they had no alternative'. It seems that they were prepared to shed the blood of the youth of their country in order to save the liberties of Czecho-Slovakia and Poland. But I am amazed at this attitude of the British people and their Government! Why should they have joined this war? They say they went to war in order to restore the equilibrium which had been set up by that infamous Treaty of Versailles—which will go down in history as the greatest crime that has been committed against mankind; but may I ask from this Government and from the British Government under whom they function, 'why go to war? You have got the four hundred million slaves in India under your own rule, and if your love for liberty is as genuine as you profess it to be, why not free these four hundred million Indians who are groaning under your yoke? This is a thing which you can do yourself without any war, without any bloodshed, without joining any conference of other nations'. But as I have stated time and again, this war is not being fought for the freedom of small nations but for other purposes which are only too well-known to everybody in India.

Now to come to their policy in this country. Recently, Sir, there have been negotiations between this Government and the Leaders of the Congress Party and of the All-India Muslim League. People who had been following the course of those negotiations with great care have found out that the British policy aims at one thing and one thing only: it is to play off the Muslim against the Hindu and the Hindu against the Muslim. Those negotiations have all proved utterly useless. The British Government has no use for Hindus or Muslims as such but they merely want to use them as pawns in their Imperial chess-board, in order to retain as much of their power as they can and to part with as little of their power as they can help. Nobody who negotiated with this Government has returned with anything in his hands; everyone has returned empty-handed. This is a lesson which should not be lost on the people of this country. But let me warn this Government that just as they found themselves utterly stranded and helpless in the domain of international politics, similarly the time is not far off when they will find themselves friendless and utterly stranded in India. (Interruption.) The people standing by you will desert you. (Interruption.) The people's eyes have been opened. Just as in Europe this time you had to go to war alone, with all the blessings of America, of course, but with no active military help, similarly, in India you are going to be friendless and you will be utterly deserted. (Interruption.)

Sir, since the beginning of this war, a vigorous propaganda has been launched by this Government and its satellites to create a sort of feeling amongst the Muslims in this country that the British Government's

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existence was necessary in order to safeguard the liberties of the Islami countries of Western Asia; that the British Government was the real friend of the Turks, the Egyptians, the Syrians, the people of Iraq, Iran and Palestine, and that once Great Britain goes under, all these States will lose their liberty. Now, those who have been following the policy of successive British Governments as against Turkey during the last two or three centuries know that the greatest enemy of the Islamic States is Great Britain, and that for generation after generation Great Britain has tried to stab Turkey in the back and to lop off as much of her territory as it was possible for them to do; in fact, the downfall, the dismemberment of the Great Turkish Empire for which Muslims cherished a religious regard is due to the work of successive British statesmen. Nobody can shut his eyes to the facts of history, but in this game the British Government went a little too far; they, in spite of their promise to the Muslims of India in the last War to enlist their support, started with the dismemberment of the sacred land of Arabia into small, petty States which were parcelled out between Great Britain and France. But in this game as I have stated, they went a little too far, viz., that they paved the way for the rise of the greater Italy in the Mediterranean, and that country is now proving a great menace to British Imperial interests there. We were told repeatedly that as soon as the first Italian soldier sets foot on the soil of Egypt, the Egyptian Government will declare war against Italy, but the Italians have advanced for about one hundred miles into Egyptian territory and in spite of the repeated visits of British statesmen, in spite of the pressure and presence of Mr. Anthony Eden, the Egyptian Government has refused to declare war against such an infamous country as the Fascist Italy of Signor Mussolini. Similarly, we were told—that as soon as Greece was invaded, Turkey would join headlong into this struggle, but we have seen that Greece has been invaded and Turkey is still neutral; and now another stunt has been started that if Bulgaria is invaded, Turkey will probably come in. But I hope and trust that Turkey will benefit from the last war and keep out of this dirty war in which people are fighting people not for the sake of any principle but for mere land-grabbing and other base motives which are only too clear to everybody, and I hope they will keep out of the war and will not make the position of Mussalmans difficult.

Sir, in this country there are people who are now engaged in propaganda that it is in the interest of Muslims that they should help the British Government. Now, those were the very people—I do not wish to name them—those were the very people who supplied recruits to the British Government to bring about the dismemberment of Arabia and the downfall of the Turkish Empire, those were the very people who supplied recruits to fight Afghanistan in 1919 when Amanullah struck out for the independence of his country. Then they did not care for Islam, just because it suited their British masters. Those very people are now making out that in the interests of Muslims we should help the British Government. Sir, the Muslims know the British policy only too well. We know what has happened in Palestine. In this twentieth century which is supposed to be a century of civilization—the British Government tried to efface the Arab race out of its existence by bringing in Jews from all parts of the world. I have got no hatred against Jews, I wish them well. But

why cannot they be accommodated in some empty space such as are available in South America? Must they come there to squeeze out the Arabs from Palestine and to threaten their very existence? I think the British policy in Palestine has been an eye-opener for all thinking Mussalmans and nobody will be taken in by promises which are only kept in the breach rather than in the observance. The Indian Mussalmans must remember that no country in this world contains as many Mussalmans as this country of ours, namely, India. I do not think that any country in the world contains about ten crores of Mussalmans that we find in India and, if India is free, the greatest number of Mussalmans will derive benefit from the freedom of their country. It is our bounden duty to stand by our countrymen and fight with them shoulder to shoulder against this Imperialism which holds them and us under a common subjection. Once we are free, then I think we can influence the policy of a free State in India. We can then be of real help to other Muslim States who are threatened by any foreign aggression. But as long as we are slaves, no amount of prayers, no amount of protests, no amount of propaganda and no amount of request on our part are going to help our Muslim brethren outside India.

Now, I want to say something about the repression which is going on in this country. The Honourable the Finance Member has declared to the world that 60,000 stalwarts have left this country to defend the principles of liberty and the outer bastions of this country. Of course, we cannot be deceived. We know that these unfortunate people have been taken out of this country to help in an Imperialist war out of which India can derive no possible benefit. If we are to die for Britain, if we are to shed our blood in the distant fields of the Middle East and the Far East, if we are to make sacrifices for their cause, would it not be much better to shed our blood for the freedom of our own country from the people who oppress us? Would it not be much more nobler for us to undergo the fiery ordeal of sacrifice for the freedom of our own country? Why should we die for you in the distant fields of Middle East and the Far East? What for? We know what happened at the end of last war. For a similar speech only the other day an elected Member of the Frontier Assembly, Arbab Abdul Ghafur Khan, and an ex-Parliamentary Secretary was arrested. The Honourable Mr. F. E. James remarked: "Oh, how can you make such a speech under Nazi domination?" Let me tell the House and let me inform my Honourable friend, Mr. F. E. James, that Arbab Abdul Ghafur Khan was arrested and marched off like a common felon in the streets of Peshawar. Is this the treatment that should be accorded to a patriot in his own country? Is this the way in which the representatives of people are to be treated? I think your Government is worse than any Nazi Government or any Fascist Government can be. I think this Government should be ashamed of itself.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Wait till Hitler comes.

Mr. Abdul Qaiyum: Hitler will knock your brains! Hitler, whom my Honourable friend, Sir Henry Gidney, seems to despise so much, and his people who have bombed innocent women and children in London, and Mussolini's men, when they are brought out to India, are treated with greater respect than the representatives of Indians in their own country. I do not think the Government which Sir Henry Gidney is prepared to support in season and out of season will handcuff a German prisoner of

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war or a Fascist prisoner of war in the way in which they did a respectable patriot in the Frontier, a representative of the people. Something is terribly wrong with this system of Government. Mr. James tried to convince me that his system of Government was much better than any other system of Government that was likely to be set up in this country. We are sick and tired of all alien systems of Government and, if we can help it, we will not allow this system to be substituted by any other system. But I do want to know whether a Government which arrests a true patriot like Pandit Jawahar Lal Nehru, a person who is respected all over India and who is loved by the millions in this country, and sends him to prison for four long years, has any moral right to exist?

Mr. P. J. Griffiths (Assam: European): On a point of order, Sir. Is the Honourable Member entitled to criticise a sentence passed by a Judicial Court?

Mr. President (The Honourable Sir Abdur Rahim): The Bill before the House which the Honourable Member is now debating is a Finance Bill and it has always been the practice in this House, which I have got to follow and have been following, to allow discussion on various matters in which the Members of this House may feel that the public have a grievance. I cannot say that his reference in this connection to Pandit Jawahar Lal Nehru and the sentence that has been passed on him by the Provincial Government is out of order.

The Honourable Sir Reginald Maxwell (Home Member): On a point of explanation. I would like to point out that the sentence was passed by the Court and not by the Provincial Government and that it is open to appeal in the ordinary course.

Mr. President (The Honourable Sir Abdur Rahim): I accept the correction. I meant that the sentence was passed by a Judicial Court.

Mr. Abdul Qaiyum: The Honourable Mr. Griffiths was a Magistrate at one time, and I feel for the wretched people who came under his sway. I am glad that his days as a Magistrate are over.

Now, Sir, I was talking of the arrest of Pandit Jawahar Lal. I know it for a fact that he is held in the greatest esteem and regard by the Pathans of the North-West Frontier Province, because among the Indian leaders he pre-eminently stands out as a true patriot, who has understood the heart of the people of my province, and the heart of the people of my province goes out in sympathy to that brave man. The news of his arrest and his brutal incarceration by a Magistrate, God knows where he hails from, has kindled a fire which, I think, it will be very difficult for this Government to suppress.

Sir, the tale of the misdeeds of this Government is a long one, but I will just cite one more instance for the benefit of the Honourable the Foreign Secretary before I sit down. A businessman of Peshawar, Syed Zaman Shah, who has trading connections with Afghanistan, was arrested on the 16th of July, 1940. His house was searched throughout the night. Nothing incriminating was found. At first, he was detained under rule 129 of the Defence of India Rules for a period of two months. As was pointed out by my Honourable friend, Mr. Sri Prakasa, yesterday, the way in which this rule is interpreted by the police and the subordinate magistracy is this. The accused is not even brought before a Magistrate and he

is detained by the Provincial Government for two months. Syed Zaman Shah is still in detention and there is absolutely no proof against him. He was merely suspected, and in spite of repeated requests on his part and on the part of his friends that he should be brought to trial before a court of law, in spite of the fact that I received about two months ago a letter from the Chief Secretary to the Provincial Government that he would be soon brought before a court of law for trial, his trial has not begun so far. This unfortunate man and several others like him are being detained. He has a large family to support.

As regards people who are utter strangers to this land and who are well to do, this callous Provincial Government of ours and the equally callous Central Government are quite willing to make decent allowances for the upkeep of their families. In the case of Italian and German prisoners of war, this Government have fixed allowance, but they have not thought it fit to fix an allowance for the family of Aga Syed Zaman Shah, his sons are going without education, his family is in suspense and they have been altogether ignored. I want to show from this that the way in which this Defence of India Act and the infamous rules made thereunder are being administered in the country has really opened the eyes of all people, and a feeling of hatred has arisen against the Government which thinks that it is necessary for its existence that such black laws and such infamous rules should be used to suppress the freedom of speech, the freedom of association and the freedom of movement of its own citizens.

In conclusion, Sir, I want to say one thing. That far from supporting this Government by voting any of the supplies demanded from this side of the House I wish to state that we will not give a single pie to this Government. In fact we have decided to go out into this country to make a direct approach to the masses and tell them that this war is being fought not in the interests of India, not for the defence of India but for the defence of British imperialism, the infamous imperialism which we have learnt to hate after such a long period of close association. It is our bounden duty, as true patriots not to give a single pie, not to provide a single soldier to a Government which in spite of the wishes of the people has decided to rule this country by means of ordinances and black laws which deny the people of this country their birthright of having a free national Government of their own. I assure this Government that it is not on the floor of this House only that these words have been uttered, the time is not very far off when we are going to spread over the length and breadth of the country, we will obstruct to the utmost of our capacity your war efforts to extort money from this country, to exploit our man power and to enslave our country. We will then see who wins in the long run. With these words, Sir, I oppose the Bill.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, on a point of personal explanation. I wish to say with regard to the speech of the Honourable Member who has just closed his oration that he has completely misrepresented the Government's position as any Honourable Member of the House will be able to ascertain if he looks up the records of the Assembly Debates in this House in the summer Session of 1937. The Honourable Member's questions on this subject were, so far as I remember, asked and answered in August, 1937, and the purport of the detailed replies was not to the effect that Government considered bombing humane, but that

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Government held that in the circumstances the warning of a village which had more than usually distinguished itself by kidnapping, murder, plunder, and raiding that they would be bombed if they did not leave their village resulted, because of the fact that this warning was duly received and always obeyed, in the saving of life, both of our men and theirs, as otherwise punitive expeditions would have to be undertaken to enforce compliance with our terms.

Mr. P. J. Griffiths: Mr. President, let me begin by confessing that nothing but the respect which I have for your high office and for the dignity of the parliamentary tradition, would have enabled me to listen with patience and restraint to the speeches of my Honourable friends, Mr. Satyamurti and Mr. Abdul Qaiyum. For throughout those speeches I was conscious of the fact that at a time when many thousands of my countrymen and a considerable number of Indians too, are facing the stern realities of death and destruction, at that time the Congress Party was living in a world of make-believe—a wholly imaginary universe in which they were gaily disporting themselves, convinced that there existed no such things as totalitarian powers, no greedy and covetous people and no predatory nations anxious for the first possible opportunity of swooping down upon the weak and defenceless. And, I was conscious too, as I listened to those speeches, of a very curious combination, a combination of on the one hand a complete lack of any sense of reality and on the other hand a cold-blooded spirit of bargaining, a determination to drive the hardest possible bargain with that country which is fighting not only for its own life, but for the lives of those who seek to bargain with it. But whatever other deficiencies the Congress Party may suffer from, it has never been lacking in master tacticians and the master tacticians of the Congress Party have learnt from long experience that if a proposition on the face of it appears too sordid and too materialistic, it is to be wrapped up in fine words. On the strength of that principle, it has long been their practice, when they intend to embark on some particularly materialistic or selfish policy to try to give that policy the cloak of idealism. So we have the Congress Party, in this House and out of it, trying to pretend that the attitude which they adopt is not the result of a spirit of bargaining, but proceeds from the dictates of some mysterious high principle. That claim, Sir, is a pretence and a hollow mockery which will deceive no one. It does not deceive us who have to listen to it, it does not deceive the people of this great country whose heart, whose instinct and whose judgment in these matters is sounder than that of the Congress Party. It will not deceive the future historian when he comes to write his Chapter on the political suicide of the Congress Party and I very much question whether it deceives any considerable proportion of the members of the Congress Party itself. Least of all does it deceive the practical-minded Mr. Satyamurti. But I will remind Honourable Members that for 15 months, during a most critical period when deliberation and public counsel and widespread experience were more urgently needed than at any period of our history, that during this critical period, the great Congress Party has seen fit to absent itself from its post of duty in this House. I wonder what occurred to change that point of view. I wonder what has led them to abandon that great high principle which said that they must not be present in this House. (Interruptions.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must be allowed to proceed with his speech without these interruptions.

Mr. P. J. Griffiths: I have not the least objection to these interruptions. I shall gladly answer them. I will repeat my question, I should like to know what change has justified this abandonment of the principle which was of such vital importance twelve months ago?

An Honourable Member: To make you uncomfortable.

Mr. P. J. Griffiths: That you will never be able to do. I will not be so uncharitable as to suggest that it is out of fear of extra taxation that the Congress Party have attended this Session. I suggest rather that some political wisdom has begun to dawn upon them, that they have begun to realise that if there is one thing which leads to the extinction of a great political party, it is any lengthy period of silence in the parliamentary Assemblies.

Be that as it may. Far be it from me to interpret the tortuous motives which are responsible for the Congress policy. They have come here now, clamorous and clamant—they cry, “We are not prepared to pay for this war, it is not our war, let somebody else pay. We are prepared to sit back and let Britain, Canada, Australia and anybody else who likes to fight do so. This is not our war and we will not pay for it”. I want to suggest today, that of all the many injuries done to the name and reputation of India in the past by the Congress Party, there is none worse than this attempt to foist upon the people of India the pretence that this is not India's war. So I take it that my main duty in my speech to day is to try and satisfy you, or if I cannot satisfy you to try and satisfy those people whose minds are less made up than yours, that this is in fact India's war. (Interruption from the Congress Benches.) The voice of India is to be heard from the lips of those 60,000 men who are fighting overseas and not from those gentlemen.

It sometimes is not a bad thing in the sphere of politics to apply the same kind of test which one applies in ordinary practical life or in business. If a certain job has to be done and there begins to be a dispute as to whose job it is, there are several ways of settling that question. Of course, up will come the lawyers and they will devise many tests so that you can argue for years and years as to whose job it is. But the practical man will start off by asking one simple question, and that question will be, who stands to gain if this job is done well? Who stands to lose if it is done badly? I want every Honourable Member of this House to apply that test today to this issue of war and India's part in the war. And I am going to assert that I do not believe there is a single Member of this House who can get up and say, seriously and sincerely, and not just as a debating point, that the issue of the present war is a matter of indifference to him, that he sincerely believes that victory for Germany or victory for Britain will make no difference to India's position in the future.

My Honourable friend, Mr. Abdul Qaiyum, was anxious to give an impression of that kind, but in order to give that impression he had to go rather far a field, and so he told us very picturesque stories about

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some of his Afridi friends; and he told us that some of them said that they did not really mind whether Germany won the war or not. I am not interested in the views of Mr. Abdul Qaiyum's Afridi friends; I want to know Mr. Qaiyum's own views. Is Mr. Abdul Qaiyum prepared to say, on the floor of this House, that it is to him a matter of complete indifference whether Germany wins or whether Britain wins? Is he prepared to assert that in his considered judgment the victory of Britain or the victory of Germany would make no difference to the future condition of India?

Mr. Abdul Qaiyum: Absolutely none. It is a matter of indifference to me as to who wins. As they say in Persian:

"Maq ra che uz ein Qissa ke Gao amud-o-Khur ruft."

"Whether the cow comes or the donkey goes, it is a matter of complete indifference to me."

Mr. P. J. Griffiths: I must congratulate my Honourable friend upon having given me yet another instance of the amazing disunion which prevails in the ranks over there. And I must remind my Honourable friend that in the extremely dangerous opinion to which he has just given utterance he finds himself completely at variance with Mr. Gandhi. May I remind him of that first pronouncement of Mr. Gandhi at the beginning of the war, in which Mr. Gandhi said that independence for India would mean nothing if Britain and France were defeated in this struggle? I want to remind him that half of those apprehensions of Mr. Gandhi have already been fulfilled, that France has been defeated in this struggle and that if as a result of the attitude adopted by my Honourable friend and those with him, Britain were to follow suit Mr. Gandhi at least has no doubt in his own mind that the result would be a disaster for India. Has anything happened in the last 12 months to affect the statement made by Mr. Gandhi at that time? Have the totalitarian powers become less predatory? Is the danger from Germany or Italy less now than it was 12 months ago? If it was true 12 months ago that India dared not contemplate the defeat of Britain and France, is it not doubly true now that India dare not contemplate the defeat of Britain? Let us get away from these debating pretences; let us get down to the bedrock fact that every Honourable Member of this House knows in his own heart that he would not sleep easily in his bed tonight, if he believed that a German victory lay ahead. After all what does this attitude of indifference mean? If you say that it is a matter of indifference to you as to who wins the war, you may mean one of two things. Honourable Members might mean that even after a German victory and an Italian victory there would be no danger whatsoever of India being attacked. They may believe it,—no one can compel the belief of any person,—but I have yet to see any single vestige of fact which would justify any reasonable man in arriving at that conclusion. Can one really believe that those nations, who at the moment are displaying in the fullest possible way their greed and their desire for more territory, will stop short of the frontiers of India? Is there something sacrosanct about this country which makes the foreign invader cry halt before he crosses its frontiers? Is not the whole history of India in the past a long record of foreign invaders tempted by the wealth of the country?

Several Honourable Members: "Which you have completely taken", "There is nothing left", etc.

Mr. P. J. Griffiths: I do not mind if I am included myself in the category for the purposes of this argument. Is it not a historical fact that the wealth of India has been one of the greatest temptations in the world to any predatory foreign power which has happened to move towards its confines? And is there any reasonable ground for supposing that Germany or Italy would exercise some curious self-restraint once they are nearer the borders of this great country? If then your indifference does not mean that you think it is impossible that India could ever be attacked, what can it mean? If might of course mean that you were perfectly willing to come under the German or the Italian sway.

An Honourable Member: No, not a bit of it.

Mr. P. J. Griffiths: That is exactly my point. If it were your view that you did not mind being ruled by Germany or Italy, there would be some sense in adopting this attitude of assumed indifference. Whatever Honourable Members may have to say on the floor of this House or in meetings outside this House they know perfectly well that the rule of Germany or the rule of Italy would be harsher, more unreasonable and less considerate than anything which they have experienced in the last 150 years. (*Cries of "No."*)

Is there any Honourable Member of this House who believes that under German or Italian rule he would be allowed today to stand up in this Assembly and make a speech such as that made by Mr. Abdul Qaiyum just now? But let us get away from words; we are dealing with stern realities. If you assert that it is a matter of indifference to you whether Germany wins this war or Britain wins this war, you are asserting your faith in the fact that you will be just as comfortable and have just as much freedom as you have now. You are asserting your faith in the fact that life would be no more uncomfortable and no less bearable under the Nazi regime than it is under the regime which exists today. I do not propose to labour that point because I know perfectly well that nothing but the exigencies of debate would force my Honourable friends to take up any such attitude. But there is one form in which this argument has been cast which is so subtle as to be dangerous and with which, therefore, I shall try to deal briefly. It is an argument which was used in this House yesterday and it has been used in various parts of the country a good deal lately,—the argument that the war is a long way off, that it is not very likely that the tide of war will reach these shores and that we really need not bother very much about it; that it would be good business for us to sit back and let the other nations fight it out and then see what we can get in the scramble which we hope will take place at the end of the war. I will try to analyse this argument and I want to suggest that it could be repudiated on either of two sets of considerations.

Mr. M. Asaf Ali (Delhi: General): Who is arguing that, may I know?

Mr. P. J. Griffiths: It was said yesterday by Maulana Zafar Ali Khan, besides many others in the country.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadian Rural): You may imagine many things.

Mr. P. J. Griffiths: If my Honourable friend proposes in due course to rise and deal with that argument and to demonstrate its hollowness, I shall accept his help with gratitude. It would not be difficult to dispose of the argument on purely materialistic grounds. It would not be difficult to suggest that when one talks about the war being a long way off, one has got to start first by analysing the meaning of one's words. You have to think not in terms of space but in terms of time. The question is not how many thousand miles from here the battle is taking place; the question that concerns us is, if that battle is lost how long is it going to take for the theatre of war to be transferred to this country. And, surely, if there is one lesson which emerges clearly from the history of the last 12 months it is of the amazingly rapid tempo of modern war. The war which, six months ago, was six thousand miles or five thousand miles away from us has now come to within two thousand miles, and if you will cast your minds back to the events of April, May and June of this year, you will not fail to remember the remarkable rapidity with which a successful army was able to over-run hundreds and hundreds of miles of not properly defended territory. When you talk about distances, when you say that we are a long way away from the war—two thousand miles away—what does it mean. It is very difficult to get a clear conception in one's own mind as to what distance really means in relation to war. We want a scale by which to measure—I would like to suggest in the first place a scale of measurement—I would like to remind you that the length of territory over which Germany exercises virtual control in Europe today, from the North-West to the South-East, is about thirteen hundred miles. Of that 1,300 miles, only three hundred miles belong to Germany itself, and the control now exercised over another one thousand miles has been achieved in the course of a comparatively few months, and I would like to go on to suggest, that measured by that scale, there is not very much comfort to be got from the thought that the war is at present two thousand miles away. Do not take comfort from the idea of distance.

But then there is another aspect of the same question. While the tempo of modern war has increased, the length of time required for preparation for war has increased beyond measure. In the old days, even in the last war, it was a comparatively simple and quick business to turn out a large army. You needed a certain number of men, you needed a certain number of uniforms and you needed some rifles and a certain amount of artillery and you did not need very much else. I can say from my own experience that in the battalion in which I served in the last war we were turning out trained soldiers in ten weeks. Those days have gone. The modern soldier is an amateur technician in every one of half a dozen different branches of mechanics: he has got to be a gas expert, he has got to be a bomb expert and he has to learn a dozen things which were not thought of before the beginning of the present war; and the result of all that is, that it takes a very long time to train a modern soldier. Moreover, however long it takes to train a modern soldier, it takes very much longer to equip him. The preparation . . .

Mr. M. Asaf Ali: Was not all these foreseen five years ago when we were telling you all about it?

Mr. P. J. Griffiths: I am not concerned to discuss the failures of policy of Government or of politicians or whether these things could have been foreseen. I am discussing the plain facts of the present, and I want to remind my Honourable friend of the language used, I think, by Mr. Churchill, that if we go on thinking too much about the past, we shall lose the present and the future. To continue: I was saying that however long it may take to train a modern soldier it takes a very much longer time to equip him, and so in one way and another the preparation of a large modern mechanised army—the only kind of army which is of any use in these days—is a very lengthy business. It is no use waiting until the danger is imminent. My Honourable friend, Maulana Zafar Ali Khan, said yesterday, that as long as Turkey stands, we are all right, and there is no need for India to spend a pie on defence measures as long as Turkey stands. Does my Honourable friend seriously believe that after the fall of Turkey there would still be time for India to prepare? Or, again, another Honourable Member, speaking yesterday, said: "Let India first be free: when India has attained freedom, we will then start to prepare for war." . . .

Mr. M. A. Jinnah (Bombay City: Muhammedan Urban): I do not think the Honourable Member is quite correct. I do not think the Maulana said so. What Maulana Zafar Ali Khan said was that we should be prepared to help the Moslem countries who form a sort of bulwark, and Turkey is the first, and, therefore, we should prepare ourselves to raise a large army in order to send them to the Moslem countries if necessary.

Mr. P. J. Griffiths: Mr. Jinnah is naturally in a better position than I can be to interpret the workings of the minds of his followers . . .

Mr. M. A. Jinnah: He said so.

Mr. P. J. Griffiths: I assure the Honourable Member that I took down the words myself.

Mr. M. A. Jinnah: I would like you to see the official report.

Mr. P. J. Griffiths: I am quite prepared to see it: but I can assure Mr. Jinnah that I took down the actual words of Maulana Zafar Ali Khan at the time: his words are "We are not prepared to spend a single pie on the defence of India until Turkey is gone".

Mr. M. A. Jinnah: No; he never said that.

Mr. P. J. Griffiths: If Mr. Jinnah on behalf of his Party repudiates that statement, I shall not press it.

Mr. M. A. Jinnah: I am not repudiating any statement. The Honourable Member is misrepresenting the speech of Maulana Zafar Ali Khan—he is not here—and if he will read the official report—let it be produced now—he will find that what I am saying is correct absolutely.

Mr. P. J. Griffiths: I am not particularly concerned to bandy words, as to who said what. But I can assure my Honourable friend, Mr. Jinnah, that in Mr. Boyle's presence yesterday I wrote down these words as they were said. I do not want to bandy words.

Mr. M. A. Jinnah: I am not challenging or doubting the *bona fides* of the Honourable Member: it is possible that he took down what he says he did take down; but if you will kindly read the whole of the speech, what I am saying is correct.

Mr. P. J. Griffiths: What Mr. Jinnah says is undoubtedly the correct report of what should have been said. However I do not wish to waste the time of the House further, arguing as to whether a certain incorrect meaningless statement was or was not made. I will take the plain fact that the tempo of modern war is quick, that the time required for the preparation of modern armies is long, that it is no use waiting till danger is upon you, because it is extremely unlikely that when that danger comes you will be able to do anything about it at all. It is no use saying "when we are free we will start to prepare". Do Honourable Members suppose that when India attains what they call her freedom, the totalitarian powers will then kindly suspend operations to give India time to prepare? Or that they will have the sporting spirit to say: "These poor chaps have not had really a chance: they have just attained their freedom and we must allow them a reasonable time in which to get ready". I do beg of Honourable Members to get rid of this idea that there will be some opportunity at some time in the remote future to prepare for what you hope will not happen. It is far better for us to assume that the worst might happen and it is far better for us to get ready for that worst now, while there is still time. And so I say that on the purely materialistic considerations of self-preservation India cannot afford to disclaim her responsibility for this war. It would not be difficult to argue the case, not from material considerations but from spiritual considerations

An Honourable Member: The European Association is becoming spiritual now!

Mr. P. J. Griffiths: The Europeans have always played their part in the spiritual life of this country, and it would not be difficult to argue from spiritual considerations . . . (Interruptions.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not be interrupted.

Mr. P. J. Griffiths: . . . that the whole outlook of the Indian people, the whole philosophy of India, whether you speak of Hindus or Muslims or Christians or Parsis, is essentially repugnant to the philosophy which stands at the root of the Nazi campaign in Europe today; that you have built up in this country a tradition, a philosophy, a way of life and a way of thought and that those who are in charge of Germany and Italy today are sworn to destroy everything upon which that way of life and that way of thought rests. If any Honourable Member wants to be convinced of that, I would suggest, particularly if he is a Hindu, that he should perform an experiment which I myself performed recently—I read or rather re-read—for I have read that book of beauty and inspiration many times before—I re-read that great book, the Bhagavat Gita (interruption)—let Honourable Members listen—and I turned from that book to the sordid pages of Mein Kampf. Never in my life have I been so conscious of a complete contrast between two different national philosophies. In the

one, I find the worship of the spirit, the belief that there are things in the world that matter more than purely material objects. In the other, I find the worship of force, I find praise given to everything material, and I find the apotheosis of the doctrine that unto the weak ones of the earth nothing shall be given. A more striking antithesis you cannot find. I do suggest, in all seriousness, that the whole soul of India is full of abhorrence for everything for which the Nazi and the Fascist regime stands. But abhorrence is not by itself of any practical use in this cold, hard world. You have here two conflicting philosophies,—one is tolerant and the other is aggressive. If both philosophies were tolerant

Mr. Manu Subedar: Have you read only the First Chapter?

Mr. P. J. Griffiths: I am not so dull of soul that I could stop at the first Chapter of so great a book.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): How many Chapters are there in the Bhagvat Gita?

Mr. P. J. Griffiths: I can refer him to one of his friends to tell him that. At any rate, there are many more words of wisdom in that book than any of us here could understand in a lifetime. But I want to emphasize the essential opposition between the outlook of India and the outlook of the Nazis and the Italians. It is no use just saying you abhor these things, because in this cold, hard world, abhorrence or sympathy are both worth exactly the same. They are worth nothing unless they are translated into some form of action, and if the attitude of the Congress Party really comes to this, that we do abhor the things of Hitler and Mussolini, that our full sympathy is with Britain in her attempt to win this war, but that in spite of this abhorrence and sympathy we are not prepared to do anything about it, we are not prepared to undergo any suffering, we are not prepared to give up any of our hard earned cash,—if that is their attitude,—then I say with confidence, it is an attitude of which my friends will be deeply ashamed in the years to come.

Mr. M. Asaf Ali: Posterity will tell you.

Mr. P. J. Griffiths: If this is so, if material considerations and spiritual considerations alike suggest that this is India's war, and that India must play its part in this war for the sake of its own safety, for the sake of its own soul—if that is indeed the fact, are not all the other questions which have been introduced either irrelevant or at any rate less urgent than the main issue of winning the war?

Then, Sir, my friends have made much of the fact that they were not consulted with regard to the declaration of the war, but it will not be difficult to show them that there are very few countries in the world in which the ordinary man has any practical say in the determining the issues

An Honourable Member: What do you mean by ordinary man?

Mr. P. J. Griffiths: I mean a man like me. There are very few countries in which the ordinary man has any practical chance of determining the issues of war and peace. Very well, my friends may say—it is quite true

[Mr. P. J. Griffiths.]

that the ordinary man cannot do much about it, but at any rate the Parliaments, the Assemblies and similar bodies can deal with that matter. I am afraid the memory of my friends is very short. They seem to forget that when war broke out last year, the Congress Party was deliberately abstaining from attendance at the Assembly. Do my friends think that the Assembly as it stood at the beginning of last September was representative of the country? If it was not representative of the country, then what was the use of consulting it? Of course, my friends might suggest that it was up to the Defence Department to wire to the Home Government and say—"We cannot send out troops; we must give time for Mr. Satyamurti to come down from Madras or for my friend, Mr. Abdul Qaiyum, to come down from the North-West Frontier Province and give them time first to call a meeting of the Congress Working Committee and then to seek instructions of that body whether to attend the Assembly or not, and then after they have sought the permission of that body, we shall be prepared to tell you whether India proposes to assist in this war or not

Mr. M. S. Aney (Berar: Non-Muhammadan): Is the Honourable Member sure that the Government of India were at all consulted in this matter before taking all these steps?

Mr. P. J. Griffiths: I know no more than my friend, Mr. Aney, does. I have no access to the secret archives of the Home Government or of the Government of India.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Then, why talk about it?

Mr. P. J. Griffiths: If the Government of India had been consulted, the only reasonable answer that could have been given would have been that in view of the attitude of the Congress Party—their refusal to attend the Assembly because troops had been sent to the outposts of India,—in view of that attitude, the Government of India would have had to say to the Home Government that it would be a meaningless mockery to summon the Assembly and to pretend to think that thereby you could get the views of India with regard to the prosecution of the war.

Then, Sir, I come to the next question. It was said—we are not prepared to do anything about this war, because we have not got freedom nor a right constitution,—Britain ought to have done something better for us. Suppose for the sake of argument this is true,—I do not admit it,—but suppose for the sake of argument that Britain should have done something which she has not done. Does that alter the fact that the winning of this war is of vital interest to you? Will the fact that Britain did not do what she ought to have done avail you, if you have to face an attack from the totalitarian States? Do you imagine that if Germany wins the war, she will have some kind of special sympathy with you merely because Britain had not done what she ought to have done? Surely, Sir, to argue that because Britain did not do what she ought to have done, we will not do what in our own interests we ought to do, is the essence of contradiction of logic. After all—and I must apologise for employing a metaphor which I have often used before and which perhaps

I shall use again,—if your house is being attacked by dacoits do you say—"I won't help the police to repel the dacoits until we have reformed the criminal law, until we have passed one of my friends, Mr. Lalchand Navalrai's Bills to that effect?" Will you not first help the police to repel the attack of the dacoits? There is only reason which would,—I will not say justify,—but which would make it intelligent for the householder to refuse to help the police pending the reform of the criminal law, and that would be if he were convinced that the police by themselves were quite strong enough to repel the dacoits without any assistance from him. That, of course, is the crux of the matter today. The Congress Party takes up its present attitude because it believes, rightly or wrongly, that Britain is capable of winning this war whether Congress helps or does not help,—Is that a sporting attitude to take up? What would my friends have to say if any other Party in this country adopted an attitude like that? I venture to suggest that they would then perceive the nature of the action in its true ignobility. I repeat, because it is of fundamental importance,—the question you have to ask yourself is, does it matter if Britain wins the war or not? Some Honourable Members say that they want Dominion Status, others want independence,—and I put a question to those Honourable Members,—do they imagine that for some occult reason either Dominion Status or independence would be attained much more quickly under German or Italian domination? After all, whatever my friends may have to say for purposes of debate, they know perfectly well that, as far as Britain is concerned, not only has the goal been declared, but considerable progress towards that goal has been made. You may say that the progress has not been enough; you may say that it should have gone further; but you cannot deny the fact that considerable progress has been made

Mr. S. Satyamurti: Supply Department particularly!

Mr. P. J. Griffiths: I take it, it is at least a sign of progress that my friend, Mr. Satyamurti, is able to criticise the Supply Department. I am not trying to argue whether the present constitution is right or it is wrong. I am maintaining one simple fact that under the regime which at present exists some progress has been made towards the achievement of what Britain has declared to be the goal for India

An Honourable Member: No.

Mr. P. J. Griffiths: Does the Honourable Member who says "No" think that he will achieve that goal under German rule?

Mr. S. Satyamurti: Who wants German rule? Nobody wants it.

Mr. P. J. Griffiths: My friend, Mr. Satyamurti, tells us that he does not want German rule. In that phrase you have in a nutshell the whole mentality of the Congress Party. The fact that Mr. Satyamurti does not want to be ruled by Germany and the fact that Maulana Zafar Ali Khan shares that view is not likely

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): We do not want German rule; we prefer British rule if it is just.

Another Honourable Member: We do not want your rule either.

Mr. P. J. Griffiths: The fact that both these gentlemen share that view will not seriously deter the totalitarian powers from taking whatever view they like despite the vociferously expressed wishes of my friends, Mr. Satyamurti and Maulana Zafar Ali Khan.

Mr. S. Satyamurti: If we can drive you out, we can drive them out also.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member (Mr. Satyamurti) has made his own speech and he should allow the Honourable Member to go on with his speech.

Mr. P. J. Griffiths: My Honourable friend has yet to learn the difference between practice and theory in many things. It is one thing to talk easily and bravely about driving out the Germans when they came, but the experience of the last twelve months is that every nation which has adopted the attitude of the Congress Party today, every nation which has said, "This is no war of ours, it is a long way off, it does not concern us, let Britain, Germany and Italy fight it out"—every nation which has adopted that attitude has suffered ruin in consequence. We do not want this country to suffer ruin. This country may suffer ruin, if it is not careful, because of the existence of divided counsels in it. Let the lessons of the last year be a warning to this country.

Let me finish by warning you against being led astray by the tyranny of speech. Indian politicians as a class have an amazing gift for speech and we Europeans, who from time to time have to become amateur politicians, often wish we had their ease of expression. But there is a danger, their very fluency, their ease of expression leads them too often to set up shibboleths. They are constantly complaining of being slaves. As my Honourable friend, Mr. James, said last year, they are slaves to the tyranny of their own words. One of those shibboleths which has exercised the worst dominion over them for some years is the shibboleth of Imperialism, and they have come to use the term Imperialism as if it were synonymous with something bad. (Laughter.) My Honourable friend may laugh, but for my own part I am proud to be an Imperialist. I am proud to be a small part of that great system which has enabled more hundreds and millions of people to live together in peace and amity than any other political system yet devised.

Mr. M. Asaf Ali: So says Hitler today about the rest of Europe.

Mr. P. J. Griffiths: I have yet to learn that Hitler talks of peace and amity. (Interruption by Mr. M. Asaf Ali.) If my Honourable friend is going to interrupt me so often, it might be worth his while making a speech.

Mr. M. Asaf Ali: If you want one, you will get it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought not to interrupt like that.

Mr. P. J. Griffiths: I repeat, I for one am proud to be a humble member of that imperialist system which has provided the most practical approach to the League of Nations which the world has ever yet seen.

I am proud to be a member of that imperial system which alone is responsible for the fact that we, in this country, are sitting here in peace and tranquillity, carrying on our discussions in freedom from the fear of bomb and the machine gun. I want to remind my Honourable Members that they are very fond of talking about equal partnership in the Empire. They are very fond of saying

An Honourable Member: Not in the Empire.

Mr. P. J. Griffiths: I am not thinking of the more extreme of my Honourable friends. Some of my Honourable friends are very fond of saying that under certain circumstances they might be content to come into the Empire, but that they want equal partnership and that their position today is that they are not willing to put up with inequality in the Empire. At present there is inequality in the Empire, and the inequality is in favour of India. It is inequality of suffering. In my country there is suffering, there is no peace, there is no tranquillity. In this country, thanks to that Imperial Navy, towards which you have so often grudged contributions,—thanks to that Imperial Navy, in this country there is peace

Mr. M. Asaf Ali: Peace of the grave.

Mr. P. J. Griffiths: If my Honourable friend had perhaps more experience of the falling of bombs and the rattle of machine guns

Mr. M. Asaf Ali: That is better than this kind of no existence of freedom, absence of freedom.

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. P. J. Griffiths: My Honourable friend deludes himself that people living in fear of bombs and of rattle of machine guns are free people. Does my Honourable friend delude himself that if he were living in Britain today he would be allowed to make any of the speeches which my Honourable friends have made in this House yesterday? My Honourable friend does not yet realise

Mr. Mohan Lal Saksena (Lucknow Divisions: Non-Muhammadan Rural): We would have turned out Governments.

Mr. P. J. Griffiths: My Honourable friend does not realise that freedom is a possession which is only possible under certain circumstances, and that the fundamental condition, the pre-requisite condition to existence of freedom is the existence of safety. Where there is no safety, there is no freedom. I want finally to emphasise this contrast between conditions in India today and conditions in England. In England hundreds and thousands of people are living lives of fear and because it is often said that the British people are a brave people, do not imagine that brave people do not feel fear. Hundreds and thousands of people are living lives warped by fear of bombs and machine guns. The lives of our children are being poisoned by that very same fear, and our womenfolk are living for a considerable portion of the day and night underground. Those are the conditions that prevail in England. What are the conditions that prevail in this country? Does any one go in fear of the machine gun or the bomb?

Mr. Mohan Lal Saksena: The tribes of the Frontier Province.

Mr. P. J. Griffiths: Is that immunity from danger the result of any superior inherent virtue in India herself? Is it the result of soul force? Or is it not the result of the fact that, in spite of everything that has happened, the British Navy is still the mistress of the seas—the Imperial Navy, the main pivot of that Imperial system which my Honourable friends of this House profess to detest. It is that very Navy which makes it possible for us to be living here in safety. And for the maintenance of that system, for the maintenance of our safety, Britain is paying some Rs. 14 crores a day. When Britain is paying Rs. 14 crores a day for a safety, of which you at least share a part, is it unreasonable to suggest that India should be prepared to pay not six crores of rupees a day but six crores a year?

Mr. Manu Subedar: Six crores in four months.

Mr. P. J. Griffiths: My Honourable friend is under a misapprehension, it is six crores in a full year. I shall make no further appeal to the Members of the Congress Party, but my last sentence will be to address an appeal through this House to those in the country who are following this debate today. I shall appeal to them, at a time like this, when civilisation is falling around us, when no man can say what will be the outcome of this war,—that at such a time they should not be niggardly, they should not be grudging, they should not be finicky about fine points, but they should show a gladness and readiness to take their part in bearing the burden of civilisation. Sir, I support the Bill.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): There is a lot of difference in the policy and in the views of the Muslim League and the Congress Party in this House. We may be seeing eye to eye on certain points, but on many points we are vitally different. The Congress Party has come to this House with the avowed object of opposing the Bill. That position has not been taken by the Muslim League

Lieut.-Colonel Sir Henry Gidney: Hear, hear.

Sir Muhammad Yamin Khan: Wait. Don't say "Hear, hear." We do not want to embarrass the Government in the prosecution of the war. That is not the policy of the Muslim League, but it is to help wherever reasonably we can do,—to help the Government in the prosecution of the war. The Muslim League has declared this by their Resolutions passed on different occasions and the whole House and the country is in possession of the views as expressed by the Muslim League and the Muslim League Party in this House is bound to carry out that policy which has been laid down by the All-India Muslim League.

Now, Sir, I find one thing which is not quite new. When the Congress Party criticise the Government they expect others to listen to them carefully and quietly but they are not doing the same thing when they hear criticism of their own action. Members may have different views. After all it is an expression of views. You have put forward one view before the House and if you want to convince the other side you must in your turn be ready to be convinced by the opposite side. If you do not want to be convinced, you can at least show this much respect that you will not

interrupt. You should not go on interrupting simply for the sake of interruption. Patience ought to be shown.

Sir, we have a lot of grievances against the Government and they cannot be minimised. We feel that the Government has not treated the Muslim League Party and the Muslim League and the Mussalmans of India in the manner in which they ought to be treated or, in the manner in which they expected to be treated. I do not want to develop this point or go into details because we will have some future occasions when we can give expression to our grievances in detail. I will first state what our grievances are as the Muslim League Party in the Central Legislature. We know that in the absence of the Congress Party, the Muslim League Party was in the Opposition, being the next biggest Party in the Legislature. This has been the Parliamentary practice that except in exceptional cases the Government always tries to carry the opposition with them. The Muslim League Party has got the grievance that it was not treated with the respect with which it should have been treated as an opposition. They were shown the greatest contempt simply because they did not happen to possess the number of votes which would keep the Government in their proper place and contempt or scant regard in this country is the last thing that pays. Many things can be achieved by showing a proper regard and a friendly manner. By making friends many things can be achieved, instead of showing your strength. If anybody thinks that he has got the majority and treats the minority with contempt, he must remember what will be the attitude of the majority, when the majority is turned into a minority.

The Congress Party has blamed the Government for not having the vision and for not having statesmen of the first class type. My friend, Mr. Satyamurti, laid great emphasis on this point when he said that England did not possess at this time a man with long vision and statesmanship who could have handled the situation properly and won over his Party to their side. That may be his view but I say, do not blame others when you lack in that respect yourself. Did you produce any men with long vision. Did you produce any statesman who could have produced circumstances in such a way that you would have made them uneasy in their chairs. You have come merely to make speeches for one day or for one occasion and throw out one Bill. That will not affect the Government. Your speeches will not go out of this room. They cannot be reported. The public cannot know what your speeches have been, excepting those who have been in the Visitors' Galleries. So, this does not serve you any purpose. Your object is to give vent to your feelings which has been subsiding for the last two years and you are inclined to show your anger and rage inspite of your non-violence. That does not help the country at all. Here the Government have been creating circumstances in the country in such a way that they can get proper help for the prosecution of the war. Why should we blame them. Why should not we improve ourselves. We have to improve ourselves. Last time, was not an offer made that we should have coalition ministries in the provinces, so that everybody may be satisfied and feel that it is a national government? Complaints have been made by my friend, Mr. Satyamurti, against the British Government. Your offer made by Mr. Rajagopalachari has not been accepted by the British Government. That offer was made to the correspondent of the *Daily Herald* and was probably meant for the Secretary of State. It was not taken up.

An Honourable Member: It was meant for Mr. Attlee.

Sir Muhammad Yamin Khan: That may be. Has any serious attempt been made by the Congress which happens to be the biggest party in the country to bring about a national Government? An offer was made for a coalition ministry, as disclosed by the statement issued by Mr. Jinnah and this offer was renewed in February last but they did not accept this offer. Well, now to come forward and say that the British Government did not do this and did not do that and created the circumstances under which we find our country in the present state,—to throw the blame on others, I do not think that it is right. I, first of all, want to know the defect in me and to remove the defect which is in me and then I can come and blame my doctor and say, "you did not properly diagnose it", but first of all let me try to cure myself. What is the use now of saying that the Defence of India Rules are working so hard? Of course, I have great sympathy for my friend, Pandit Jawaharlal Nehru and my friend, Mr. Paliwal, who comes from the same constituency as myself and who is my next door neighbour and my friend, Nawab Siddique Ali Khan, who is suffering, but whose fault is it that the Defence of India Act was passed in its present shape? Why did not the Congress Party come and give their help in not allowing the Defence of India Act to be passed as it has been passed? I know my friend, Mr. Satyamurti, through the columns of the Press has been pressing that the Congress Party should come in and must attend the meetings of the Legislature and I know that many friends of mine who are present here have been desiring that they should not shut their eyes to the responsibilities which they have taken upon themselves as the representatives of their constituencies, but their High Command did not think it proper to allow them to discharge their duties for which indeed that High Command had sent them out to the voters and got their votes and they now let them be downed. The voters for whom you came as the representatives in this Legislature, they, of course, cast a duty on the Members that they should be represented properly and that their rights should be safeguarded properly but that cannot be done by sitting inside your own house and not attending the Legislature. Naturally, the Government wanted all the powers they could get; naturally, they want to keep everybody gagged and to carry out the policy which they want, but if you did not want that the Government should have this power, it was for you to come up and attend the Legislature. It was a Bill before this House and this could be improved or altered, and Government could not be so unreasonable as to fight them and they could not certify the provisions of a Bill like that, which should have been passed with the common consent of all the Parties. The few people that were here put up the best fight they could and they did improve the Bill to the greatest possible extent but all that was ignored and we now see the present position in the country. What is the good of saying that Pandit Jawaharlal Nehru was sent up? Of course this House had to pass the Bill and it was for the Government to make the rules. Now it is for the magistrates who are responsible for discharging their duties to administer the law. Now, may I ask—could the Magistrate of Gorakhpur pass this sentence on Jawaharlal Nehru if the Congress had agreed to have a coalition ministry in the United Provinces? If that ministry had been working and carrying on the work, would the District Magistrate of Gorakhpur have taken up the attitude which he did when he passed that order, or the Magistrate of Furruckabad would have passed that order in the case of Mr. Paliwal which he did? Certainly not. The whole responsibility lies for the situation that has been created not only

on the Government but on the biggest party which could carry on the government. You neither carry on your own duties nor do you let others carry on their duties. If my friends had resigned their seats and said, "we non-co-operate, let somebody else be elected to our seats," then the other people would have come and if they had behaved in such a way as not to carry out and safeguard their interests, then they would have been to blame, but certainly you are not making matters good for yourself nor making matters good for the country at large but you come here and complain that the British Government is to be blamed. No. There are two parties which are to be blamed, one for taking all the advantage that they can take and one for giving all the advantage that they can give. The position which we take is this, that this situation is the creation of the biggest party in India in the different legislatures which ought to have behaved quite differently and safeguarded their interests. Now, my friend, Mr. Satyamurti, says, that the Congress Party absented themselves. Then why did they absent themselves? What was the reason for their absence?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is dwelling too much on what the Congress Party did or did not do. He ought to address himself more to the Bill before the House.

Sir Muhammad Yamin Khan: I am saying whether I agree with those grievances put up by other Members or not. I am saying whether we are to accept those grievances as grievances of the country or not. My grievances I will put up.

Mr. President (The Honourable Sir Abdur Rahim): But the grievances which the Honourable Member can discuss are grievances against the Government—not against any particular party.

Sir Muhammad Yamin Khan: I know that the Government is to be blamed on account of the circumstances which have been created by the other party

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member has any grievance against any political party, this is not the forum for ventilating it, and so far the speech of the Honourable Member has been devoted solely to that.

Sir Muhammad Yamin Khan: But, unfortunately, the debate has been going on those lines. If you have allowed certain grievances to be put in and now it is for the other side

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member has any grievance against the Government, he can ventilate it on the Supplementary Finance Bill.

Sir Muhammad Yamin Khan: But I was taking only the example which was put up by Mr. Griffiths. He did not put up any grievance against the Government but he had all the grievance against the Congress Party. In any case I will not go too much in detail now. The only thing which I feel as a Member of this House is that if any Member absents himself from this House, whoever may be the Member, whether he belongs to the Congress Party or to the Muslim League Party or to the European Group

[Sir Muhammad Yamin Khan.]

or to the Nationalist Party, then he is at fault. Now, Sir, I shall only now express my last hope that no Member henceforth will absent himself from this House on any such flimsy grounds in future.

Sir, my friend, the Finance Member, has come before us and is asking for money. We think that it is the duty of Government to convince the House that they have not squandered the money which was placed in their hands before. During the question time, Government have been repeatedly asked to satisfy this House that the money which has been spent so far has been spent properly. We, as the representatives of the people, have got certain knowledge as to how the money is being spent. We know the ways in which the money is being squandered. We come before the Government and tell them that the money is not being properly spent. We find that enormous increments have been given in certain cases. In certain cases, people who had been getting about Rs. 1,700 a month have been raised to Rs. 4,000 a month during this war period.

The Honourable Sir Jeremy Raisman (Finance Member): Will the Honourable Member kindly give me the information either now or otherwise of the case which he has just referred?

Sir Muhammad Yamin Khan: I do not think it will be fair to disclose the names. But if the Honourable Member wants to know the names, I can disclose them just now.

The Honourable Sir Jeremy Raisman: I am anxious in any way whatsoever to obtain the information of the case mentioned by the Honourable Member.

Sir Muhammad Yamin Khan: What was the salary of Colonel Wood the Secretary of the Supply Department before the war started?

The Honourable Sir Jeremy Raisman: If Colonel Wood's was the case referred to, it was entirely misrepresented in the words used by the Honourable Member.

Sir Muhammad Yamin Khan: What was his salary before the war started and what is his salary now? Please tell me this.

The Honourable Sir Jeremy Raisman: I am not in a position to give the exact figures except that I do not know that Colonel Wood's previous pay was under-represented and the pay which he received was over-represented.

Mr. S. Satyamurti: Is he not getting more now?

The Honourable Sir Jeremy Raisman: He is getting more.

Mr. S. Satyamurti: Why he is getting more?

The Honourable Sir Jeremy Raisman: Because, having been a Lieut.-Colonel in a regiment, he is holding a post of much greater responsibility and arduousness.

Mr. S. Satyamurti: Nonsense.

Sir Muhammad Yamin Khan: That is our grievance. The Honourable Member wanted to know the names and I have given him one example. The Honourable Member is not in a position even to tell me what was Colonel Wood's previous salary although he had been receiving any number of questions about this matter.

The Honourable Sir Jeremy Raisman: A statement was laid on the table of the House.

Sir Muhammad Yamin Khan: The Honourable Member was asked a supplementary question only two days ago as to what increments have been made in different Departments and the Honourable Member has not yet given that information. Of course, we, as the representatives of the people, get our information. We have to see that the money is not squandered in the manner in which it is being squandered. That is the charge which we have against the Government. We have seen that positions have been created which range between the Executive Councillor and the Secretary to the Government. An officer who was getting Rs. 4,000 a month as Secretary has now been given Rs. 5,000 a month. May I ask with whose consent was this money given? Was this case brought before the Standing Finance Committee? I can understand the case of a man who has been serving for two or three years and then gets his regular promotion. If a Secretary to the Government becomes the Executive Councillor, we have no grievance against him. Nor have we a grievance against a Deputy Secretary who in course of time becomes an Additional Secretary or a Joint Secretary. But you have now created so many Additional Secretaries, Joint Secretaries and various kinds of Secretaries and Liaison Officers which were never heard of before. You have never taken sanction for these posts from this House. Therefore, we say that you have been squandering the money. In fact, if Government had exercised proper control over their finances, this Bill would not have been before this House today. My Honourable friend would have found himself in a much happier position if he had not allowed these posts to be created. Then, we are told that a man is transferred as a patriot. Is this the patriotism? Your patriotism is to put in as much money in your pockets as you can. Sir, the House must be satisfied by the Honourable Member on all these points. We do not want that people should double their pay when they are transferred from one Department to another. Our information may be incorrect, it may be defective. But when the Government do not supply us the necessary information, then the only conclusion that we can draw is that the information which we have been given is correct. We have been telling the Government to come before the Standing Finance Committee and obtain their sanction for all these additional posts but the Honourable Member did not show even this courtesy to the Standing Finance Committee. It is likely that the Standing Finance Committee, composed as it is, would have given its sanction to all the proposals of the Government. Therefore, we say that you have failed in your duty to this House. You have been adopting this attitude

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because you knew that the House was weak and that is the reason why I blame the Congress Party for having absented itself and thus creating disruption in the country. I would like to know why in the Supply Department and in other Departments people like retired Superintendents have been given the posts of Superintendents or Under-Secretaries? Why have they been taken back in Government service? The result has been that the right claimants for these posts have been deprived of their chances of earning promotion. These people were looking forward for promotion and you have deprived them of it. Has not my Honourable friend, when he started as an Assistant Collector somewhere on Rs. 400 a month, looking forward to becoming an Executive Councillor in the Government of India on Rs. 6,600? Would he not have resented if his promotion had been stopped just as the promotion of these persons has been stopped? You have brought in those people who ought to have gone on the retired list and you have stopped the promotion of these people who were legitimately looking forward to it. Therefore, we, as the representatives of the people, think that in many cases a great injustice has been done to the Indian employees of the Government of India.

In this connection, I should like to say that I do not agree with the proposal of my Honourable friend, Mr. Buss, when he says that so far the burden has been borne by a select few and that this burden should be spread over others, that is on the whole population of India. Unfortunately, my Honourable friend is absent from the House just now and, therefore, it is not right that I should make any remarks in his absence. I only disagree with his suggestion. It is well-known that during this war only a select few have gained lots of money and it is, therefore, right and proper that only those select few should pay. I do not agree that the Government should have chosen the other way. My policy is different. If there is genuine necessity for getting money, then this money should be got only from people who can afford to pay. What I submit is that I must be convinced of the genuine necessity for money and then I would have given full support to the measure which has been presented by my Honourable friend, the Finance Member. In that case I would not have characterised his policy as wrong. I would suggest that those people ought to pay first before the general public is asked to pay as has been suggested by my Honourable friend, the Leader of the European Group.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Who are the select few.

Sir Muhammad Yamin Khan: My Honourable friend, Sir Cowasji Jehangir, wants to know who are the select few. I may tell him they are the people who pay high rates of income-tax. Such people ought to be called upon to pay the surcharge and not the general public. It should not be something like the salt-tax which may affect everybody; the tax should be such as would affect only a select few. I would have gone one step further and suggested that those select few should be made to part with more money who have made a lot of profits on account of contracts received from the Government. They would not have benefited ordinarily if the war had not come something like a boon to them and they have begun to roll into the money on account of war. They would not have found themselves in such a happy position if the war had not been there. It is these select few that are prospering and these persons ought to be tackled first.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Sir Muhammad Yamin Khan: Sir, when the House rose for Lunch, I was dealing with the point that we want to be convinced by the Finance Member that he has really done his best to effect economy and has not let any department spend money unnecessarily in the name of war measures. Our attitude is not one of opposing or embarrassing Government but before we go into the lobby with him we want to be convinced that he has left no stone unturned to secure economy. Those Members of the House who are always ready to co-operate and assist Government in legislative measures and in the prosecution of the war deserve on account of their very presence here to be consulted from time to time. But, unfortunately, up till now we have not been in that happy position, and, of course, if Government can convince us we will be only too glad to support any measures that may be brought forward. But they cannot expect blind and unintelligent support from us, and for the friendship and co-operation that we give we expect the same co-operation from that side also. My Honourable friend, the Finance Member, asked me to give an example and I have given one. I have not investigated every case but many cases have come to the knowledge of Members of my Party and complaints have been received about the squandering of money. You may engage rooms in a hotel and pay Rs. 40 a day for a room instead of the usual Rs. 15, if it is for a special purpose. That of course is a trivial matter. But there are other major questions which should not be ignored and we want that every time sanction is obtained for expenditure of the kind I have mentioned, in the name of war measures, the Defence Committee should be consulted if it involves a substantial amount. I am saying all this because there may otherwise be a wrong impression in this House or outside and in this country or outside it that we are endorsing the policy of Government.

Some of my friends on that side said that they will not allow either money or men to help Great Britain in this war. I do not know whether it is their party creed or their individual opinion. But that is surely not our creed. The Muslim League permits people to join as recruits and the Muslim Leaguers have been supplying men and will continue to do so and they have given permission to co-operate in the prosecution of the war and to give subscriptions, etc. So the views offered on the Congress side should not be taken to be the views of the whole of India, I am not a military expert and the views of those who are not military experts should not count in these matters; but we sincerely believe that for the safety of India it is essential that those countries which stand as bulwarks between India and the German aggression should be helped to prevent Germans coming to India. It may be a coincidence that they happen to be Muslim countries, but if it were the other way it would

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make no difference to us. It increases our sympathy all the more because in the last 50 or 60 years these countries were not allowed breathing time to develop themselves; and one country has under its able leader been able to prove the best and strongest ally of Great Britain,—I mean Turkey. I will not refer to pass Turkish history because people have to carve out their destiny according to present circumstances and not their feelings for past history. My friend, Maulana Zafar Ali Khan, said something yesterday which was misunderstood by Mr. Griffiths. He said quite plainly that among the countries which can to a great extent resist the invasion of Germany towards India, Turkey is one and we should be allowed to enlist ourselves. We Muslims are next to none in our patriotism and we will defend our country and our shores and frontiers even if the aggression comes from Muslim states: we will fight for our land. But here our sympathies are with them in wishing they may not be over-run. This doubles our sympathy and we should, therefore, be allowed to develop a big army which may go and fight if necessity arises to defend them and ourselves.

I hope I have made clear and plain to those Members who might have been led to think differently on account of Mr. Griffith's speech which was based entirely on a misunderstanding. Our sympathy is with all the countries east of Suez: if any aggressive party comes east of Suez we know our country will be in great danger; and though some of my friends might have been led in the heat of the moment and on account of some grievances to take an extreme attitude, they went to the very extreme in saying that they wanted a change of government in this country or involve the country in a war which will bring misery to us. Those of us who have read history know there was anarchy after the downfall of the Moghul Empire and people suffered terribly in those days and we know what war means just as the people in those countries involved in the present war know. I do not want my country to be involved in war. I do not want my country to be over-run by any country whatever; and I can assure this House that it was never the intention of the Congress Party either. Mr. Griffiths got an altogether wrong impression by the heat of the arguments adduced on this side or perhaps some other thing gave rise to this impression—I do not know how he got it: but when he said constantly: "Would you like Germans to come over here? Would you like to be governed by Germany rather than by England?", of course, there is no question of that. I do not think that by any kind of implication any one meant that kind of thing that he would like to be ruled by Germany, except for one unfortunate Persian saying quoted by Mr. Abdul Qaivum—

"Ma ra che uz ein Qissa ke Gao amud-o-Khur ruft."

which means "What does it matter to me that the cows come in and the donkeys go out?" Probably in reply to a certain question which was put from this side, he made this unfortunate assertion. But I do not think he meant seriously that Germans should come over as rulers of this country. If he did mean it, then I sincerely and thoroughly differ from him. If he thinks twice, probably he would say he never meant it. That brought from Mr. Griffiths a retort: "Would you like Germans to come over here?" I can assure him and I can assure everybody who wants to be assured that there is not a single Indian today who would like the Germans to

come and rule over us. Of course, there are many who do not like the English to remain here as rulers. I do not know if the Congress have changed their creed, but I think their creed is to remain within the British Empire. Even Mr. Gandhi says that; but I am not aware if they have changed their creed: independence has been visualised as remaining within the Empire but certainly managing our own affairs and having sovereign powers within our own country, the people having the full voice in all matters just as the people have in other countries; and after that we should of our own willingness join and become a part of the commonwealth of nations. That has been the Congress creed if I am not mistaken. But if Mr. Griffiths is under any wrong impression I can tell him that that is not the view of India at present. It was unfortunate that my friend, Mr. Satyamurti, when he was trying to speak on behalf of the whole of India, should have dragged in controversial matter—when he said that this theory of martial and non-martial classes is still predominant in India today. Unfortunately, martial and non-martial classes are the creation of the Indians themselves. My friend is a Brahmin, and there is the Brahmin—Non-Brahmin question. That is not the creation of the British Government. As long as there is the Brahmin—Non-Brahmin question, the high castes and the depressed classes question, and the Hindu Muslim question, in this country, as long as we have on railway platforms this cry of Hindu *Pani*, Muslim *Cha* and so on and particular people cannot touch particular things, so long these things will continue and there will be this question of martial and non-martial classes. This distinction is due to the caste system and until and unless India gets rid of the caste system this question will not be solved properly. When the martial races begin to marry the non-martial races and mix together, then we will find that there is only one class.

Whatever may be the ideals before my friends,—and I admit they have very high ideals before them,—one fact cannot be ignored, and that is that as long as India is divided into so many castes, creeds, and sects, as long as there is not one single nation in this country, as long as these distinctions remain, there can be no progress in the country, and, therefore, the best thing to do would be to create one single solid nation. Unfortunately we are not one nation today; we are divided into so many nations, and as long as the question of castes and creeds remains, India will remain divided. Therefore, I think it should be the duty of every patriotic man and woman in this country to try and get rid of these divisions so that the country as a whole may progress on right lines without adhering to the old notions which, however good they might have been in the past, are no longer suited to the present age. Sir, I do not want to take more time of the House

An Honourable Member: Thank you.

Sir Muhammad Yamin Khan: I am glad somebody said "Thank you". I hope, Sir, the Government will in future take this House or those who will remain here into confidence, and that those responsible to advise His Excellency on vital matters affecting the interests of this country will advise him in time placing before him all possible materials so as to

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give him an opportunity to summon this House and take its advice on vital matters. If they find that His Excellency, in spite of their sincere advice is not willing to accept such advice, then the most honourable and proper course for these advisers to do would be to resign their seats without caring much either for their position or salary. If such advice is not accepted by His Excellency, then he will get the *badnami* if he does not summon a meeting of the Assembly even for two or three days to consult non-official opinion. Sir, till now there has been no lack of co-operation, Government have been getting help from all quarters. When the Government find that there are so many friends ready to give them help to defend this country realising the great danger that lies ahead to the peace and tranquillity of this country, unfortunately Government is ignoring their help, it does not want to consult them; it only wants to consult people who wish to create impediments in the way,—in fact Government enjoy when they have full opposition in this House, and not when they find a weak opposition. Probably they enjoy their time when they have a strong opposition in the House, and they have got it now. These are the views, Sir, which I wish to express on this Bill.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I do not wish to enter into any theoretical discussion about the likes or dislikes of any particular rule. I will come straight to the point. The Honourable the Finance Member has given us a truism which reads thus: "It is a truism that in time of war Finance is the hand-maiden of Defence",—but I shall present him with a better truism and that is, the contentment of a nation is the best hand-maiden of Defence. If the nation is contented, then only you can have a really efficient Army or Navy or Air Force. If the nation is discontented, then certainly you cannot have an efficient or reliable defence. It is not a question of pleasing any particular community or party. The question is whether the whole nation is really going to rally round you or not.

Well, Sir, yesterday we all heard about the deep discontent that exists over the administration of the Defence of India Act. My friend, Mr. Sri Prakasa, told us in detail as to what happened to Pandit Jawaharlal Nehru, how he was treated, and how other persons are being arrested and prosecuted under the Defence of India Act. I will leave that point aside for the moment, but the fact must be noted that there is grave discontent about the administration of the Defence of India Act. Is there any contentment either over the political status that has been conferred upon India? My friend, Mr. Griffiths, said this morning: "we have made some progress and we ought to be satisfied with it". Sir, I want to tell him that there is deep discontent throughout the whole nation about the status of this country. The whole nation is against the status that has been conferred upon it, and it wants something more. In order that there may be no dispute, no misinterpretation, no misunderstanding about the wording of what a particular Resolution is or what the Party intended to say, I am going to read some lines of portions of Resolutions that have been passed by several organizations, and I want to show that almost the whole of India is discontented over the political status of this country.

Sir, on the 29th December, 1939, there was a conference held at Allahabad of the National Liberal Federation, under the presidency of

Dr. R. P. Paranjpye. His views are well known. He is a gentleman who wants to co-operate, and I suppose there are certain persons belonging to this body in this House like my friend, Sir Cowasji Jehangir, and if I mistake not, my friend, Mr. Joshi.....

Mr. N. M. Joshi (Nominated Non-Official): No.

Mr. Govind V. Deshmukh: Oh, you seem to disapprove of that Federation. Anyhow, I will start with this body which is known for its moderation of views. I will specially read only a few lines of the Resolution which that body passed. This is what it says:

"In order to enable India to give its wholehearted support the imagination of the whole people should be captured regarding the future status of India."

And then there is a definite Resolution about it, *i.e.*, the Status of India which was moved by Mr. Chandavarkar. The Resolution runs thus:

"That the Federation having fully considered the statements issued by His Excellency the Viceroy and subsequent official statements both in England and India, is strongly of opinion that they are quite unsatisfactory inasmuch as (a) do not go beyond the position taken up in 1917",—*This is what was stated in the month of December, 1939, mind you,*—and imply the postponement of the advent of Dominion Status to an indefinite and distant future, and do not envisage its achievement within a definite period in the near future."

So this body, as I stated in the very beginning, which holds very moderate views and which looks at things from all aspects, is also thoroughly discontented about the present political status of this country.

Then there is a resolution by the All-India Hindu Maha Sabha Working Committee, which reads thus:

"The Committee further reiterated its demand for a declaration by Government that Dominion Status under the Statute of Westminster will be granted to India immediately on the cessation of war, guaranteeing the indivisibility of India as a political unit."

After that, the Hindu League Conference also passed a resolution on the 27th July, 1940.

"The League asks Britain immediately to declare India a Dominion based on the Statute of Westminster with a view to securing her maximum support and co-operation in the task of defeating Nazism."

This body also wants the immediate declaration of India as a Dominion. After these resolutions which are really the expressions of the discontent that is amongst these bodies were passed, a statement was made by the Secretary of State, Colonel Amery, on the 8th August, 1940. His promise of Dominion Status is contained in these words,—I am reading his words so that there may be no misunderstanding.

"We have repeatedly declared our resolve that India shall attain to the same freedom, to the same full and equal partnership in the Commonwealth as the other Dominions or for that matter as this country herself. There is no greater freedom, no higher status than that in the world today."

They say, India is to attain this freedom, such as England enjoys. But they themselves draw a distinction between the Dominion Status of other Dominions and England herself, and that of India. Colonel Amery proceeds:

"The principles of equality and similarity appropriate to status do not universally extend to function. And in respect of these the position of India differs from that of the Dominions."

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That is the distinction drawn. So, it is never their intention to give us Dominion Status of the Westminster type. After this statement was made the Congress Working Committee passed a resolution at Wardha on the 22nd August. It says:

"The Working Committee read into the statements of the Viceroy and the report of the speech of the Secretary of State the emptiness of their own promise to recognise India at an early date as a free and equal unit within the British Commonwealth."

And who can say that the conclusion is incorrect?

Then, I wish to read to the House a statement of the Council of the Western India Liberal Association which was issued on October 23rd, 1940. It is a very long statement but this is the concluding portion of it, and it deserves to be remembered very well by everybody:

"There is a widespread feeling all over the country even amongst those who do not approve of the Congress and the League attitude, that the Government have really no intention to part with power. In the interests of democracy itself and greater effort in the prosecution of the war it is essential to remove this impression."

Which has not been removed. I have quoted to you the resolutions which embody, as I said, the opinions of the several bodies in the country. There is also a statement of Mr. Arthur Moore who addressed a gathering at the Rotary Club of Calcutta on the 18th June, 1940. Our country has got to be prepared for defence and we have been told what is necessary for the defence. Mr. Arthur Moore says:

"Now what is the first flaw in our armour which must be immediately mended to get us ready for battle? It is that India, the very centre of the Empire's map, the home of four hundred million people, the potential source of unlimited supplies of men and materials is not in the British Commonwealth of Nations. She wants to help Britain, she wants to play her part along with others for the future of the whole world, and she wants to be able to defend herself. But she has not the status of a country, she has not the position of Canada, Australia, New Zealand and South Africa. She ranks as a dependency whom Hitler and Mussolini and other robber pirates, who might succeed in imposing their will on Britain. . . . (that has also to be remembered). . . . on Britain, will have a legal right to apportion amongst themselves."

So, we are going to be a sort of prize. It is quite possible, according to him, that Britain may be influenced, and India may be divided among those pirates. Then these are remarkable words:

"That is intolerable and should be ended forthwith. Which means that her status as a dependency should be done away with immediately and she should be granted the status of Canada, Australia and New Zealand."

I have said that immediately a declaration should be made and the least they can do according to the opinion of the moderate section in the country is to make a declaration that Dominion Status will be immediately conferred after the cessation of the war. Now, some people advance arguments and ask "how can this be done?". Those who are not interested in conferring this Dominion Status of the Statute of Westminster variety say, "how can this be done? We are faced with the problem of our very existence, it is a question of life and death with us, how can we do all this now?" Now, let me remind them that when it comes to a person with the problem of life and death with him, it is then and then alone that he goes to the greatest length that is possible to save himself. You know that before France capitulated, the French Government became nervous. The British Government also became

nervous and in order to save Great Britain and strengthen the hands of the French Government, they made a declaration. This declaration was made when the British Government were faced with the question of life and death. I am reading from the *Times of India*, dated the 19th June, 1940:

"Mr. Churchill said that His Majesty's Government have offered to conclude a solemn Act of Union between the two countries."

The Act could only be passed by the Parliament and thus they were prepared to modify their constitution in the course of the war and when they were faced with the question of life and death. I will point out the terms in which they were going to modify this constitution. This they were prepared to do when the war was being carried on. Why, then, can't you make some declaration about the status of this country even under similar circumstances? You have not got to modify the constitution to do this but only to make a declaration. Now, what was the draft declaration of this Act of Union that was to be passed?

"At this most fateful moment in the history of the modern world the Government of the United Kingdom and the French Republic make this declaration of indissoluble union and unyielding resolution in their common defence of justice and freedom against subjection to a system which has reduced mankind to the life of robots and slaves."

The two Governments declare that France and Britain shall no longer be two but one Franco-British Union. The constitution of the Union will provide for joint organs of defence, foreign, financial and economic policy.

Every citizen of France will enjoy immediately citizenship of Great Britain. Every British subject will become a citizen of France.

Both countries will share the responsibility for the repair of the devastation of war wherever it occurs in their territories, and the resources of both shall be equally, and as one, applied to that purpose.

During the war, there shall be a single war cabinet, and all the forces of Britain and France whether on land, sea or air will be placed under its direction. It will be formally associated."

The rest is about the army which I need not read. If somebody is to derive a lesson from it and I do not think there is nobody who will not derive this lesson from it, it is this that when Britain is faced with a question of life and death, then alone it surrenders. If there are persons who wish to create a situation like this, what is there to prevent it? This is the key to the Britisher's temperament. I am simply telling the House that this inference can be drawn: I do not wish to prophesy anything because one can never tell what is in store for us in the future.

I have stated that there is discontent in this country over the political status. Let us not forget that if these bodies would have been satisfied by a satisfactory declaration conferring upon India political status of the type of Canada and Australia and New Zealand with no reservations as to functions, India would certainly have co-operated. Let me read to you certain passages and certain statements which prove this to the hilt. The Congress Working Committee passed a resolution on the 28th July, 1940. It said:

"The Working Committee are of opinion that unless the aforesaid declaration is made—(that is, about the acknowledgment by Great Britain of complete independence of India)—and a national Government is accordingly formed at the Centre without delay, all efforts at organising the material and moral resources of the country for defence cannot in any sense be voluntary or as from a free country, and will therefore be ineffective."

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The Working Committee declare that if these measures are adopted, it will enable the Congress to throw in its full weight in the efforts for the effective organisation of the defence of the country."

So, let it not be said that the Congress would not have co-operated in the defence of the country if there had been an immediate declaration acknowledging the independence of India by Great Britain.

Sir, I have shown how we are treated at present in India. We are not comfortable with the status that we have been enjoying in our own country. How are our nationals treated abroad? How are the Indians overseas treated? The Department of Education, Health and Lands is entrusted with the duty of looking after Indian nationals in all the Colonies and the Dominions. Instead of narrating so many details, because the subject has been referred to several times, I will read a Resolution of a body, which is again a very moderate body, about the Indians overseas. It is the National Liberal Federation which passed that resolution on the 29th December, 1939. The following Resolutions were passed from the Chair about the Indians overseas:

"The Federation strongly protests against the Ceylon Government's policy of discrimination against Indians and their decision to dismiss and repatriate Indians employed in Government Departments since April 1, 1940, and to retrench Indian employees of more than five but less than ten years of service on a racial basis, if they do not voluntarily retire by the end of 1939.

The Federation fully supports the decision of the Government of India to prohibit the emigration of Indian labour to Ceylon and urges it to take necessary measures to secure justice to the Indian community.

This Federation expresses its indignation and resentment at the continued ill-treatment of Indians in South Africa and the policy of segregation embodied in the Asiatic Land and Trading Act although there was no proof that Indians were violating any of the existing Statutes or were resorting to illegal practices and although the Union Government have undertaken under the Cape Town Agreement to treat the Indian community as an integral part of the population of the Union of South Africa and to take steps to raise their position."

I have specially studied the subject and I have always spoken on this subject and I had also introduced a Bill called the Reciprocity Bill. Unfortunately, not having attended the past Sessions of the House, it lapsed; but if it had been passed, the result would have been that those Colonials who are here today, Members of the Eastern Group conference could not have landed here. Those Colonials who deny us entry into their Colonies could not have landed here and also those who are against Indians carrying on their profession in their Colonies would not have been able to carry on any profession. The disqualifications to which the Indian nationals are subjected would have been enforced upon them in this country.

Sir, it was a very pathetic tale which a Member of this House told this House some time ago. I refer to Mrs. Subbarayan, a Member of this House. She told us that during the last war, when the war broke out, she was sailing in one of the ships and returning from England to India with her child. The ship touched the South African coast and every white person got out of the ship but she could not land on the shores. She wanted to get some milk for her child. The Captain said: 'No, you

cannot land under any circumstances. If these Colonials give our nationals very inhuman treatment, certainly we could have reciprocated that treatment. That is the best way to bring the Colonials round. We should treat them in the same way in which they are treating us. Our grievances cannot be redressed unless we take very strong steps. This is not my own advice. There is another gentleman in this country who is known for his very moderate views and as a result of sore disappointment, he gave this advice. I refer to the advice given by the Right Honourable Srinivasa Sastri. When the White Paper on Kenya was published he said this:

"Not justice or truth but the amount of trouble that a party is able to cause prevails with His Majesty's Government today. Having had this lesson burnt into them Indians, let us hope, will not ever forget it again."—*and again*—"But I will say this once more, which I have said before that India has lost many a time because she had never shown that she can resent indignities in the only way in which a strong Western power understands resentment."

This is what a very moderate man in his old age has said. This is a very effective advice. I will say once again what I have said many times before that India has lost many a time because she had never shown that she can resent in the only way in which a Westerner will understand what resentment is. I want every Indian to express his resentment in the way in which the Westerner will understand what resentment means. Over the question of the administration of the Defence of India Act, Members of this House have expressed their dissatisfaction. They have expressed their dissatisfaction over the political status of India. They have expressed their dissatisfaction with the extravagant expenditure that is going on in the country, as was expressed by my friend, Sir Muhammad Yamin Khan. There is dissatisfaction all round. How can the Honourable the Finance Member expect that he will get the money for the prosecution of this war or that he will get men to prosecute this war in the most effective manner? He has brought this Bill—to secure funds for war—at a time when the country is not satisfied with the way in which the Government is carried on. An advice was given to a person in England as to what is to be done when he is stranded in financial difficulties. I am not taking any responsibility about the morality or the immorality of it. This is the advice given by an Englishman to a friend of his who was stranded in difficulties. He said, "If you are stranded in financial difficulties, then beg, borrow or steal". I do not know whether it is "beg, borrow or steal" or "beg, borrow *and* steal", but I am going to put my case on this precept that was given, "beg, borrow or steal". Now, of course, in the case of a Government of a country it would not be a question of "beg, borrow and steal", but the same idea can be embodied in these words. First of all, appeal to the person from whom you want money; appeal to the country or the public from which you want money; appeal to their sentiments and emotions, the advantages that they are going to reap, so that they may part with their money. If that cannot be done, then the next step comes in. One has not to try all these steps together but step by step. One failing, then resort to the other measure. Supposing you are not in a position to appeal effectively to the nation to get money from it, then what will you do? You borrow loans. But even for that, you must put your case on a stronger basis. Failing strong appeals, you float war loans and then,—according to me, this is stealing, a legalized way of taking money out of the other people's pockets in a statutory way without the consent of the representatives of the people; because stealing merely means

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this that a person steals money without the owner's consent. Well, the Government resorts to the statutory method of depriving the people of their money according to me at the last stage. The Honourable the Finance Member has gone the wrong way round. He says at page 7 of his Statement:

"But a more important aspect of the matter is that we have entered into commitments."

With whose permission we do not know; the house was not taken into confidence; whom they had taken into confidence nobody knows, and they committed themselves to certain liabilities, and then they come before the House and say, "I have done this, please sanction the expenses for these commitments"; that certainly is not a business-like manner, I was going to say a gentleman-like manner—he says in his statement:

"We have entered into commitments in regard to defence measures involving a recurring increase of Rs. 15 crores in a full year and non-recurring expenditure of well over Rs. 30 crores to be spread over the next year or two."

Then, "while I do not propose that this should be met entirely from taxation, it is obvious that with defence expenditure now running at Rs. 20 lakhs a day, we must begin at once to raise extra revenue to cover a portion of the additional expenditure by means of defence loans". Why not try defence loans first before going to the stage of taxation? Do you think that the country is not with you and that your loans will not be subscribed to? What is the idea of approaching the stage of taxation first? Why not first of all try to raise defence loans? If you find—and you will find it to your cost—that the nation is not with you, if you find that the defence loans are not being subscribed, then you may go to the stage of taxation. But, as I have said, the Finance Member has gone really to the last stage first, because he knows very well, and they have the means to know it very well, that the country is not with them. They know also that if this Bill is thrown out by the House, His Excellency is there to certify it. That would be another way, as I said, of taking the money from the people without their consent. Taking the consent of some part of the House has got at least some appearance of some consent, but it is not of the whole House but still it is a part of the whole House, but the certification procedure is, as I said, the last stage in the above precept for collecting money. I wish they would first of all appeal to the nation; we know that if the nation is on their side, they will find not only that men will come forward but money will come forward to help them in prosecuting or furthering their war efforts; they will get men, money and aeroplanes; and not only will they get all these but they will find that they can certainly be popular with the country. There is another thing to which I would like to refer. They have said that they have entered into commitments and in the House it was suggested that the war preparations must be carried on quickly and enthusiastically, but there is a section of opinion in this country which blames the Government for this that the war preparations are not up to their satisfaction and the procedure adopted in recruiting men is also not the proper procedure. Then certain references were made to martial and non-martial races. I do not wish to go into that, but I would certainly refer to what a European section says about the way the Government is preparing to carry on the war and the way they are wasting the money of the country. They are wanting money

but they have not done all, with the equipment they already possess, that they could have done.

There is a certain section of Anglo-Indians and Europeans who are dissatisfied. In this connection, I will quote from the letter to the *Times of India* Lieut.-Colonel Coote of Andheri, Bombay, dated the 28th August, 1940. It is a long letter but I will only quote a few passages. This is what he says:

"Every kind of official discouragement has been given in the past few years to Indian youth to get air-minded, take out a pilot A Licence or make themselves fit for any job connected with flying. No training college for air force was started in India and only a couple of vacancies at Cranwell were reserved for Indian youths."

The recent broadcast to Indian youths to come forward for the air force was to fill eight vacancies—after the war had been in progress eight months and India's air force consisted of one squadron, with three more in existence on paper. I know that eighteen thousand young Indians sent in their names in response to the call to expand, at long last, India's air force, but only by 350 pilots!"

If you refer to the speech of the Honourable the Finance Member, the same number still remains. No progress has been made since August till the end of October. It is still the scheme to train 300 pilots. The Government have not gone beyond the stage of schemes. To continue the letter:

"Some of these get a reply after a month or more; many never get reply at all. The official expansion of India's air force in the past year or so is about the slowest piece of work ever undertaken, even by the Government of India. You say 'Progress at present is hampered by insufficient equipment'. Whose fault is that? We should all like to know. Most of us do know, it is certainly not the fault of Indian politicians or Indian youths."

Another gentleman wrote in the *Times of India* saying that we really have facilities and equipments but we were not utilising them to the full. That was the purport of what he wrote and what he said was correct. As a matter of fact, he showed by calculation how many hours of training are lost. As the existing facilities were not utilised, nothing could be done. There were complaints about this. Sir, I have referred to several complaints. But I base my case of opposition to the motion of consideration on the question of the treatment of Indians in the country itself. Consider it from the point of view of India's political status or from the point of view of the administration of the several laws or from the point of view of the treatment Indians receive in other Dominions, you cannot but come to this conclusion. Apply your mind dispassionately to the facts, you will come to this conclusion. Sir, a contented country is the best hand-maid of war. You have to woo her, you have to win over this country to your side; or else the prospects are not promising.

Mr. K. Santhanam (Tanjore cum Trichinopoly: Non-Muhammadan Rural): Sir, I rise to oppose the motion for the consideration of this Bill. Sir, my Honourable friend, Mr. Griffiths, was good enough to tell the House that it was due to the consideration of the dignity of the Chair and of the House that he listened to the speeches on our side with some calm and patience. I wish to tell him that I greatly enjoyed his speech. I enjoyed his speech especially when he professed to speak not only for himself or for his Group but, for the inmost thoughts of ours which he knew, but which we dared not express. I enjoyed his speech most when he began to lecture

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us on the Bhagavat Gita. I feel sure that by a happy substitution of tea for stronger spirits, Mr. Griffiths has become more spiritual and the transition from the magistrate to the missionary has been completed.

Mr. P. J. Griffiths: Just the same thing.

Mr. K. Santhanam: But he forgets one thing, that a missionary must be content to preach and he must not descend to arguments. But Mr. Griffiths indulged both in preaching as well as arguments. So far as his preaching is concerned, I shall be content to say that while he was willing to swallow a camel, he was straining at a gnat, while he was anxious to point to the mote in other eyes, he was forgetting the beam in his own eyes.

Sir, I shall deal only with his arguments. He argued that because we had absented ourselves from the Assembly when we were not consulted on the despatch of troops abroad, it was not possible to consult us when the war was declared. Can fatuity go further? We absented ourselves from this House because we knew that we were being dragged into the war. We wanted to warn the Government that if they dragged us into the war, there will be trouble. Was it not then the duty of the Government to have taken the warning as soon as the war was about to be declared to have called the Assembly and consulted us? I am sure every one of us would have been present. But supposing we had not come, why did not the Government consult other Members of the Assembly? My Honourable friend, Mr. Griffiths, seemed to argue that once the Congress Party was absent, the Government had no other parties to consult. Sir, if that was so, he should have advised the Government to shut up this House and carry on as best as they may. He went on further and argued that war came all of a sudden, and that the Government could not wait to ask the verdict of the Assembly. I suppose he has read the newspapers. Canada, South Africa and New Zealand, every one of them took many days, sometimes many weeks to call their parliaments, to discuss this question whether they should enter the war or not and then only they decided. I suppose, Sir, that it was only in the case of India that the declaration was urgent and that it could wait for all other countries except India. The House will judge the hollowness of this argument. I felt that he himself realised the weakness of his argument and went on to say:

"Why are you bothering about these procedural matters, go to the substance: is it India's war or not? If it is right that India should fight this war, why bother about some procedure, let us get to realities."

I do agree that it is a more important question. I am willing to answer him as best as I can. A few days back the Prime Minister of England, Mr. Churchill, said that he wanted to save Greece from the war as long as possible, that they did not put any pressure on Greece to enter the war. I think it is on the same consideration that in spite of specific treaty obligations, they willingly agreed to the wisdom of the Turks in staying out of this War. I suggest that on the same humanitarian grounds, the British Government is not forcing Egypt into the war. Are we to understand that if it is right for Greece not to enter the war as long as possible, if it is right for Turkey not to enter the war as long as it can, if it is right for Egypt not to enter the war till now, it is not right for India to hesitate to enter

the war? Is it not because England had the political power to declare war for us that we have been dragged into this war? I put to him another question. Is it the duty of Indians any more than that of Americans to fight Fascism or Nazism and why are not Americans entering this war? I say, Sir, it was wrong it was foolish and, I regret to say, it was almost criminal to have dragged this land, this poor country of poor peasants into this war of mechanical monsters. It would have been wise on the part of England to have said:

"We have power to declare war on behalf of India, but we shall not drag you into this war, but keep your benevolent neutrality and help us just as the United States of America is doing."

That would have been a proper and statesmanlike attitude. It would have saved this country from all troubles. Even now, as some of my Muslim friends have said, there are so many Islamic countries who will have to be crushed before any real danger can come to India and I hope they will keep out of this war, and that if they are forced into this war, they will all join together and fight it out with their customary bravery. If there is any chance of India being bombed or otherwise hurt in this war, then that is all due to one fact, that England in her own interests, without any foresight, without any wisdom or statesmanship dragged the poor people of India into the war which is waged far away from our land. There would have been some justification to say that we shall enter the Sino-Japanese war because it is near our doors, because China is an important part of Asia, and because Japan's imperialism is a greater danger against which India should be safeguarded. I say it was wise that England did not drag us into that war. But it was very foolish, it was wholly unstatesmanlike to have dragged us into this war.

Mr. Griffiths went on to say "anyhow we are in this war and so why not make the best of it? Why not get ready? This is a war of machines. It takes a long time to make machines and so let us get ready." Well, Sir, on that ground also I am prepared to argue. If we are to fight, it is necessary to get machines ready. Has the British Government or the Government of India taken any steps to see that this country is equipped to manufacture machines to fight any possible future danger? What are the most important things in this war? First and foremost are ships. Without ships you cannot get munitions, you cannot get any of our requirements from other countries. It has been one of our greatest complaints that India has never been allowed to build her own ships. Here was a great opportunity, if England were sincere in her pretence. Britain's need coincided with India's opportunity. Have the Government taken any single step to promote shipbuilding in this country? I understand that proposals were made that there should be shipbuilding industry in India and the Board of Trade in England have said definitely that they will not render any help in the promotion of shipbuilding in this country as a war effort. I ask the Honourable the Commerce Member who comes from my Province to stand up and say if this is not true. That is so far as ships are concerned.

What is the next thing that is needed? It is transport industry. Without transport industries, no war can be fought. The Honourable the Finance Member with a good deal of pride said that last year we got 5,000 motor vehicles, we will take 30,000 vehicles this year and next year we will

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take 60,000 and so on. I have got in my hand a book let by Sir M. Visvesvarayya in which he traces the various efforts made in India for the automobile industry. He quotes some telegrams of August 20, 1940, of the Associated Press and concludes as follows:

"This telegram says that Government have been placing two large orders with two prominent American Automobile companies. A request for such orders was made to the Government of India four years ago but there was no response. No reason, save their adherence to the old policy of discriminating protection, was given."

I would say this is discrimination in favour of white people and white people's industries, "for denying similar facilities to an indigenous enterprise".

That is so far as the automobile industry is concerned. Then what about locomotives? Probably the House knows that all non-official sections of the House have been crying hoarse about this manufacture of locomotives. Sir, in the Standing Finance Committee for Railways there was not one meeting in which we did not fight out this point, and at last by sheer dint of persistence and reasoning we brought the Government of India to a state in which they said that this was necessary, and they appointed a committee. Mr. Humphreys and Mr. K. C. Srinivasan were appointed and they have produced a report advocating the manufacture of locomotives in India and they have shown that for the next three years India requires 565 broad gauge locomotives and 306 metre gauge locomotives for our own replacements excluding additions. But what is going to happen? They are not going to build locomotives; they cannot get them now; they are going to allow the existing locomotives to become more and more over-age so that as soon as the war ends they will say that they want one thousand or two thousand locomotives at once which cannot be built here soon and they will place an order abroad for one or two thousand locomotives. When they arrive, they will last for 35 years and so there will be no need for an automobile industry. This is not a mere fancy; it is a trick which was played in the decade after the last war. Between 1924 and 1930 they ordered so many locomotives that all of them have been allowed to become over-age at the same time. They would not allow India to build ships, to build automobiles and to build locomotives. It is said that they could not get the plant; they could get the plant whenever they wanted. And if they cannot get the plant now do you think they will get it after the war? When the work of munitions is over how can they supply the plant which will compete with their own locomotive workshops? I am prepared to bet a hundred to one that they will not get the plant until some radical change happens in the Government of India and for the next 50 years to come India will not be allowed to build a single locomotive or motor car.

The Honourable Sir Andrew Olow (Member for Railways and Communications): We are building locomotives just now.

Mr. K. Santhanam: I know this joke. I know a little too much about this locomotive business. They have a small metre-gauge locomotive workshop at Ajmere where they simply assemble the parts after buying most things abroad and they call it locomotive building. I have not been a member of the Railway Standing Finance Committee for nothing. Let the Honourable Members not try to humbug us or hoodwink us. Let him say

frankly that they do not want us to manufacture locomotives. I say they are trying to treat India just as Hitler would like to treat Europe; he wants to de-industrialise all the other parts of Europe except Germany so that the German industries might flourish, and our Government here would not like us to build up our industries.

Lieut.-Colonel Sir Henry Gidney: We shall soon build our own locomotives.

Mr. K. Santhanam: Yes, your grandson will be asking for them.

Lieut.-Colonel Sir Henry Gidney: I must have a son first before I can have a grandson. But I am with you absolutely.

An Honourable Member: Half on that side and half on this.

Mr. K. Santhanam: Sir, the Honourable the Finance Member said that they are still considering the manufacture of aeroplanes. While they are still considering, Australia is manufacturing them. I wish to refer to a statement made by one of the members of the Eastern Group Conference. Sir Walter Massey-Greene, who said that one of the chief purposes of the Roger mission was to see that there was no duplication, that what one country was doing the other parts of this so-called Commonwealth should not do. I suppose that applies to the aircraft industry and because Australia is building aircraft India should not bother about it. She should only produce oil-seeds, jute bags etc, and must be content with such activities.

So far for the basic industries which are necessary for fighting the war, and now I will come to the financial measures. I will give the House certain facts. On the 30th August, 1939, the following were the assets in the issue department of the Reserve Bank, and I am also giving side by side the assets of the Reserve Bank according to the last weekly statement:

	30th August, 1939	Last week.
Total	216 crores	257 crores.
Gold	44 crores	44 crores.
Sterling	59.5 crores	131.5 crores.
Rupees	74.7 crores	31.4 crores.
Rupee securities	37.3 crores	49.6 crores.

That is to say, on the eve of the war 45 per cent. were in sterling securities and rupee securities which are naturally dependent upon sterling securities so long as the rupee is linked to sterling. Now it is about 70 per cent. Let us reflect on this position. I have no desire to question the solvency of the British Government or cast any doubts upon the soundness of sterling. But it will be easily admitted by any reasonable person that owing to the terrible strain caused by the war, even if Great Britain manages to get a complete victory, sterling will have to depreciate. It will be the only way by which Great Britain can pay her immense war debt. And why are the Government of India anxious that our assets should be depreciated and why should not some part of the immense gold reserve of the Bank of England be transferred as security with the Reserve

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Bank of India? After all what is the meaning of this increase of note issue by 41 crores? It means that England has been buying Indian goods on pro-note; and not being content even with paying in pro-notes, she insists that she should give pro-notes in a unit which is not likely to remain the same. Is that fair? I ask, why should we not make certain of our currency position by seeing that at least 50 per cent of the payments are in gold? What is the difficulty? Why should the Bank of England shape our financial policy? They want our financial dependence on sterling to become so great that we may become insolvent unless we truckle to everything that the Bank of England says. They want to make use of the war for making the financial dependence of India utterly complete—in fact to bring about our financial prostration at the end of the war.

I come from a rural constituency and for the past one year I have been living in my own village and have almost forgotten the existence of the big cities. So far as the agriculturists are concerned the war is very remote: their own problem of bread is very near; and what have this Government done for the agriculturists? We have heard that the British Government was good enough to buy up the entire crop of cotton in Egypt. I am glad of that, in the interests of the agriculturists of Egypt. I heard also in the case of some other colony they had bought up the whole crop of rubber or sugar. What is the position of Indian sugar? What is the position of Indian cotton and ground-nuts? Have the British Government undertaken to relieve us? By declaring us a belligerent country they have cut us off from the European countries. What have they given us in return? I say it is the duty of the Commerce Member to stand up and reply. Has he been able to secure for the Indian agriculturist any relief, the kind of relief that the British Government has given to the Egyptian agriculturist, to the Argentine agriculturist and to other agriculturists except those of India? Why this difference? Because India has no political status, because India is bound down to the chariot wheels of Britain, they do not care for our agriculturists; they will let our agriculturists die, they will let our industries die, but they come and say, "We want you to take part in the war."

I shall not go much into the question of economy. Sir Muhammad Yamin Khan has given some telling illustrations but he pointed out only a few cases: he said "Why should you pay people 4,000 and 5,000 who were getting only 1,500 and 2,000? I do suggest that it does not look fair that when people are dying in millions, when the war effort is taking so much money, any one in this country should get 4,000 and 5,000 a month. No. They should take only maintenance allowance and hand over the rest. If they have any decency in them, why should they draw these huge salaries? They disburse to themselves huge salaries but they want the poor agriculturist to pay a quarter anna more for his postal envelope. With the superfluous money they have been getting for generations they can pay for this war effort. Their people are dying in thousands in London and being bombed, and yet they want to draw 5,000 rupees a month here. Why should you not be content with 500 or 1,000 rupees to spend upon yourself? If, after doing that, you still want money from us, then come and ask for it. We can understand that. But here you draw these huge salaries and there are these astounding scandals about what is going on in the Government of India. Apparently there is only

industry that is in boom in this country and that is the Jobbery in the Government of India: officers are, it seems, created galore. For the Home Department they have got four secretaries: one secretary, one joint secretary and two on special duty: then you have four deputy secretaries—all simply for putting us in jail. Why do you want to have so many officers for merely sending us to jail? Then, there is the Information Bureau. Numerous people are appointed for what? To suppress information: that is the Public Information Bureau! Then to censor the press, every press must have a separate officer; and you go on creating officers in the name of the war. In the name of war, all this loot is being carried on and I say this loot must stop before you can come with any face to this House and ask for money.

I heard yesterday that in Madras you have raised 56 lakhs in the war fund and that a further two lakhs has been transmitted to London. The Finance Member has come down and said "We have no money for the war"; but he has never contended that England is short of money for war. England may be short of ships; she may be short of mechanical transport; she may be short of other things, but she is not short of money. Why do the Government of India permit the collection of money for the war funds to be transmitted to England? They say: "We have given the names of districts which have contributed to aeroplanes and fighters." Yes. That is what you are out for: you want to give us names and to take away our money; you give us a name and you take away our men and take away everything of substance. That is the way in which you want us to make a war effort. Was it not the proper thing to say: "We are lacking in defence, we are lacking in aeroplanes, we are lacking in other things; and let our provinces raise these squadrons of aeroplanes and anti-aircraft guns for ourselves." As my Honourable friend, Mr. Satyanurti, has said, they are spending huge amounts for air-raid precautions in Madras: they say aeroplanes will come and bomb us; but as he has pointed out, no protection for the day time has been given: they may come in day time and bomb us. You say they should not come at night. I suggest it is a big huge waste that is going on. We do not want air raid protection. I am a student of mathematics and I can tell the Government that the chance of any Indian dying in an air raid in Madras is as much less than the chance of his dying in a railway accident or a motor accident or accident of any other kind. Is it proper that for just this stray chance huge amounts of lakhs of rupees should be spent on air raid precautions? No, Sir. Some officials have been appointed and they must justify their appointments and in order to justify their appointments on 2,000 a month they must spend another two lakhs on blacking out the city lights and covering up the motor car lights. They have blackened the Marina in Madras and shut off the lights in other places and this has led to a great number of motor accidents. I say it is ridiculous that because some foolish official has been posted on 2,000 or 3,000 rupees, and he must do something to justify his salary; he should be making things difficult for motorists and passengers.

Then, in order to stimulate the war effort we are asked to pay a surcharge of 25 per cent. on Income-tax and of a quarter of an anna on the postal envelope. Another point about this curious Finance Bill is this: I want to ask the Finance Member, who is a student of finance, whether it is proper to do what he is doing. He says the amount required is 14 crores but he wants a taxation of only two crores. Why does he want it? If it

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is a question of making both ends meet, it is ridiculous. But I imagine there is a reason behind his appeal. This is a mere feeler. He wants to bring in the big Finance Bill next March and he is merely preparing the ground. Probably he is going to heap taxes on us—increase the salt duties, alter further postage rates and probably raise the fundamental basic rates of income-tax, and so he wants to get the minor things off in this Session: otherwise I cannot possibly find any justification for this Finance Bill. So I say it is more or less a fraud upon this House to bring in this Finance Bill which does not meet the deficit and which does not provide for the whole of the money required. But still he proposes to tax this country. I shall not go further into details.

We are not here to make minor criticisms about this Bill or about the activities of this Government of India. We are out only for the major issues and it will be time enough for us to look into details when we have satisfactorily solved the major issues. The Honourable Mr. Griffiths said: "Do you want fascism or nazism? If you do not want them, do fight against it." But why should it be argued that that was the only alternative? We could have been a benevolent non-belligerent like the United States or other nations. But even after Great Britain had dragged us, the Government of India could have taken steps to see that the people of India were consulted. Our Leaders have been patient; they have offered to forget the insult of being dragged into this war without their consent, if even at this stage a satisfactory solution of our political questions can be found. Referring to the suggestion—it is not proper to call it an offer—made by the great leader of my province, that the Congress would be glad if a national government can be formed under the leadership of the Leader of the Muslim League, some friends have said "This offer should have been made to the Muslim League." If they consider it a little, they will soon see their mistake. If the Congress had the power to form a National Government, it would have been proper to make the offer to other parties, but today neither the Indian National Congress nor the Muslim League is in a position to form a national Government; it is in the power only of the British Government to constitute a national Government, and as my leader said, if the Government were prepared to form a national Government, the Congress would have been glad to take a subordinate position, if necessary, in the national interests.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): The offer was not made to the British Government; it was made to the *Daily Herald*.

Sir Muhammad Yamin Khan: It was in the power of the Congress to make this offer to the Muslim League, and it could have easily made it, and then both the Congress and the Muslim League could have made a demand for national Government jointly.

Mr. K. Santhanam: Probably my friend has been only in the Assembly and has not been in outside politics, otherwise he would know that as long as we have no guarantee that our decisions will be carried out, it will only be a bone of contention. Then, as regards the charge that the offer was not formally made to the British Government I may say that;

if that suggestion had been seriously considered, the formal offer both to the British Government, and if they had agreed, to the Muslim League, would naturally have followed.

Sir Syed Raza Ali: The Congress and the Government understand each other, but I cannot.

Mr. K. Santhanam: However, as an individual Member I can say that if today the British Government decide to form a national Government and transfer real power over defence, over finance, Railways and other subjects, and if they also say they do not want congressmen in that Government, we are prepared to stand aside and assist the national Government, not as obstructors or critics but as real helpers.

The Honourable Sir Muhammad Zafrullah Khan: Would it in that case be a national Government?

Mr. K. Santhanam: We who will be in a majority would be quite prepared to accept their decisions. We alone can make it national, and nobody else. Sir, the Indian National Congress has never asked for anything for itself. It has asked everything for the country.

Sir Cowasji Jehangir: May I know, Sir, for whom is the Honourable Member speaking?

Mr. K. Santhanam: I am speaking as a member of the Tamil Naidu Congress Committee, the All-India Congress Committee and as a member of the Congress Party in the Assembly.

Sir Cowasji Jehangir: With the authority of the Working Committee?

Mr. K. Santhanam: My friend does not listen properly. I started by saying that I was speaking in my individual capacity.

Sir Cowasji Jehangir: Then, what value should we attach to the opinions coming from an individual member sitting on the back benches of this House?

Mr. S. Satyamurti: For whom is the Honourable Sir Cowasji Jehangir speaking?

Mr. K. Santhanam: I suppose the value of my statement is not in any way less than the importance that attaches to statements made by the Honourable Member. This is my individual opinion, and I have no doubt that the congress opinion will also be to the same effect. Sir, we are not going to be put off by mere verbal phrases. We are prepared to fight for the freedom of this country.

Now, Sir, I will conclude by referring to a question which was asked by my friend, Mr. James. He asked whether if Hitler came to India we shall have the same freedom to speak as we do today.

Mr. F. E. James (Madras: European): My friend, I am sure, does not quote me correctly. What I did ask was this. If Mr. Abdul Qaiyum had been in Denmark, Belgium or France under the domination of Hitler today, would he have had the freedom that he has been given here to speak as he did yesterday.

Mr. K. Santhanam: That is exactly what I am answering. All the time my friend forgot that Pandit Jawaharlal Nehru is in jail for making a speech which was probably more reasoned and much more considerate than those made here, that three Members of this Assembly are in jail for the same offence. I do not know if it would be much of a consolation to know that a few Members of the Assembly, on selected occasions, are allowed to speak, while if we speak in the same strain to our constituencies, we would be locked up. I will not be disclosing any secret if I say that we are all *en route* to the place where Pandit Jawaharlal Nehru is lodged today.

Sir, I have tried not to hurt the feelings of anyone and I may tell my friend, Mr. James, that in spite of all our grievances, in spite of all our differences with the Government, I have nothing but goodwill for England. Sir, I admire the heroic manner in which the English nation is standing up to the dictators. I am, Sir, much moved by the heroic response of the people of London against the barbarous acts of the enemy, but you cannot play Jekyll and Hyde, play the democrat at Home and the dictator here. I suggest to Mr. James it is undignified, it is not worth the sacrifice they are making if they do not carry their principles abroad. If my friends over there feel that we being coloured people, we being Asiatic people, the same principles need not be alied here, then they will know to their cost that the coloured people are prepared to show the same heroism and the same amount of sacrifice which is displayed by the English people.

I am glad to hear that in aircraft production Great Britain is nearing parity with Germany, but there is another matter on which they are also trying to get near Germany, and that is in the number of people who will be lodged in concentration camps in this country, and you should not be surprised if the British Government in India succeed in shutting up in concentration camps a larger number of youngmen than Hitler has done, and that too much more quickly. I do not know if it will be a consolation to my friend, Mr. James, to know that thousands of people, including the representatives of the people, are shut up in jails today because they had the courage to express their opinions freely. If it is, I do not grudge it to him.

Sir, I make an appeal to the Government, to the European Members, not to rest content till a proper solution is reached, and that they should not waste their time over minor details, because it does not matter whether this Assembly functions or other formalities are gone through, so long as the main problem before us is not solved.

Probably the Honourable the Finance Member is considering his Bill as a mere constitutional formality. But he will be mistaken if he thinks so, because a certification of this Bill will mean that the moral basis of this taxation is no better than the moral basis of the taxes which Hitler is raising in France, Belgium and in every other country he has subjugated.

You have, perhaps, better manners. Probably, given another 100 years Hitler's successors will speak in the language of courtesy which you employ and display the same good manners as you are doing today. After all, he is in the days which Clives and Warren Hastings were enjoying

here, when crude force was the rule, but we do not want mere manners. If you want to rule us by subjection, rule us like Hitler. The alternatives for England are to convert herself, into a Hitler or to be a true democrat. I hope every well-wisher of Britain and of this country whether Indian or European, will help to persuade Britain to know her lot on the side of real democracy and real freedom.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I would like to divide my remarks into five parts. First, I will review the speech made by the Honourable the Finance Member which really forms part of the Finance Bill, and I will omit those portions which have already been reviewed by previous speakers; then I will come to the extravagance of the Government of India and make my own suggestions, and, later on, I will come to the wrong policy outlined in the Bill about taxation, and express my own opinion as to what the real policy ought to have been. Then I shall have some general observations about the financial arrangements between the Government of India and the British Government, and, lastly, I will review the points made out by some of the speakers on the floor of this House.

Let me first take the speech of my Honourable friend, the Finance Member. Some of my Honourable friends have already spoken about the delay of six months in convening this particular meeting. I wrote to the Finance Member some time ago that a delay of six months was unjustifiable and that he ought to convene at least a meeting of the Standing Finance Committee in the month of September. I admit that he did convene a meeting of the Standing Finance Committee at my request but the things that were laid before the Committee, according to the past traditions, were only the items included in votable expenditure. While we had discussions in the Finance Committee it really reminded me of a story of account keeping by an Oxford undergraduate. His father gave him £100, and after the term was over he asked his son to give an account of that amount. The son said a pair of socks 1s. 6d., tie 1s., miscellaneous £99-17-6d. We were asked in the Finance Committee to review and criticise the validity of the expenditure of 2s. 6d. but when I raised the question about the remaining £99-17-6d. we were told that they were non-votable and that they did not come within the purview of the Finance Committee. No doubt, our votes were not required in the Standing Finance Committee but we can review them on this occasion when we have to vote the supplies.

Mr. F. E. James. Then my Honourable friend should have voted in the last Session for the Estimates Committee, which he did not.

Dr. Sir Ziauddin Ahmad: I may tell him that I never opposed an Estimates Committee, but I said that it should not be in place of the Finance Committee. I said that we should have both. It was my opinion then, and it is my opinion now.

The second point which I want to raise,—and perhaps I may require your ruling some day on this particular question—is this, namely, about the contribution from the railways to the general revenue. The Honourable the Finance Member said that he has got Rs. 463 lakhs based on one per cent. of the capital at large and also a further 79 lakhs as one-third of the excess over the first Rs. three crores transferred to the Railway

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Reserve Fund. I now remind him of the convention of 1924 which the Assembly sanctioned, and I think it is the duty of the Honourable the Finance Member as the custodian of the general revenues to see that the convention is fulfilled. Article 1 of the convention says:

"The railway finances shall be separated from the general finances of the country and the general revenues shall receive a definite annual contribution from railways which shall be the first charge on the net receipts of the railways."

Article 2 says:

"The contribution . . . shall be a sum equal to one per cent. on the capital at charge . . . plus one-fifth of any surplus profits remaining after payment of this fixed return, subject to the condition that, if in any year railway revenues are insufficient to provide the percentage of one per cent. on the capital at charge surplus profits in the next or subsequent years will not be deemed to have accrued for purposes of division until such deficiency has been made good."

This is very important. Whenever there is a deficit, it ought to be made good. Article 3 says.

"Any surplus remaining after this payment to general revenues shall be transferred to a railway reserve; provided that if the amount available for transfer to the railway reserve exceeds in any year three crores of rupees only two-thirds of the excess over three crores shall be transferred to the railway reserve and the remaining one-third shall accrue to general revenue."

The point that I want to raise here is that the railways are in debt to the extent of 37.74 crores to general revenues. The first railway budget separated from the general budget was presented in 1925, and during the last 15 years the contribution to the general revenues under the convention amounted to Rs. 108.49 crores of which Rs. 41.8 crores was paid direct to the general revenue, Rs. 28.94 crores on account of loss on strategic lines to the Military Department, and Rs. 37.74 crores are in arrears. The railways have to pay Rs. 37.74 crores to us and according to article 2 of the convention this amount must be paid first to the general revenues before any amount can be put in the railway reserve fund. I do not want to raise it today on the floor of the House. Another dodge which the railway administration is playing, because, I will raise it on the occasion of the Railway Budget, and that is, that we are treating the depreciation fund not purely as a depreciation fund but as a depreciation fund plus a reserve fund, so that this amount may be deposited before the debt to the general revenues is paid. So by this indirect method they get something for their reserve fund. I do not raise this point now; I will raise it later, but the point that I want to raise now is this. Three crores were deposited in the railway reserve fund, as pointed out by the Honourable the Finance Member, and I ask him, and I will ask you as the custodian of the privileges of the House, whether according to the convention of 1924 which I have just read out to the House, the railway administration is entitled to take this three crores before they pay their arrears to the general revenues. The article clearly says:

"In the next or subsequent years will not be deemed to have accrued for purposes of division until such deficiency has been made good."

These arrears amount to Rs. 37.74 crores and until they are paid, the railways are not entitled to put down any sum in their reserve fund, and these three crores ought to have been appropriated by the Honourable the Finance Member from his colleague the Communications Member. If there be any other interpretation of the article, I hope, the Honourable the Finance Member will lay it before us, but as far as I can see, he has proved himself in this transaction a very bad advocate of the taxpayers of this country. He has let out these three crores and has given a donation to his colleague, the Member for Communications, which I think, as custodian of the general taxpayers' money he should not have done. If there be any other interpretation of the article of the convention, then I will ask your ruling as to how far a convention which we had solemnly made in 1924 was ignored. When we pass a Resolution in this House, not in the shape of a recommendation,—but a solemn pledge with the consent of all Parties in the House it ought to be observed. Therefore, my first request to the Honourable the Finance Member is, if these Rs. three crores were taken back to the general revenues, the Finance Bill would hardly be necessary.

The next point that I want to raise is this. They raised the rates and fares—fares by one anna in the rupee and rates by two annas in the rupee. I thought that they were collecting this amount for general revenue in the same manner as they are collecting for the municipalities. The whole of this additional tax should be handed over to the general revenues to meet the war expenditure. No doubt there was no explicit mention in the budget about it. There was no definite understanding but it was a tacit understanding, though not explicitly said, that this additional sum was required to increase the revenue to meet the special emergencies that have arisen in connection with the war and, therefore, I concluded that the entire amount would be paid to the general revenues. To my great disappointment instead of paying this additional taxation to the general revenues they have not paid even the three crores of rupees which they ought to have paid and they really set it aside for the reserve fund against the article 2 of the Convention of 1924. Now, that was my first point in connection with the Honourable the Finance Member's speech.

My second point in connection with the speech of my friend is his statement that 'the scheme for establishing aeroplane factories in this country is by no means abandoned'. This is really a very poor consolation. We are now at the beginning of a war which may last five years or more and they are still contemplating in this country whether there should be a factory for the manufacture of aeroplanes or not. (At this stage the Honourable Sir Andrew Clow got up to leave the House) I see the Member for Communications is going away. I have something to say about this Department and should like him to remain in the House. I thought the easiest thing would have been instead of consulting Walchand Hirachand and others, to establish a pioneer factory in this country.

Mr. F. E. James: May I ask the Honourable Member one question? Is he going to refer to me? If he is not going to, then I will go.

Dr. Sir Ziauddin Ahmad: I will miss jokes of high order. Instead of negotiating with the business men, I think that the Government should

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here started a pioneer factory of aeroplane manufacture in this country at their own expense and then leave to the business men to start second and third factory, if they choose to do so. We can't depend upon business men to start the pioneer factory, unless it is a business proposition, unless he sees sure income of ten per cent., a business man will not invest his money. We know that the first attempt may or may not be a business proposition and nobody will lend the money. Therefore Government should come forward and start a pioneer factory of aeroplane manufacture in this country and leave the business men to follow.

An Honourable Member: Where is the money?

Dr. Sir Ziauddin Ahmad: War loans. Now, the second point that was mentioned by my friend, Mr. Santhanam, is connected with the manufacture of locomotives. I quite admit that an attempt has been made to have locomotives of the metre gauge in the Ajmer workshop. They are practically ready to manufacture all the requirements of the metre gauge lines in this country but they are still far from manufacturing broad gauge locomotives. A number of patriotic arguments were advanced from this side of the House. I have got the practical argument and that is this. We do not know whether it will be possible for us during the war to import any engine from outside India, from America or England or any other country. So we have a great apprehension that our communications may be seriously interfered with if we do not take timely action and start the manufacture of locomotives. Now, my friend was saying that if we really want to have an army in 1942, we ought to make a beginning now. Otherwise we will take a long time to train them. If the war really proves to be a long war, then there is a danger of our communications coming to a dead stop and it is, therefore, very desirable that action should be taken now. Therefore, I do beseech the Treasury Benches that the recommendations made by the Humphreys Committee be given effect to at an early date. In this connection, action should be taken, if not to manufacture engines of a very elaborate type, at least of simple type.

Now, the third point to which I would like to draw the attention of the House is the amended Neimeyer's formula. I am one of those who agreed that the formula ought to have been amended, but it was very desirable that the Finance Committee and the Assembly ought to have been taken into confidence about the amendments to that particular formula. May I remind the Honourable the Finance Member that when Burma was separated, then the whole question was referred to the Finance Committee which appointed a sub-committee to go into the details about the separation of the finances? Now in the question of a change in the allocations of grants to the Provincial Governments, it is but fair that at least the Finance Committee ought to have been taken into confidence and they ought to have been told the reasons on account of which the Neimeyer's award was amended.

Sir Cowasji Jehangir: It has not been amended so far as I know.

The Honourable Sir Jeremy Raisman: Not since there was a Standing Finance Committee.

Dr. Sir Ziauddin Ahmad: The Neimeyer award has been amended. I will quote the very words of the Finance Member. He says:

"Our revised estimate on the basis of the amended Neimeyer formula."

This means that it has been amended. If Finance Committee did not exist at the time of amendment the House existed. So far I have spoken about the observations the Honourable Member made in his speech.

Now, I take the second point and discuss the question of extravagance in the Supply Department. I start with this formula that all your services in the Supply Department should be considered to be services in connection with the war and we should set an example of self-sacrifice. We should really ask these people to show that they are patriotic and set a good example for the country to follow. Those who work for the war will win our thanks. They will win our good opinion and they will be compensated when the war is over. Every one who is doing work in the Supply Department should be assumed to be doing some work in connection with the war and should be ready to make some sacrifice. Now, this is the tradition which we want to establish in the Department of Supply. My friend, Mr. Santhanam, has referred to it as the department of loot. I leave Honourable Members to draw their own inferences from this but I will lay before you a few facts as to how far it is entitled to be called a department of loot. We ought to impress upon every one who comes to the Supply Department that he is doing national service, that he is doing service for the country, he is patriotic, he is willing to self-sacrifice, he is helping the prosecution of the war and we expect them to make some kind of sacrifice. They ought not to demand a salary higher than what they were drawing. We should not expect them to be out of pocket. Every one cannot do it. But at the same time they should not demand higher salaries that they were getting. Now as far as I can make out from the papers, Mr. Jenkins is the only officer in the whole of the Supply Department who refused to take any extra allowance though it was offered to him, and we have great respect for his sacrifice.

Mr. J. Ramsay Scott. (United Provinces: European): I think Colonel Wood also.

Dr. Sir Ziauddin Ahmad: and I wish to thank every officer in that Department, if he followed the noble example of Mr. Jenkins. I want that every officer, Indian and European, Hindu and Muhammadan, should follow this example and should show some kind of sacrifice to win our gratitude and the thanks of the country and give up war increments. I am not going to say on the floor of the House what salaries they were getting before and what they are getting now; the Honourable the Finance Member has got a very efficient Secretary and a very efficient Deputy Secretary, he has got very efficient staff under him and if he simply asks one of his subordinates to prepare a chart showing what salaries they were getting before they joined the Supply Department and what salaries they are getting now, he will judge for himself how far their salaries have been put up on account of their services for the war and how many of them are away from self-sacrifice. This is a thing which I suggest only for the satisfaction of the Finance Member himself, but what we want to press on this occasion is that all those persons who do the work of

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the Supply Department and do not demand any increase in their old salaries should be thanked for their sacrifice and for the services to the country which they are making and this is the example which we want to establish. Now this is the first point I want to take up.

The second point in connection with the war supply I want to take up is the manner of recruitment. I can understand that the Supply Department must have a very efficient staff, but they ought not to have been recruited through the 'National Service Committee'. We established a National Service Committee for an entirely different object in connection with the recruitment of Anglo-Indian soldiers but this was not intended to recruit persons for the Supply Department. I think their recruitment ought to have been, like recruitment in other offices, through the Public Service Commission and that Commission is the proper body to recruit such men. If these recruitments were made through the Public Service Commission according to the requirements of the Supply Department, then some of the complaints we now have and which I am going to explain further later on in my speech could have been avoided. Everything depends upon the Selection Committee. Whenever there is any appointment going in the Supply Department, every Indian, every Britisher, every Anglo-Indian has got an equal chance but what I want to press is that these chances are not of equivalent merit because the selection Committee is so selected that non Anglo-Indians here have little chance. Hence there chances are not of equivalent merit; certain people have a good advantage and others have none.

May I take another instance and draw attention of the Member for Communications to the case of the aeroplane committee. This question was raised before the Standing Finance Committee. I had a talk with the Secretary for Communications that there ought to be a Muslim on the Selection Committee, and every committee that is appointed by a Department other than the Communications Department has always a Muslim on the Selection Committee, but in this Selection Committee there was not a single Muslim, and I drew also the attention of the Honourable the Leader of the House to this particular drawback, but still no appointment was made though a promise was held out that this might perhaps be done. If you want that these privileges should be of equivalent value, it is absolutely necessary that on the Selection Committee for air pilots there should be fair representation of all interests. I do not mean to suggest, members of a committee will be partial or impartial, but I was told by the pro-Vice-Chancellor of the Aligarh University that he sent out twelve candidates and one man was invited for interview and he was not one of the best candidates. Sir, I see no justification for ignoring this thing altogether. Now my friend, the Honourable the Communications Member, is anxious to attend to something else and so I think I had better take up those points which concern him and then I shall come back to the Supply Department later on.

Sir, the other day I moved a motion of adjournment on the floor of the House which, unfortunately, was badly worded and so you had no other alternative but rule it out of order. But I may refer to the points which I intended to bring out on the occasion of this motion for adjournment. Sir, I have got two grievances to make. One is that the person who should be the judge on a particular report has

now become a party to it. We know very well that the Governor General in Council really means, as far as railway matters are concerned, the Communications Member. So he will practically be the judge on the entire report, but when he commits himself to the issue, then I think it is not fair. He is perfectly right to express his own opinion which he did express on the floor of the House but the point which I do object to—and this was not very clearly brought out in my wording of the adjournment motion—is that he said, "and I feel sure that this Conference will agree with my view, etc." Now, there he is practically giving an order to his subordinates to express their opinion in the manner he likes. That is unfair. Sir, I believe that there the Honourable Sir Andrew Clow's opinion is based on misunderstanding. What right has he got to influence his subordinates to canvass and ask them to vote for and agree with his view? Both of us should have equal chance.

Mr. M. A. Jinnah: Because they are his subordinates.

Dr. Sir Ziauddin Ahmad: But the decision of the Government of India will be based on the opinion of these subordinates of his and therefore he now asks his subordinates to express their opinion in this particular way and on the opinion of the subordinates the Governor General in Council will issue his orders in the manner in which he has already formed his opinion and in the manner in which he has given his orders to his subordinates . . .

Mr. M. A. Jinnah: Whom do you want to decide?

Dr. Sir Ziauddin Ahmad: Since the Communications Member is a party, I have no other alternative but to request the Government to appoint somebody else to review this particular report—say the Home Member, or the Finance Member or the Secretary for Defence but certainly not a person who is already a party to it.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

My second grievance is that he has not correctly represented the views of the Muslims. We never wanted that incompetent Muslims should ever be promoted; all that we wanted was that the promotion of Muslims should not be stopped because he is a Muslim.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is now discussing a motion for adjournment which has been disallowed. A great deal of latitude is allowed in discussing a Finance Bill but the topic which the Honourable Member is now discussing really goes outside the limits even of such latitude.

Dr. Sir Ziauddin Ahmad: Now, I say that the promotions are given on the consideration of seniority or of efficiency, then this principle is selected in such a manner that it affects Muslims always. I once said on the floor of the House, "call a spade a spade" and tell frankly that in promotion, the principles of seniority and efficiency are selected in a manner that Muslims may not be promoted. I said this on the floor of the House to his predecessor. However, I will seek some other opportunity to discuss this particular question.

I now come back to the manner of recruitment in the Supply Department which I had taken up. As the recruitments are not made through

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the Public Service Commission, what is the result? The result is what it ought to be. I have got before me a list of the officers of one section of this Department. There are 48 officers out of whom only five are Indians and the remaining 38 are Europeans. I think the manner of the recruitment in the Supply Department is chiefly responsible for it. They ought to recruit in the same manner as they recruit for the other Departments, namely, through the Public Service Commission. They should set forth their requirements, ask the candidates to interview and select the best men who may be found to be suitable for their purpose. If they adopt this method, then the present complaints that exist will probably disappear.

The next point that I wish to take up in this connection is the association of what we call the Liaison officer and the advisers. Now, this procedure is not very desirable and I am very strong on these points. I pressed this point on the last occasion and I will always press it whenever an opportunity arises that we should not associate in the Supply Department any business men. One successful business man in the presence of several Members of this House said the other day that all business men are selfish. Perhaps he used a stronger word. I have got his own words with me. He said: "A business man is never honest." He is always for himself: he does not care for war or peace or anything else. He really wants money for himself. Once I was travelling in a railway compartment and a business man from Cawnpore was telling in my presence: "Long live Hitler". I asked him: "Why are you saying this?" He said: "I pray for Hitler's life every day. Since he has started the war, our industries are flourishing and we are getting more and more money." I said that we are suffering from privations and more taxation, whereas these business men are getting more money on account of this war. So, these business men have a special mentality. They always care for themselves: they never care for anybody else. As long as their pockets are full, they do not mind if the country goes to dogs. That is not my view but that is the view of a business man.

Mr. M. S. Aney: What is your view?

Dr. Sir Ziauddin Ahmad: I am coming to that.

Now, Sir, business men say that they are doing a great service to the Supply Department because they give their time and are helping them in making their purchases. The facts are just the reverse. In fact, we are showing them a great favour by placing orders in their hands: they are doing no service to us. The Supply Department may shelter their mistakes under the excuse: "We want the co-operation of the business men". The co-operation is always there. There is no dearth of co-operation. If you begin to place orders, every business man will begin to co-operate with you. There is no difficulty about that. But the dangers which I point out are these. If you have a business man associated with the Supply Department, then he will know the secrets of the other factories and other business men and as soon as the war is over, he will be placed in a position of very great advantage. I do not want to enlarge this point as we discussed it at the time of the Finance Bill and I then quoted from the paper *Economist* in support of my argument. My second argument is that whenever you ask a business man to give contracts, he is sure to give contracts

to all those firms in which he is interested and from which he gets commission either officially or unofficially, either openly or secretly, and he will vote for no other person. On this matter I have got practical experience of my own which I do not want to relate on the floor of the House.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): None of the alleged business men with the Supply Department have anything to do with the placing of contracts.

Dr. Sir Ziauddin Ahmad: Then, what are these Liaison officers?

The Honourable Sir Muhammad Zafrullah Khan: I have explained several times on the floor of the House what these Liaison officers are.

Dr. Sir Ziauddin Ahmad: Are you not purchasing your things on the advice of these Liaison officers?

The Honourable Sir Muhammad Zafrullah Khan: I have said that no business man associated with the Supply Department has anything to do with the placing of contracts.

Dr. Sir Ziauddin Ahmad: May I ask whether these Liaison officers and advisers are business men or not?

The Honourable Sir Muhammad Zafrullah Khan: They are business men, and I pointed out that with the exception of two, who relate to industries in a special position, all of them had been selected on the advice of the industries concerned.

Dr. Sir Ziauddin Ahmad: You go in a round about way. Are they or are they not business men?

The Honourable Sir Zafrullah Khan: I have said they are.

Dr. Sir Ziauddin Ahmad: If they are business men, then you place your orders either on their advice or according to their choice, and this is just the thing to which I object.

The Honourable Sir Muhammad Zafrullah Khan: Contracts are not placed under their advice.

Dr. Sir Ziauddin Ahmad: That is absolutely trying to deceive the opposition. We were told on the floor of the House repeatedly by the Leader of the House and in the other Chamber by . . .

Sir Cowasji Jehangir: May I ask the Honourable Member if he would rather have the advice of a Professor of Mathematics?

Dr. Sir Ziauddin Ahmad: I think a Professor of Mathematics will certainly give an honest advice, but a business man will always give an interested advice. I have no axe to grind but people like Sir Cowasji Jehangir and other business men have their personal interests to look after. Their advice is always for the industry in which they are interested. I can be exposed by any Member of the House. And I challenge any Member to tell me if I have ever derived any benefit in any transaction during the last ten years.

Sir Cowasji Jehangir: There was no insinuation of that sort at all. I simply asked whether the Honourable Member would rather prefer to have a Professor to advise on these matters. Instead of recruiting business men, would you recruit a Professor?

Dr. Sir Ziauddin Ahmad: My reply is that he may be a professor or a representative of labour or he may be a civilian or anybody else, he must be an honest man. That is my only condition. He must have no axe of his own to grind. You have got expert men associated with the Indian Stores Department and they can give you enough help in connection with the purchases, the quality of the materials and the place from which you should purchase them. It is not necessary for the Supply Department to add Liaison officers and advisers.

As regards the point raised by the Leader of the House that these Liaison officers are selected or elected by the industries themselves, I have heard enough of it and I know how they are selected. There is one particular man who is already appointed and everybody knows that he will be the Liaison officer. So, everybody will have to bow before him in order to get orders in that particular industry. I know this definitely and if my friend will challenge me, I can even mention such names on the floor of the House. But I think it is not desirable to discuss the personalities on the floor of the House. I wish to confine myself only to principles.

The point which I wanted to press is that in the Supply Department for the purpose of purchases we should not have any Liaison officer; we should not have any adviser; and we should not have any representative of the industries whether elected or selected or nominated in any form whatsoever. There ought to be a simple method and that simple method is that there should be a Supply Department consisting of honest Civilians. Whatever other persons may say about these Civilians, I can say this about them that there is hardly a Civilian who does not jealously guard the good name of the brotherhood to which he belongs. They should employ permanent officials who cannot afford to be dishonest. They cannot afford to do a thing which will really expose them and ruin their career for ever.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech tomorrow.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 13th November, 1940.

LEGISLATIVE ASSEMBLY

Wednesday, 13th November, 1940.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

IMPORTS AND CONSUMPTION OF INDIAN COFFEE IN THE UNITED KINGDOM

61. *Dr. F. X. DeSouza: Will the Honourable the Commerce Member be pleased to place on the table of the House a statement showing:

- imports, and
- consumption in hundredweights of Indian coffee in the United Kingdom during the calendar years 1936, 1937, 1938, 1939, together with the percentage to total consumption?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: With your permission, Sir, I propose to answer questions Nos. 61 and 62 together.

I lay on the table of the House statements containing the information required so far available.

Statement showing the imports of Indian Coffee into the United Kingdom during the years 1936 to 1939.

Year.	Cwts.
1936	78,670
1937	22,574
1938	32,808
1939	79,829

Home consumption of Indian coffee in the United Kingdom during the years 1936 to 1939.

Year.	Cwts.	Per cent. of consumption of Indian Coffee to total of coffee in United Kingdom consumption.
1936	37,589	11.5
1937	34,746	10.9
1938	30,021	9.6
1939 (January to September)	38,580	Not available.

Statement showing the expenditure incurred on the Indian Coffee Market Expansion Board, London, during 1936-37 to 1939-40.

	On salaries.	On propaganda.	On other items (such as contingencies, etc.).	Total expenditure.
	1	2	3	4
	£	£	£	£
1936-37 (Actuals)	297	220	174	691
1937-38 (Actuals)	711	2,001	420	3,132
1938-39 (Actuals)	760	1,876	412	3,048
1939-40 (Estimates)	765	2,925	410	4,100

Mr. K. Santhanam: May I know if the statement contains the proportion of Indian and non-Indian coffee consumed in the United Kingdom?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Yes, Sir, it does.

EXPENDITURE BY THE INDIAN COFFEE CESS COMMITTEE ON SALARIES AND PROPAGANDA ACTIVITIES OF THE LONDON MARKET EXPANSION BOARD.

†62. ***Dr. F. X. DeSouza:** Will the Honourable the Commerce Member be pleased to lay on the table of the House a statement showing the expenditure which was incurred by the Indian Coffee Cess Committee on:

- salaries, and
- the propaganda activities of the London Market Expansion Board during the calendar years 1936, 1937, 1938 and 1939?

RISE IN THE SALARY OF THE DIRECTOR OF THE LONDON MARKET EXPANSION BOARD.

63. ***Dr. F. X. DeSouza:** Will the Honourable the Commerce Member be pleased to state the reasons why the Government of India sanctioned a rise in the salary of the Director of the London Market Expansion Board from £450—500 in 1935-36 to £750—800—850 from October 1939, in spite of decreasing sales and diminishing revenue and vastly reduced propaganda activities?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Honourable Member bases his question on certain assumptions which are really for the consideration of the Indian Coffee Cess Committee. As far as Government are aware the Committee have reviewed the position. I may mention that when Government sanctioned the appointment in 1939 they were satisfied that the experience gained by Mr. Oliver as Director and the contacts made by him would be useful to the Indian Coffee Market Expansion Board, London, in its programme of activities.

†For answer to this question, see answer to question No. 61.

and also that the revised scale of salary offered to him was not more than the salaries generally drawn by other officers having similar duties and responsibilities in the United Kingdom.

Dr. F. X. DeSouza: Am I to understand that the decision arrived at by the Indian Coffee Cess Committee is not open to revision by this House or by Government?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Government sanction the recommendation, and, therefore, it is open to Government to review it.

Dr. Sir Ziauddin Ahmad: May I know whether the Coffee Cess Committee sends its budget and any annual report to Government?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Yes, Sir, it does.

Dr. Sir Ziauddin Ahmad: Are those accounts audited by Chartered Accountants?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I think they are audited.

Dr. Sir Ziauddin Ahmad: Will Government lay their report before the House or circulate it among the Members?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am prepared to have it either circulated or laid on the table.

Dr. Sir Ziauddin Ahmad: And also a report of the Tea Cess Committee?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That does not arise out of this question.

Dr. F. X. DeSouza: Are Government aware that at the present moment there is absolutely no propaganda work to be done in London, and yet a high salary has been sanctioned and is being paid to the Director of the London Market Expansion Board?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am not aware that there is no propaganda work necessary. On the other hand, this question has been considered both by the London Committee and by the Indian Coffee Cess Committee, and they have, I believe with one exception, come to the conclusion that the work is necessary. My Honourable friend knows who the exception is. And the matter has been further strengthened, I understand, by a communication from the High Commissioner who strongly recommended the continuance of this work in London.

Mr. K. Santhanam: May I know if the office of the Coffee Expansion Board in London has escaped the bombs?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: So far I have no information to the contrary.

EXPENDITURE BY THE INDIAN COFFEE CESS COMMITTEE ON PROPAGANDA ACTIVITIES IN INDIA.

64. *Dr. F. X. DeSouza: Will the Honourable the Commerce Member be pleased to state the expenditure which was incurred by the Indian Coffee Cess Committee on propaganda activities in India during the calendar years 1936, 1937, 1938 and 1939 and the resulting increase in consumption during those years?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I lay a statement on the table of the House showing the expenditure incurred by the Indian Coffee Cess Committee on propaganda activities in India during the years 1936-37 to 1939-40. No authentic information is available regarding the total quantities of coffee consumed in India but the attention of the Honourable Member is invited to pages 61 and 108 of the Report on the Marketing of Coffee in India and Burma compiled by the Agricultural Marketing Adviser to the Government of India, copies of which are available in the Library of the House.

Statement showing expenditure on promotion of sale and increase in consumption of coffee in India.

Year.	Rs.
1936-37	35,043
1937-38	45,453
1938-39	50,220
1939-40	95,830

Mr. N. M. Joshi: Sir, in view of the fact that there are only four figures in the statement, may I request the Honourable Member to read out the figures instead of laying them on the table?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am perfectly willing to do so, if it will interest the Honourable Member

Statement showing expenditure on promotion of sale and increase in consumption of coffee in India.

Year.	Rs.
1936-37	35,043
1937-38	45,453
1938-39	50,220
1939-40	95,830

Mr. Muhammad Azhar Ali: Do Government encourage the consumption of coffee more than of tea?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall not make any invidious distinction, but I can assure my Honourable friend that the present Government is very much interested in the encouragement of the consumption of coffee.

Mr. T. S. Avinashilingam Chettiar: Is there any increase in the export of coffee now?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have not got the figures, but probably not this year.

Mr. T. S. Avinashilingam Chettiar: Of the expenditure incurred, may I know how much has been spent in foreign countries, and how much in India?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The whole of this expenditure that I read out was for propaganda in India.

Qazi Muhammad Ahmad Kazmi: The Honourable Member did not read out the resulting increase. I heard only the expenditure.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have referred the Honourable Member to the report of the Agricultural Marketing Adviser.

Qazi Muhammad Ahmad Kazmi: The Honourable Member has not laid those figures on the table.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: They are not exactly in the form of figures. They are really a statement of various increases in various parts, and the report will contain a full statement on the subject.

Mr. T. S. Avinashilingam Chettiar: Are Government satisfied that the export of coffee is commensurate with the expenses that we make in foreign countries by way of propaganda?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Primarily it was left to the Coffee Cess Committee which contains all the planters and exporters interested in it and who are paying this cess out of their exports to consider that, and Government on a review considered that their recommendation was such that they should accept it.

Mr. T. S. Avinashilingam Chettiar: Have Government considered this matter?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Most certainly; and correspondence has been exchanged between Government and the Coffee Cess Committee, to justify every item of expenditure. And I may say further that this year the expenditure has been reduced as a result of correspondence between Government and the Committee.

CREATION OF NEW INDUSTRIES OR WORKSHOPS ON PERMANENT BASIS AND GOVERNMENT SUBSIDY THEREON.

65. *Mr. Lalchand Navalrai: (a) Will the Honourable the Commerce Member be pleased to state if any new industries or workshops have been created by Government or private concerns for the permanent benefit of India (not for war purposes) after the war? If so, which and where?

(b) What kind of help or subsidy is being given by Government to such private concerns, and what is the cost of those, if any, started by Government?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My information as to industries started during the war otherwise than for war purposes is necessarily incomplete since the subject of Industries is

a Provincial one. I am making enquiries and will lay the result on the table of the House in due course. If the Honourable Member wishes to have information about the industries which have been started for war purposes but which are expected to find a market in India or abroad after the war, I would suggest that he should put down a question on the subject to my Honourable colleague in charge of the Supply Department.

Mr. Lalchand Navalrai: Is it the present policy of Government only to encourage these industries and create new industries for war only?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The other day, replying to a debate in this House on a Resolution moved by my Honourable friend, Sir Raza Ali, I explained at some length the policy of Government for the time being.

Mr. T. S. Avinashilingam Othettiar: May I know whether any industries have applied for any subsidies to Government?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: As I said, so far as industries which relate to war purposes are concerned, the question should be addressed to my Honourable friend, the Supply Member.

Mr. Manu Subedar: In view of the uncertainty in the minds of the business community as to the nature of the assistance which the Government of India will render to private enterprises not connected with the war, will Government make an effort to enunciate the kind of assistance which the Government of India,—not the Provincial Governments,—are prepared to give?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Only the other day, in reply to a non-official Resolution, I made a long statement on the subject which I trust the Honourable Member will, if not already at least hereafter, do me the courtesy of perusing from reports in newspapers.

Mr. T. S. Avinashilingam Othettiar: Is the matter of giving subsidies to industries a subject for the Commerce Department or the Supply Department?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That depends upon the nature of the industry for the time being. If it relates to a war purpose, it is the concern of my Honourable colleague. If it relates to an ordinary purpose, it will come under the charge of the Commerce Department.

Mr. T. S. Avinashilingam Othettiar: Have Government divided the industries into those for war purposes and those for non-war purposes?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that there are industries relating to war purposes and some which do not relate to war purposes.

PERSONNEL OF THE ROGER COMMITTEE FROM OVERSEAS DOMINIONS AND STATES AND ITS MISSION.

66. *Maulvi Abdur Rasheed Chaudhury: (a) Will the Honourable the Leader of the House please state the personnel of the Roger Committee from overseas dominions and States?

(b) Do they all belong to permanent service of their respective dominions and States?

(c) What are the names of India's representatives on the Committee?

(d) Do they all belong to Indian Civil Service?

(e) What is the mission on which the committee has come?

(f) What are the advantages India is going to derive from this Committee, and who is paying the expenses of the committee?

The Honourable Sir Muhammad Zafrullah Khan: (a) A list of the personnel of the Ministry of Supply Mission and of the delegations to the Eastern Group Conference is placed on the table of the House.

(b) No.

(c) Reference is invited to the list referred to in the reply to (a) above.

(d) No.

(e) The attention of the Honourable Member is drawn to the Press Note, dated 2nd September, a copy of which is in the Library of the House.

(f) (i) The advantages are set out in the Press Note referred to above.

(ii) The expenses of the delegations and the Ministry of Supply Mission are being met in part by the Governments which they represent and in part from Indian Revenues.

COMMONWEALTH OF AUSTRALIA DELEGATION.

Leader—

The Honourable Sir Walter Massy-Greene, K.C.M.G.

Delegates—

Mr. N. K. S. Brodribb.

Mr. H. R. Gollan, D.S.O., M.C.

Mr. A. V. Smith.

Mr. T. Donaldson.

Secretary—

Mr. J. L. Knott.

BURMA DELEGATION.

Leader—

The Honourable Sir Paw Tun, A.T.M., Bar-at-Law.

Delegates—

The Hon'ble Mr. J. Baxter.

Mr. A. H. Seymour, I.C.S.

Secretary Adviser—

Professor C. G. Beasley, F.G.S., F.R.G.S.

CEYLON DELEGATION.

Joint Leaders—

The Honourable Mr. H. J. Huxham, C.M.G.

The Honourable Mr. G. C. S. Corea.

Secretary Adviser—

Mr. D. H. Balfour, Ceylon Civil Service.

CEYLON DELEGATION—*contd.**Assistant Secretary—*

Mr. N. U. Jayewardena.

EAST AFRICA DELEGATION.

Leader—

Sir Philip Mitchell, K.C.M.G., M.C.

Delegate—

Major the Hon'ble F. W. Cavendish-Bentinck, M.L.C.

Advisers—

The Honourable Mr. G. F. Clay, O.B.E., M.C., M.L.C.

The Honourable Mr. J. B. Pandya, M.L.C.

The Honourable Mr. J. H. McQuade, M.L.C.

The Honourable Mr. R. V. Stone, M.L.C.

Secretary—

Mr. Barclay Leechman.

HONG KONG DELEGATION.

Leader—

Mr. D. J. Sloss, C.B.E.

Delegates—

Mr. D. L. Newbigging, M.C.

Mr. John Whyatt.

Mr. E. Cock, M.B.E., A.M.Inst.C.E., M.Inst.N.A.

Personal Secretary to Leader—

Miss. V. M. Wittchell.

GOVERNMENT OF INDIA DELEGATION.

Leader—

The Honourable Sir Muhammad Zafrullah Khan, K.C.S.I., Bar-at-Law.

Members—

The Honourable Sir Jeremy Raisman, C.S.I., C.I.E., I.C.S.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar.

The Honourable Mr. H. Dow, C.S.I., C.I.E., I.C.S.

General Sir Clement Armitage, K.C.B., C.M.G., D.S.O.

Advisers—

Diwan Bahadur C. S. Ratnasabapathy Mudaliar.

Mr. Frederic Stones, O.B.E., J.P., M.L.A.

Sir Ness Wadia, K.B.E., C.I.E.

Mr. R. Menzies, C.A.

Khan Bahadur Syed Maratib Ali, C.B.E.

Lala Shri Ram.

Mr. P. F. S. Warren, A.M.I.C.E., M.I.E. (Ind.).

Mr. J. M. Smith.

Mr. Amrit Lal Ojha, M.I.M.E., F.R.S.A.

Mr. Biren Mukherjee.

Mr. G. B. Morton, O.B.E., M.C.

The Honourable Mr. J. H. S. Richardson.

Sir Abdul Halim Ghaznavi.

Mr. J. J. Ghandy.

Lt.-Col. E. W. Slaughter, M.B.E., M.I.Mech.E., F.R.S.A.

Mr. M. Venkatanaranappa.

Mr. Fazal Ibrahim Rahimtoolah.

MALAYA DELEGATION.

Leader—

Mr. H. North-Hunt, M.C.S.

Delegates—

Mr. W. A. Fell, C.B.E.

The Hon'ble Mr. Tay Lian Teck, M.L.C.

Lady Secretary—

Miss P. North-Hunt.

MINISTRY OF SUPPLY MISSION TO INDIA.

Chairman—

Sir Alexander Roger.

Members—

Mr. H. Heath, M.I.Prod.E., M.S.A.E.

Mr. H. W. L. Kearns.

Mr. O. W. Stickland.

Mr. F. Lydall, M.I.C.E.

Mr. G. H. Locock, C.M.G.

Mr. P. S. Macdonald.

Technical Advisers—

Brigadier B. H. Penn, D.S.O., O.B.E., M.I.Mech.E., R.A.O.C.

Mr. F. W. Leake, A.M.I.E.E.

Mr. H. J. E. Hewlett.

Mr. S. Oldfield.

Mr. D. McKenzie.

Mr. D. Harrison.

Mr. A. O. Tookey.

Mr. F. H. Harrison.

Mr. S. V. Woolley, A.M.I.Mech.E., M.I.Prod.E.

Mr. F. J. Hollies, M.I.M.

Mr. J. Walker.

Mr. H. M. Mathews, A.M.I.E., Assoc.E.I.C.

Sir William Barton, K.C.I.E., C.S.I.

Mr. R. C. P. Stuart.

Secretary—

Mr. W. D. Tomkins, O.B.E.

Assistant Secretary—

Mr. J. W. Nicholson.

Personal Secretaries—

Miss O. Hurst.

Miss C. E. Chree.

Assistant to Technical Assistant—

Mr. A. S. Roger.

DOMINION OF NEW ZEALAND DELEGATION.

Leader—

Major-General Sir John Duigan, K.B.E., C.B., D.S.O.

Delegates—

Mr. F. R. Picot.
Mr. J. R. Middleton.
Major H. E. Erridge.
Mr. A. B. Taylor.

Orderly Officer—

Lieut. G. Crossley.

PALESTINE DELEGATION.

Leader—

Mr. G. Walsh, C.B.E.

Secretary—

Mr. Julius Jacobs.

UNION OF SOUTH AFRICA DELEGATION.

Leader—

Major-General F. R. G. Hoare, C.B.E.

Delegates—

Mr. P. Furness, A.M.I.E.E., M.S.A.I.E.E.
Major R. Stratford, K.C.
Major R. Stuttard.
Mr. F. J. Fahey.

General Secretary—

Mr. C. R. Anderson.

Lady Secretary—

Miss Hoare.

SOUTHERN RHODESIA DELEGATION.

Leader—

Captain the Hon'ble F. E. Harris, D.S.O., M.P.

Delegates—

Captain H. Bertin, K.C., M.P.
Mr. G. Musgrave, M.I.M.M.
Lieut.-Col. T. E. Robins, D.S.O., E.D.

Secretary Adviser—

Mr. H. T. MacLachlan.

COLONIAL OFFICE REPRESENTATIVE.

Mr. T. W. Davies.

MID-EAST COMMAND REPRESENTATIVE.

Lt.-Col. E. G. Cook.

NETHERLANDS EAST INDIES REPRESENTATIVES (Observers).

Monsieur P. H. W. Sitsen.
Monsieur H. A. Vreeburg-Burger.
Monsieur A. Merens.

Secretary—

Monsieur C. H. Schoch.

Maulvi Abdur Rasheed Chaudhury: May I know what is the expenditure which the Government of India are going to incur in connection with this Conference?

The Honourable Sir Muhammad Zafrullah Khan: While the Conference is still sitting, how can I give any figure of expenditure? The Government of India's contribution to the expenditure is mainly with regard to items of hospitality, and that cannot be estimated till the Conference has concluded its work.

Mr. K. Santhanam: With reference to part (c), may I know if any member of any Delegation or any of their advisers have got any connections with business interests in India?

The Honourable Sir Muhammad Zafrullah Khan: I am unable to say. I have not made any inquiries.

Mr. K. Santhanam: May I know if the leader of the Delegation has got any business interests in India?

The Honourable Sir Muhammad Zafrullah Khan: I am the leader of the Indian Delegation. I have got no business interests.

Mr. K. Santhanam: The leader of the Roger Mission, not you.

The Honourable Sir Muhammad Zafrullah Khan: I do not know. I cannot say.

Mr. K. Santhanam: Is he connected with the Callender Cable Company, and has that company any branch in India?

The Honourable Sir Muhammad Zafrullah Khan: As I have said, I do not know.

Mr. K. Santhanam: Will the Leader of the House kindly inquire and let us know?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will put down a question to that effect.

Maulvi Abdur Rasheed Chaudhury: May I know if there is any Indian in the Committee?

The Honourable Sir Muhammad Zafrullah Khan: I have put a complete list on the table of the House. I do not know which Committee the Honourable Member means; but the list contains the names of the personnel of the Ministry of Supply Mission and of the Delegations to the Eastern Group Conference including the Indian Delegation.

Mr. Manu Subedar: May I know whether it is intended, and, if so, when, to place the papers of the deliberations of this Eastern Group Conference generally and the activities of the Roger Mission in particular before this House or before the public in the form of a press note?

The Honourable Sir Muhammad Zafrullah Khan: That question hardly arises out of this: it certainly does not arise at this stage.

Mr. Manu Subedar: May I point out that there is the question—part (f)—“what are the advantages India is going to derive from this Committee?” It is a specific question, if the Honourable Member will look at it. I say, I am entitled to a reply. If Government have not made up their minds or if they have no intention of publishing these proceedings which are being carried on like a *purdah bibi* behind the scenes with so much mystery, then we will draw our own conclusions, but I am entitled to a reply.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech.

Mr. Manu Subedar: I am pointing out that the question I have asked is implied in part (f) of the question.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable the Leader of the House has said that question does not arise. I think the Honourable Member wanted to know whether the report will be published or laid on the table of the House.

Mr. Manu Subedar: Whether any facts at any time will be given to us.

The Honourable Sir Muhammad Zafrullah Khan: And I added that the question was premature.

Mr. Muhammad Nauman: May I know, with regard to part (c), what was the system and who were the people taken as India's representatives and who made that nomination or selection?

The Honourable Sir Muhammad Zafrullah Khan: The Government of India.

ESTABLISHMENT OF A PAPER ECONOMY DEPARTMENT BY THE GOVERNMENT OF INDIA.

67. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Labour Member please state whether it is a fact that the Government of India have appointed a Special Officer and a staff to look after the economy of paper used in the Civil Secretariat of the Government of India?

(b) What is the cost of this paper economy department per annum?

(c) Have Government calculated whether the economy in paper will be sufficient to meet the expenditure of this Department?

(d) Has this Department any control of the Supply Department?

(e) Does this officer supervise the economy of paper in the military departments?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes; the Controller of Printing and Stationery, India, has been appointed, in addition to his duties, as Paper Economy Officer, with a staff of two clerks and one peon under him.

(b) The paper economy organisation has been sanctioned for the present only up to the end of the current financial year, and its cost is Rs. 354 per mensem.

(c) The economy in paper is expected to be much more than the cost of the organisation.

(d) I presume the Honourable Member refers to supervision in the use of paper in the Supply Department. If so, the reply is in the affirmative.

(e) Yes.

Qazi Muhammad Ahmad Kazmi: With reference to part (c), has the Honourable Member calculated the exact amount of saving or approximate amount of saving that will be effected by this Department?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: There has been an estimate of the saving that can be effected as a result of recommendations made by that officer, and I may tell you that it is many scores of times more than the cost I have indicated in the answer to part (b) of the question.

Qazi Muhammad Ahmad Kazmi: Several times more does not mean anything specific. I want a specific answer whether it will be twice or thrice or ten times. Have you got any idea about it?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Not in money, but I know it will be very much more than any money that has been spent on this particular thing.

Qazi Muhammad Ahmad Kazmi: What will be the standard to judge by if it is not money? How else shall we know how much is saved?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend expects me to sit down and make a total of all the paper that may be saved. In that sense I have got neither an exact, nor an approximate estimate, but I am perfectly certain, having perused the report of this officer and knowing something of the economy that is being pursued at his instance and that of the Labour Department by the various other Departments of Government that the saving must be considerable.

Mr. M. Ananthasayanam Ayyangar: May we know if for this additional duty any additional remuneration is being paid to this officer?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I should like to have notice of that.

Sir H. P. Mody: How much paper does this Department use in order to preach to people not to use too much paper?

(No answer was given.)

COMPLAINTS ABOUT THE TREATMENT OF PATIENTS IN THE IRWIN HOSPITAL, NEW DELHI.

68. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Secretary for Education, Health and Lands please state whether the attention of Government has been drawn to the treatment which the patients receive in the Irwin Hospital, New Delhi?

(b) How is the medical staff in the said hospital recruited?

(c) Do Government propose to appoint a committee of special medical officers to look into the complaints against the said hospital?

Mr. J. D. Tyson: (a) and (c). Government have seen a reference in the press to complaints of a general nature alleging unsatisfactory treatment of patients at the Irwin Hospital. The only specific case that seemed to call for investigation was made the subject of an inquiry by a Board consisting of a District Judge and a senior Indian Medical Service officer not connected with the Hospital. Their report is now under examination with a view to suitable action. No case for an inquiry by a committee of special medical officers has been established.

(b) The information has been called for from the Chief Commissioner and a reply will be given as soon as the information is received.

Dr. Sir Ziauddin Ahmad: May I know whether the Honourable Member is aware that they have in this hospital a system of appointing, as probationers for training, students direct from Medical Colleges, and these recruits are given sometimes very important operations without proper supervision?

Mr. J. D. Tyson: I was not aware of that.

Dr. Sir Ziauddin Ahmad: Will he make inquiries about it, because this has led to some very serious cases—one in which a daughter of one of the members of the Legislative Assembly Department was killed by wrong operation?

Mr. J. D. Tyson: If the Honourable Member will give me any specific instance, I shall be able to have inquiry made.

Mr. Lalchand Navalrai: May I know whether this Irwin Hospital is a Government institution?

Mr. J. D. Tyson: Yes.

Mr. Lalchand Navalrai: Will the Honourable Member tell me if there are any regulations for leave as in other Government Departments?

Mr. J. D. Tyson: I hardly think that arises from the question.

Mr. President (The Honourable Sir Abdur Rahim): It does not.

MOTION FOR ADJOURNMENT.

PROHIBITION OF VISITORS FROM ENTERING THE KHYBER PASS.

Mr. President (The Honourable Sir Abdur Rahim): I have received a notice of a motion for adjournment from Mr. Abdul Qaiyum, and he wishes to discuss today a matter of urgent public importance and of recent occurrence, namely, "the order passed by the Governor of the North-West Frontier Province whereby visitors will not be allowed to enter the Khyber Pass unless duly authorised to do so by the Chief Secretary to the North-West Frontier Province Government or the G. O. C. Peshawar District. *vide* page 4, column 6 of today's issue of the *Hindustan Times*".

Has the Honourable Member obtained the consent of the Governor General?

Mr. Abdul Qaiyum (North-West Frontier Province: General): I have applied through you to the Governor General.

Mr. President (The Honourable Sir Abdur Rahim): I think I have made it perfectly clear that it is the duty of the Honourable Member who wishes to move a motion of adjournment like this to apply himself and obtain the consent of the Governor General. It is not my business.

Mr. Abdul Qaiyum: Last time, Sir, when I was in this House I had moved similar motions of adjournment dealing with the tribal areas and on those occasions I had submitted my application for consent through the Chair, and this point was not at all raised then.

Mr. President (The Honourable Sir Abdur Rahim): I always laid it down, and I never

Mr. Abdul Qaiyum: If the motion is in order, there is ample time. I can forward it myself, because it is hardly eleven now.

Mr. President (The Honourable Sir Abdur Rahim): Well, the Honourable Member ought to have done it before.

Mr. Abdul Qaiyum: Then, Sir, it should have been returned to me at once by the Secretary of the Assembly Department, if you did not think it proper to forward it.

Mr. President (The Honourable Sir Abdur Rahim): I have always pointed out and the Honourable Member ought to know it.—it is not a duty laid on the Chair.

Mr. M. S. Aney (Berar: Non-Muhammadan): May I point out in this connection that the application was made by the Honourable Member himself. The only thing which the Legislative Department had to do is to forward that application to the Governor General. It is not that the Honourable the President is called upon to ask for permission on behalf of any particular Member. Should this little service be denied by the Legislative Office to the Members of this House?

Mr. President (The Honourable Sir Abdur Rahim): It is not a question of a little service at all. The question is one of the proper interpretation of the rules. The rule requires that he should obtain the consent of the Governor General

Mr. M. S. Aney: He has applied for it.

Mr. President (The Honourable Sir Abdur Rahim): He has not applied.

Mr. Abdul Qaiyum: I have applied through the President.

Mr. M. S. Aney: So it should be forwarded to the Governor General.

Mr. President (The Honourable Sir Abdur Rahim): He cannot move a motion of adjournment unless he has himself obtained the consent of the Governor General. That is quite enough.

Mr. S. Satyamurti (Madras City: Non-Muhammadian Urban): The question of consent comes only when he has to move the motion. He is only asking for permission to move it in the evening. You may rule it out then.

Mr. President (The Honourable Sir Abdur Rahim): Has he applied to the Governor General?

Mr. Abdul Qaiyum: Yes, Sir, through you.

Mr. President (The Honourable Sir Abdur Rahim): I thought he had applied to me.

Mr. Abdul Qaiyum: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): He has not applied to the Governor General, but he has sent a notice to me and with it a request to me to obtain the consent of the Governor General.

Mr. Abdul Qaiyum: I can put in a direct application.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have done it before.

Mr. M. S. Aney: I am sorry I misunderstood the whole thing. I thought there was an application made by my friend and sent to the office.

Mr. S. Satyamurti: The motion just now of my friend is to ask for leave of you to make the motion at 4 O'clock if it is in order, and if 25 Members get up in support of it. Between now and that time, he can get the consent of the Governor General.

Mr. President (The Honourable Sir Abdur Rahim): He cannot move the motion without previous consent of the Governor General and I cannot allow him to move it without such consent.

Mr. S. Satyamurti: He is not moving it.

Mr. President (The Honourable Sir Abdur Rahim): That is the preliminary condition of the motion

Mr. Abdul Qaiyum: Sir, I have something to say

Mr. President (The Honourable Sir Abdur Rahim): I do not want to hear anything more.

Mr. Abdul Qaiyum: It is a very important point

Mr. President (The Honourable Sir Abdur Rahim): I have heard enough. The Honourable Member ought to have himself obtained the consent of the Governor General before asking for leave of the House to move the motion.

Mr. Abdul Qaiyum: There was no time for me to do so. It was only a quarter to eleven

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

COMMITTEE ON PETITIONS.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that under sub-order (1) of Standing Order 80 of the Legislative Assembly Standing Orders the following Honourable Members will form the Committee on Petitions, namely:

- (1) Syed Ghulam Bhik Nairang,
- (2) Mr. L. C. Buss,
- (3) Sir Abdul Halim Ghuznavi, and
- (4) Sir H. P. Mody.

According to the provision of the same Standing Order, the Deputy President will be the Chairman of the Committee.

THE INDIAN SALE OF GOODS (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I move for leave to introduce a Bill to amend the Indian Sale of Goods Act, 1930.

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

"That leave be granted to introduce a Bill to amend the Indian Sale of Goods Act, 1930."

The motion was adopted.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I introduce the Bill.

THE INDIAN FINANCE (No. 2) BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the following motion moved by the Honourable Sir Jeremy Raisman:

"That the Bill to alter the maximum rates of postage under the Indian Post Office Act, 1898, to increase the rates of the taxes on income imposed by the Indian Finance Act, 1940, by a surcharge for the purposes of the Central Government, and to increase the rate of super-tax payable by companies, be taken into consideration."

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, yesterday I pointed out that I was going to raise five points on the floor of the House. I finished my first point in which I drew attention to the fact that the Railways have to pay 37.74 crores to us, and that the three crores now deposited in the reserve fund ought to have been appropriated to the general revenues under art. 2 of the convention of 1924. The second point I raised was that the Government should establish an aeroplane pioneer industry in this country. Then the next point to which I drew attention was the extravagance of the Supply Department, and the first question that I raised was about excessive salaries. Sir, I have got before me a list of the officers, as mentioned by the Honourable Mr. Dow in the other House, and in it he has given the salaries of a number of officers up to the 4th March, 1940. I wish the

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Honourable Member, at least for his own satisfaction, may continue to keep up this list; we may probably ask a question later on on the same subject. He will be able to find out for himself that at least in some cases the salaries paid in the Supply Department are very excessive, sometimes 2½ times and there are very few cases in which the salaries are reasonable. Then the other point I raised was that businessmen under no condition should be associated with this Department, and that the permanent staff should consist mostly of I. C. S. officers and officers of the Indian Audit service. These men have no doubt got a high sense of morality, and in addition they jealously guard the integrity of the brotherhood to which they belong. Therefore, I trust that in future either businessmen or men who voluntarily offer their services will be kept away and the department should be manned by permanent staff now belonging to other departments.

Then the other point I raised was that it was wrong to recruit men through the National Service Committee. In the office of the Director General of Munitions (Production Department) out of 43 officers, there are only five Indians, and the rest are mostly Europeans, Anglo-Indians and so on, and these five Indians hold subordinate positions. Will the Honourable Member in charge of the Department reply me why is it so?

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): What is this National Service Committee?

Dr. Sir Ziauddin Ahmad: The National Service Committee was created by ourselves to help in the recruitment of Anglo-Indians for army purposes, and they are using this particular organization, which was intended to recruit men for the army, as Public Service Commission to recruit men for this Supply Department. Sir, may I ask the Honourable the Supply Member whether his supervision is only nominal or real. Has he ever looked into these matters as to why such a large number of Anglo-Indians have been recruited? I think in matter of war supplies he can trust me just as he can trust my friend, Sir Henry Gidney,—I think we are both trustworthy. The persons selected ought to be men of proved integrity. That I admit. But I think that a person of proved integrity can be found in every class of Indians in this country. It is not the monopoly of one particular community. I hope my Honourable friend in charge of this Department will look into this matter.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): What is the specific complaint? May I have it again from the Honourable Member?

Dr. Sir Ziauddin Ahmad: The specific complaint is this, that in the Director General of Munitions Production Department there are 43 persons who hold important posts. Out of these 43 there are only five Indians,—two Mussalmans and three Hindus. If you come to the clerical section you will find the position to be equally good

An Honourable Member: Equally bad.

Dr. Sir Ziauddin Ahmad: equally good from the point of view of Anglo-Indians. I wish that this matter should be enquired into as to how

these recruitments are made, and what is the cause of such enormous difference in the recruitment, and why this recruitment is made through the National Service Committee.

I take up my next point, which is about open tender system. I feel strongly that in the Supply Department we should have open tender system. The present system leads to profiteering, wastage and favouritism. In the case of the open tender system most of the troubles will be avoided. But one objection that may be raised is that it may lead to the system of combines. But I know there are many methods of meeting combines. You can meet it by ordinance or by other ways. Therefore, the objection is not a good one. The method I would suggest is this. Suppose Government wishes to buy one million pencils of this type. They should invite tenders, saying that they want one million pencils of a particular specification and that they should send their tenders. The minimum quantity which they will accept, let us say, is 50,000. The people have to tender and the tenders should be opened by some civilian or by some officer of the Supply Department and the orders should be distributed according to the rates offered in tenders and also according to the various nationalities. When these orders are divided into smaller units it is quite possible to distribute them in a fair manner, and we will ask questions on the floor of the House and the Government should keep a record to answer them. One point is that all the orders should not be monopolised by Bombay and Calcutta, but we should certainly insist that they should be distributed fairly over all the provinces and not merely restricted to one individual in Delhi who by sheer force of personal influence has managed to get some orders from the Supply Department. If the system I have outlined is adopted, these orders will be fairly distributed and most of the objections that we have will disappear. This is my fourth point, that we should have the open tender system. We should not ask businessmen to order all these things from their friends from whom they get commission. Let the things be done publicly. Let every one have a chance, even the owners of small factories should have a chance to send tenders and get business, not in crores and lakhs but at least in thousands. Some person in the Supply Department should look into this matter and see that the orders are fairly well distributed both as regards the province and as regards the nationalities so that no objection may be raised.

The next point that I would like to raise—and this is my fifth point—is about the development of smaller industries. If you adopt the system of open tender, then I am sure that the smaller industries will be profited and I wish to press that the Government should adopt a policy so that the cottage industries may be developed, and I will develop my argument in favour of this now. There are some evident advantages from the development of cottage industries. The first is, we can get things made with the tools made in this country itself. It will relieve the common people who will be interested in this war, and then it will give some work to those who will pay most for war expenditure. This war is a long war, a war of five to seven years.

Sir H. P. Mody (Bombay Mill-owners' Association: Indian Commerce): How do you know? Have you calculated that mathematically?

Dr. Sir Ziauddin Ahmad: My Honourable friend, I assume, has common sense. I think it is safer to make arrangements for a long war.

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and if the war is finished earlier, we will be on the safe side. But if we make our arrangements for a short period and the war is prolonged we will be in a difficult position, in a position which was visualised on the floor of this House by the principal speakers yesterday but which I do not want to dwell upon today. It is very desirable that we should make our plans on a long range basis. The other day I was talking to one of the delegates from the Empire countries to the Eastern Group Conference. He said that it was remarkable how the industries developed in his country. I replied that it was equally remarkable that the Government had not really mobilised the resources which we possess in this country. I continued that after 18 months all your business which is based on American machineries will come to a standstill after reaching its summit because no more machinery will be available to extend the business, but we will still continue to expand and make these articles because we produce them by means of country made tools, and country made tools can always be produced. In the interests of the war itself it is desirable that the Government should now marshal these cottage or small industries and put them on a proper footing so that at a time when more materials are required, at a time when these bigger factories will not be able to produce the articles because they cannot get more machineries to supply, these cottage industries will come to our rescue and continue to give us a supply of war materials not only for India but for all fronts. It is to the interest of the Government that we should look long ahead. In this connection, some persons here and also elsewhere raise the question, what is the use of looking far ahead? The war is far distant and we should not very much care about it and we are not very much interested. This reminds me of a story, and if I am permitted to relate it, I should do so with my eyes fixed on my desk, because if I fix my eyes on any person, especially Sir Cowasji Jehangir.

Sir Cowasji Jehangir: What have I done?

Dr. Sir Ziauddin Ahmad: Because you have asked me the question.

Sir Cowasji Jehangir: I have never opened my mouth.

Dr. Sir Ziauddin Ahmad: Then, I will leave you out. If I fix my eyes on any person, he will think that I am attacking him. So, I am going to fix my eyes on my desk. In the old days there was a town called Sakara near Khiva. The king was surrounded by eunuchs. One of the eunuchs who was very popular with the king was made the commander-in-chief of the army. Then the eunuch said, "My king, what is this wrong theory advanced by the Wazir to employ persons of the so-called martial classes, such as Kurds and Pathans, etc.? The eunuchs can do such a thing as much as anybody else if not better. The king agreed to the proposal and the eunuchs were enlisted in the army in large number. The Wazir protested. The king of Khiva hearing that the army of Sakara consisted of eunuchs attacked them and the king asked the commander-in-chief as to how he will fight the army. He said that they would all go and dance and sing before the army till they got enamoured of them and then they would go back, and if they did not do so, they will curse them. Ultimately there was a war and the king altogether lost the battle. He went to the eunuch and told him:

"Apka mulk gya uska iman gya."

An Honourable Member: Translate it.

Dr. Sir Ziauddin Ahmad: It is not easy to translate the words. Jalal Shah was the king who attacked. Perhaps the Leader of the House will be able to translate it.

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member gave the quotation and he ought to be able to translate it.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): It means: "One does not realise one's own virtue".

Dr. Sir Ziauddin Ahmad: It means: 'You lost your country and he lost his faith'.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better go on with his speech. He is not making the best use of his time. The Honourable Member really ought to be more serious.

Dr. Sir Ziauddin Ahmad: Some persons think that we should remain neutral. Look at what has happened to Belgium and to Holland. They were shouting at the top of their voice that they were neutral. Therefore, I say that you should not adopt a short-sighted policy. You should take a long view. Now, I would like to go outside the chain of my arguments. There is one important matter raised by the Honourable the Finance Member in his Budget speech and that is the grant of one crore of rupees for the training of technicians. I would draw the attention of the Commerce Member particularly to this. I welcome this proposal to train technicians at a cost of one crore of rupees and I have two suggestions to offer. One suggestion is that these technicians should not concentrate their attention on making joints and fittings of articles of furniture. These schools ought to be making all the articles which are required for war purposes. I approached the Director of Technology at Aligarh and asked him to draw up a scheme and he has promised to give it very soon. When discussing he said that if we adopted the system of making tools or other articles for war purposes we shall get at least 30 lakhs out of this 100 lakhs back, in the way of the articles which they manufacture. These schools would become small centres of industry. To make my point quite clear, I would tell you that once I visited the Railway workshops at Ajmer. There they were making a large number of metallic circles forming part of bridles for the use of the cavalry and I thought that all those articles could conveniently be made in these training schools which will be opened for the training of technicians. Money should not be wasted. It should be utilised to the best advantage for war purposes and you will be able to get these things rather cheap. These schools should guarantee to give a fixed number of technicians and a given number of articles. The second point in this connection is that permission may be given to these schools to admit *mistris* even if they have not received regular schooling.

The next point I would like to mention is the question of the division of labour. The Army people are perfectly right when they say that they are the authority on munitions and if any one of us gets up and gives advice about munitions then they should resent it. They will say that no non-military man has any right to give advice on this matter, which is their own business. I am prepared to consent to any proposal, which they can name, for the preparation of armaments and we will not negative their proposals. We will sanction any expenditure that they may incur in order to enlarge the production of munitions in this country. But when we come to the question of the purchase of civilian requirements, such

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as food and clothing, then the army people should not consider that they are the only authorities on the subject. They have got this mentality that only they know everything. We did not object to this in peace time. All that they know is that they should purchase certain things to be delivered at a certain time and at a certain place, whatever the price they pay. Money is no consideration with them provided the thing is done promptly and at the right moment and delivered at the right place. I quite appreciate that it is all right in peace time. It is quite possible that we fulfil all their requirements and purchase the things much cheaper than they can do. Take the case of ghee. They are purchasing what they call pure ghee. It may pass the analytical test, the chemical test, but I can tell them and I know very well that what they call pure ghee is not pure ghee. It may satisfy the chemical conditions when it is heated to a particular temperature with certain chemicals but at the same time it is not pure ghee. The point I like to emphasise is that you can get the same ghee for nearly half the price that they now pay, if only they will purchase it through the Civil authorities instead of through the Director of Contracts. Why not write to the Collectors of Aligarh, Bulandshahr, Etawah and other places and they will be able to get all their ghee at half the price that they now pay. So, really you should not purchase these articles through the Director of Contracts. If you write to the magistrates and Collectors, I am sure that they will purchase in a much cheaper way than your military people can buy it, who have no real idea of the prices prevailing in the country. In this connection I have one more grouse and that is a personal one. By this wrong policy which the Government of India have adopted and to which I repeatedly drew attention, we people are suffering. They give the stamp of pure ghee to ghee which is really adulterated and what is called synthetic ghee and when we challenge that ghee, they ask: 'What right have you to do so. We have got the stamp of pure ghee, and it has been certified by the Government of India'. So, they cannot be prosecuted. So, we have to say good-bye to pure ghee and good-bye to all our delicious sweets and other dishes which we make with pure ghee alone. If that is the policy of the Supply Department, then they are responsible for this state of affairs.

Now, one more example I will give and that is about the grinding of flour. We know very well that we can get flour ground at two annas per maund but these army people have been giving 8½ annas from 1928 onwards. Objection was raised in 1933 and the rate was reduced to 6½ annas. If only they go through the civil authorities they can get it done at one half the price that they are now paying for it.

An Honourable Member: One-third.

Dr. Sir Ziauddin Ahmad: My friend reminds me that the thing can be done for one-third of the present cost. Now, the point I want to emphasize is that if the military officers resent our interference in matters in which they say they are experts, we equally resent their interference in the matter of articles in which we are supposed to be experts. They are experts in their own line, we are experts in our own line, so that let us divide our labour and with one common object, concentration of all our resources to the successful prosecution of the war. Let the military officers concentrate themselves to the training of recruits and manufacture of muni-

tions and not waste the money in the civil purchases which can really be done for them more economically by others. We thus have double advantage. We release military officers for training soldiers and we purchase more economically.

The next point which I should like to develop is that for all these purposes I think it is very desirable that there ought to be a Committee of the House associated with the Supply Department to give advice on all these matters. They are the people who can give advice. It is nothing new; you have got a Committee of the House associated with every Department of the Government of India, and why is a Committee not associated with the Supply Department, and such advice on technical matters and other matters in which we have got a right to express our opinion should be given, and I think we will give them commonsense opinion and will thus save tons of money for them.

An Honourable Member: You supply common sense to them.

Dr. Sir Ziauddin Ahmad: Now I finish this portion of my speech about the Supply Department and come to this conclusion:

(1) That we should immediately appoint a Committee of the House to advise them on every thing connected with the Supply Department.

(2) That we should keep as at present a Department of Supply, manned particularly by the officers of the I. C. S. and the Audit and Accounts Service because they are honest and they jealously guard the integrity and reputation of the brotherhood to which they belong; they should plan out the policy but as regards the purchases themselves, they should all be done by the Indian Stores Department and any kind of interference whatsoever of the military side should be dispensed with. The Director of Contracts should be sent back to the military and all these military officers should concentrate their attention upon training our war recruits. We do not want them to waste their time in purchasing ghee and flour. There are enough civilians for these purposes. Let them concentrate on the training of the soldiers; let them not waste their time on the directorate of purchases and over the contracts which is really the work of civilians and not the work of military officers. Let everyone do his duty, let everyone do what he can best do, and by this division of labour we can hope to go ahead and do something substantial in this direction. As regards the munitions, I think I am not an expert, but my commonsense view is that your Director of Munitions should be an expert in munitions and I never thought that you would put a railway engineer in charge of munitions, but still it is for those military people to decide whether their work can best be done by putting a railway expert in charge of munitions work. It is not for me to give advice; it is for them to make up their minds for themselves. I have now finished my second point.

I now come to my third point and that is the financial control. Now the financial control should be in the hands of the Finance Department. The Honourable Mr. Dow in his speech in the other House admitted this fact very plainly when he said on the 6th March, 1940:

"I will now pass to the subject of financial control. I have never worked under a closer and tighter financial control than I work under at present. I make no objection to this. If financial control is a rod, I kiss it. In fact, I do not mind admitting that, if it were not for the closeness and directness of the financial control in the Supply Department, I could not possibly have got through the amount of work that has been got through in these last six months."

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Now I understand that there is a demand to lessen this financial control on the ground that it is the work of red tape and that it is quite impossible on account of the delay to get the orders through in time. Now I am rather surprised at the attempt to diminish financial control. I was rather pleased when the Honourable the Finance Member said that he was personally responsible for all the expenditure of the Supply Department, and I hope he will continue to be personally responsible for all the expenditure of this Department; let him not leave it to any person except himself and persons belonging to this Department. Now in fact I was thinking of making another suggestion in the opposite direction, that is, in respect of lessening the financial control, *viz.*, that Government ought to appoint a special C. I. D. branch, to look after the working of those officers who are not the I. C. S. and Accounts Department and see what kind of work they are doing. I have a great trust in these two particular classes of persons but, certainly, I think it would be very well if for his own satisfaction at least if not for that of the House the Finance Member appoints a special C. I. D. branch to look after what is happening in that particular Department—whether it is justifiably called a Department of loot or whether it is really a Department of Supply.

Now in the case of the Supply Department, it is non-votable expenditure; the pooling of military expenditure on the lines mentioned by the Honourable the Finance Member may be intelligible and may be good but there is one very important point to which I should like to draw attention and that is the system of purchases, that is, purchases by His Majesty's Government are a commercial concern and they should not be mixed up with the expenditure of the Defence Department. Whatever His Majesty's Government may order from India, whatever other empire countries order from India, they should be supplied on a commission of three per cent. which we were charging; I do not know whether they are charging that at present, but I think in last March the Honourable Mr. Dow said in the other Chamber that they are charging a three per cent. commission on all the articles ordered by His Majesty's Government. I think it is desirable that we calculate our own costs and then charge them accordingly. It is not necessary that we should make a profit; we should supply them at the prices at which we purchase them but at the same time it is not desirable that we should have losses. We render to them these services and it is but fair that they should give us only the out-of-pocket expenditure and nothing more. I would request the Finance Member to let the Finance Committee of the House discuss the financial arrangements between the United Kingdom and India over these matters.

And now I shall just make a few general observations:

(a) The purchases by the United Kingdom should not be mixed up with the Defence Department. Articles may be purchased for them and a commission of three per cent., or whatever may come out, may be charged in the same manner as in the case of the empire countries. The articles should be supplied not as at present at pre-war prices but at the current prices. These supplies should be taken as a commercial business.

(b) The expenditure of the army outside India should be borne by the United Kingdom and not by India.

(c) The expenditure incurred by the war liabilities of India alone, for example, coastal defence or air raid defence should be debited to India alone.

(d) A contribution of one crore, I think, is a very modest one; we contributed one hundred crores on the occasion of the last war. I expected something more. Now the present arrangements are open to objection on the following grounds:

- (1) We should not bear the cost due to the rise in prices.
- (2) We should not mix up the Defence with the commercial problem of purchasing articles for His Majesty's Government.
- (3) The commission of three per cent. should not be dispensed with, as I understand there is a proposal to dispense with this arrangement, though no mention of it has been made officially.
- (4) Volunteers from Empire countries and other countries who are non-Indians should be trained at the expense of His Majesty's Government and not at the expense of the Indian Government.
- (5) Lastly, we should see that in the Royal Indian Navy Volunteer Reserve we get a sufficient number of Indians and not a very large number of non-Indians.

Now, Sir, I have finished with the third point about the financial control and I now take up my fourth point regarding the theory of taxation, namely, the present Bill. I think that the present Bill is contemplating to get more income by means of an increase in the income-tax. Now, this procedure is open to two objections. In the first place, Defence is an all-India problem and the people of British India alone are being asked to pay for it. Why should not the people of Indian States also pay for it? If you collect money by means of the income-tax, then the people in the Indian States will not be affected and the people in British India alone will bear the burden. The second objection is that this tax falls primarily on persons who are drawing fixed salaries and on businessmen according to the proportion of their honesty. Now, here is my friend, Mr. Sheehy, who has got a long experience of the Income-tax Department. We have discussed on the floor of the House that businessmen have got three sets of registers, one for themselves, one for shareholders and the third for the Income-tax Officers.

Mr. J. F. Sheehy (Government of India: Nominated Official): Not all businessmen.

Dr. Sir Ziauddin Ahmad: Yes, there are exceptions. This was said on the floor of the House. I have got no personal experience of this because I am neither a businessman nor an Income-tax Officer.

Mr. Bhulabhai J. Desai (Bombay Northern Divisions: Non-Muhammadan Rural): Don't you think this is rather a sweeping accusation?

Dr. Sir Ziauddin Ahmad: I do not know, but it was said on the floor of the House. I said that the businessmen pay income-tax according to the proportion of their honesty. Those who are honest pay the full amount. However, these are the two objections against surcharge on income-tax. Another objection to this proposal is that he has left all the sharks and

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crocodiles and is trying to catch small fish only. Why not have a surcharge on the Excess Profits tax? Why should you have a tax on poor people like myself? Why should you leave out bigger people. Sir, the most efficient Finance Member is a person who is very unpopular among the business community and among his own colleagues and with the spending departments of the Government. Then and then alone will he be able to earn the gratitude of the people of India.

Now, Sir, so far, I have put down my negative criticisms. I will now mention my constructive suggestions. It is impossible now to get more income either from export or from import duties. On account of war conditions it is very difficult to get an income from these two sources. But as the industries are now developing, we must be able to get more money from them. So, there are only two sources of income. One is that the Finance Member ought to nationalise some of the industries, the profits of which should go exclusively to the State. My Honourable friend knows that in Mysore a very large proportion of the income of the State is derived from the hydro-electric scheme. The same thing should be done by the Government of India. They ought to nationalise certain industries in order to get more profit. Then, they may have more duties of the nature of excise duties. That is another way by which they can get more money. Government always go to the milch cow, namely, the income-tax payers, because they have no representatives. The only representative of the income-tax payers is my friend, the Finance Member, himself, because he also pays the income-tax. We have got a very bad spokesman of the income-tax payers in the person of the Honourable the Finance Member because he never protects their interest, because of his greed to get more money for his exchequer; he neglects himself. So, I think these persons should not be taxed too much. Every person should be taxed according to his capacity to pay and not according to the ease with which the money is collected. I am now closing my remarks about the Supply Department.

I now turn to one or two other matters. The first point that I would like to touch upon is the system of recruitment for the army. A Resolution has been tabled on the subject but there is no chance of our reaching it. It says that the present system of double selection is not at all desirable. At present, there is a selection by the Provincial Committee and later on there is a selection by the Central Committee. This is not at all desirable. There ought to be one Selection Committee for the whole of India. This Committee may tour over the whole of India and it may co-opt one or two members in various provinces, although, speaking personally, there is no necessity for co-option at all. The drawbacks of the present system are that, in the first place, we have no homogeneity and no common standards. It is very often the case that the candidates who are rejected by the first Selection Committee might have been selected by the Central Committee. It may happen that one Selection Committee in a province may do away with the essential elements which are necessary for the recruitment to the army and may send persons who are no good for the army. When they come before the second Committee, they are rejected. Really speaking, by this double system we will not be able to get the right type of men. Therefore, this system of double recruitment ought to be dispensed with.

Now, Sir, as I promised to finish my speech by quarter past twelve, I must bring my remarks to a close. But before I sit down I would just like to touch upon a few points raised by the different Members of the House on this occasion. I daresay that I have no authority to speak on behalf of the Muslim, but I think I can express my own personal opinion on the questions that have been raised here. I do not believe in the demands that the Government should give this and that. But I honestly believe that the moment we are fit to govern, no force can stop us. And if we are not fit to govern, then verbal promises from any authority are no good to us. Now, the grant of self-government does not depend so much upon the Government as it depends upon my friends to my right and to my left, Congress and Nationalist Congress. It is for these persons really to settle the differences between the Hindus and the Muhammadans. They can then come to some common agreement and say that we can now govern ourselves. Then and then alone we can have self-government. By talking alone, we can never get it. My friends of the Congress Party say: "Why not put this responsibility on the Muslim League?" Sir, whenever there is a difference of opinion between the strong and the weak, the responsibility of non-settlement always falls on the strong. It never falls on the weak. Therefore, the responsibility of settlement is always on the strong and never on the weak. The question was also raised about the Constituent Assembly and Democracy. In this connection, I will again mention the parallel example of Examinations, which I said on the floor of the House some time ago. The experiment that I am going to relate has been made several times. The same answer book was sent to different examiners and different examiners gave different marks, ranging from 30 to 100. Therefore, the number of marks, which a candidate gets, depends upon luck as to whom his answer papers are sent. Then somebody naturally drew the conclusion, why not do away with these examiners altogether and give marks to candidates by drawing marks from a ballot box. We know that a Constituent Assembly on the principle of adult suffrage will express the same opinion which Mahatma Gandhi will give. Then why not ask Mahatma Gandhi to draft the constitution for the whole of India and why have the farce of a Constituent Assembly?

The next thing that I wish to say is this, that this democracy as practised by the Congress is entirely different from my notion of democracy. I do not understand what kind of democracy the Congressmen are practising. They are elected by the voters, and therefore, they are primarily responsible to the electorates. But, as a matter of fact, they are responsible to another body of men, not a Dictator, but a Board of Dictators called the High Command. I can understand a Dictator, but I cannot understand a Board of Dictators.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not discuss the constitution of the Congress. I would ask the Honourable Member not to dwell upon extraneous matters.

Dr. Sir Ziauddin Ahmad: I am reviewing only those points which are raised on the floor of the House. My idea is that we should have equal partnership. Until we have equal partnership, it is not possible to frame a constitution for India on Democracy basis. As you, Sir, ruled that

[Dr. Sir Ziauddin Ahmad.]

I should not dilate on this point any further, I conclude my speech by saying that our support to the war efforts is there, but our enthusiasm will depend upon how far our efforts are appreciated. With these words, I resume my seat.

Sir H. P. Mody: Mr. President, my Honourable friend, Mr. Satyamurti, fresh from his Mayoral triumphs began the debate in a speech characterised by his usual vigour but happily devoid of the passion which he often imports into his utterances. He showed a lofty contempt for things like the income-tax and super-tax by not referring to them at all, and he put the debate on a political plane from which subsequent speakers found it very difficult to dislodge it. My Honourable friend began with a scathing denunciation of the foreign policy of Great Britain. Here, I find myself more or less in agreement with him. The policy of appeasement which began with Manchuria, followed its tortuous course over Abyssinia and found its culmination at Munich, has resulted in a disastrous blow to the power and prestige of Great Britain and to the cause of international order and collective security. While the dictators were arming themselves to the teeth, the democracies were bleating of peace. They might as well have tried to preach to the tiger the virtues of a vegetarian diet.

Now, Sir, having said that, I am afraid, my agreement with my Honourable friend, Mr. Satyamurti, ends. He went on to develop his theme, and that was that England is not fighting for democracy nor for the freedom of smaller nations but merely for her own survival, and my Honourable friend graciously gave permission to England to fight if she wanted to. But he went on to say, if you are fighting for your own survival, why do you turn to us for assistance. I want to ask my Honourable friend whether he regards that as the real issue before the country today. Are we really being asked to get Great Britain out of the mess she has got into, or is it rather the case that we are ourselves up against the international gangsters who in Poland, Denmark, Norway, Holland, Belgium, Albania, China, Greece and in other places have shown us what sort of fate is in store for those who come under their domination. Sir, that is not a distant prospect which we can contemplate with equanimity or with detachment. The war is very near our door, and if we are not very careful and if some disaster were to overtake the British arms, the war would walk right through our door, and India would for ever lose all prospect of that freedom which is within sight of her today. I am sure my Honourable friends on the Congress Benches realise all this, but they say, addressing England through the Government Benches, you dragged us into this war, you never took our consent for it, we are not interested in it, India is not going to get her freedom out of it and, therefore, let whatever happen, happen. In other words, my Honourable friends are saying, let the Dictators do their worst, we have nothing to lose. Sir, I cannot possibly subscribe to such a doctrine. It does matter to me whether human liberty and the decencies of life are to survive in this world or are to be submerged beneath a wave of ruthless repression; and as man does not live by bread alone, I am sure it must matter to millions of people in this country whether the dictatorships should be allowed to triumph. I am afraid my Honourable friend in a

burst of frankness gave his whole case away when he said that if by any mischance Japan or Italy or Russia were to come to this country, we would all have to have our hands up.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): What else can you do?

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Thumbs down!

Sir H. P. Mody: It may suit my Honourable friend belonging to the non-martial races to put his hands up. What about my Honourable friend, Mr. Abdul Qaiyum? He hails from the martial class, and he would be put to the unwonted exercise of raising his hands instead of his voice. It is just possible that with the Gestapo and the concentration camp at the back of his mind, he would probably do it much quicker than any of us. (Interruption.) Sir, we do not want to have either our hands up or our thumbs down.

A great deal has been heard about imperialism in this debate. I regard imperialism as dead as Queen Anne.

Mr. S. Satyamurti: Ask Mr. Griffiths.

Sir H. P. Mody: I doubt very much whether any sensible Briton will be found today shouting "Rule Britannia" and slogans of that character.

Mr. S. Satyamurti: Mr. Griffiths says so.

Sir H. P. Mody: An Irishman was told, and that with a good deal of pride, that the sun never sets on the British Empire and his reply was that it is so because God cannot trust the British in the dark. I am as certain today as I can reasonably be of anything that when this ghastly conflict is over, a new England will emerge with a new conception of Empire.

Mr. S. Satyamurti: What about India?

Sir H. P. Mody: My Honourable friend is not given to humour, not at any rate conscious humour, but he was in a light vein when he conjured up a vision of loyalists crowding upon the Gateway of India to greet the invading hordes. I believe he is right, but I would like to assure him that there will be a rush for tickets on the part of a few patriots as well. A patriot has been defined as a man who is prepared to lay down his life for his country; and I am sure, at any rate I know of a good many patriots who will be found lining up the streets in order they greet the vanguard of the invading hordes, if such a mischance were ever to occur.

Sir, from the point of view from which I see the whole matter it is immaterial to me why or how India is in this war. We are in it, and being in it it is the bounden duty of all of us to see that the war is vigorously prosecuted. Very recently we condemned the half-hearted and feeble effort which the Government were making in order to equip India for an adequate defence and for playing her part worthily in the great conflict which is raging between two opposing philosophies of life.

[Sir H. P. Mody.]

We heard from very high quarters that the Indian Air Force had been quadrupled since the outbreak of hostilities. That sounded impressive until it was found out that that merely meant that instead of one squadron there were four squadrons. And when one considers that Germany during September every single day lost far more than the whole of this wonderful Air Force of India, one can appreciate the hopeless inadequacy of the effort of India in the matter of war preparation. It then really comes to this.

Mr. M. Asaf Ali (Delhi: General): Sir, will Sir Homi Mody correct himself? Did he say a squadron or flight? I am afraid it was a flight that was quadrupled.

Sir H. P. Mody: That would make it still worse.

Mr. M. Asaf Ali: No, it does not.

Sir H. P. Mody: I do not think even the army authorities are capable of such a performance.

So it comes to this, viewing this war as I do, that as you cannot make bricks without straw or sweets without sugar, you cannot make war without money. The Finance Member, in his search for money, has pounced upon those classes who are regarded as fair game by everybody. It does not require much imagination to add a surcharge to the income-tax and the super-tax. I can, sitting in my chair and without any effort, frame a budget like that every day of my life. My Honourable friend, Sir Ziauddin, spoke of the way in which the burden should be distributed and how income-tax and super-tax should be levied. He laid down certain canons; I should like to lay down a much fairer canon than what he has placed before us, and that is that income-tax and super-tax should be levied by weight: and if one happens to be a Member of the Legislature, by the length of his utterances. Sir, the Finance Member has threatened further exactions at budget time, and I hope that when that time arrives he will show more ingenuity and enterprise than he has done on this occasion.

I cannot conclude without referring to the widespread complaint of extravagance on the part of the various Government departments which have sprung into existence. Public opinion definitely thinks that this war has become a paradise for a few lucky individuals, and it is the business of Government to try and convince us, and to convince the public at large, that the work of the administration is carried on with as reasonable an economy as can be expected in a time of stress. I was told, I cannot say that it was on authority, that many of the new incumbents of offices have very little work. They must be finding themselves in the position of the elderly General who whenever he returned from lunch met himself going out to tea. I do not know, Sir, how many appointments have been created and how many departments, but I hope the new officers are not in the happy position of the occupants of a Whitehall office which found itself grossly overstaffed at the beginning of the war with a number of minor officials and stenographers, and so a notice had to be put up which said, "Members of the staff, embracing ladies, are asked not to loiter in the corridors".

Sir, I regard this war as India's war, and while it must mean a lot of hardship and suffering to a great number of people, I am sure it must also mean the preservation of our liberties and our emergence as a full-fledged partner in the newer and better commonwealth of nations which is sure to arise out of this war.

Mr. N. M. Joshi (Nominated Non-Official): Sir, we are discussing this week the motion for the consideration of the Finance Bill in a situation in this House which is different from the situation that existed in April last. Moreover, Sir, the political situation also in the country today is different from the political situation that existed when we discussed the general Budget in April. At that time, Sir, some talks regarding the political position of India were going on between the Viceroy and the leaders of some of the political parties in the country. There was some hope of a settlement. Today, Sir, all the talks are practically ended and there is hardly any hope of a settlement between the Indian political parties and the representatives of the British Government. It is on account of this difference that my attitude towards the motion for the consideration of the Finance Bill is different today from my attitude towards a similar motion made in April last.

Sir, I shall make my attitude towards the war clear very briefly and in very few words. I assure my Honourable friend, the Member from the European Group who spoke yesterday, that as I am not one of those Indians who are blessed with the accomplishment of a glib tongue I shall be very brief and try to put my attitude in as simple words as possible. Sir, today I shall try, as I do generally, to place before the Assembly the attitude of the working classes of this country towards this war. It is true that as among other sections of the population of this country there is a division of opinion on this question, so among the organised labour movement in this country also there is a division of opinion. But it is not difficult, in spite of this division, to place before this Assembly the general attitude of the bulk of the labour movement in this country towards Indian participation in this war. The attitude of the labour movement, generally speaking, towards this question is, the same as the attitude of an average ordinary Indian citizen. On this question there is hardly any difference between the various classes that exist in our society. Even in Great Britain today, in spite of the differences that had existed before the war, the labour movement is co-operating with the other sections of the population. So, in India too the attitude of the average Indian is the same. In India, generally speaking, among the masses and the working classes, as among many other sections of the population, there has been no approval, no liking, for the fascist system since it arose first in Europe. There are reasons why the labour movement in this country as in other countries should be specially against the fascist system. In the same way, we have no love for nazism. But at the same time not only the labour movement in this country but almost all other sections of the population in this country do not like imperialism. My Honourable friend, from the European Group, who spoke yesterday said that he likes imperialism. We do not like imperialism. Fascism and nazism and imperialism connote one thing which we cannot like—it is the exploitation of the weaker people, of the weaker nations by the stronger. These systems do not believe in giving the people freedom: they do not believe in the equality of people in the world. If there is any difference between fascism and nazism and imperialism, the difference is one of degree and not of kind. The impe-

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rialists who form what may be called the capitalist democracy may give some freedom to some people, but imperialism does not give freedom to all people over whom the imperialism can rule safely. If they have given freedom to some people, the freedom was taken from the imperialists rulers—freedom was never given. I, therefore, feel that the Indian working classes have not much to choose between nazism and imperialism. The Indian workers, like the workers of other countries, would certainly like to fight fascism and nazism, but they cannot fight fascism and nazism to support imperialism: they can fight fascism and nazism in order that democracy should be established in all countries of the world, especially in the subject countries of the world. If freedom is given to India and if democracy is established in India, the Indian people including the Indian working classes will certainly fight against nazism and facism. Let Indians have at least a guarantee that there will be democracy established in this country and there will be freedom for this country as a result of this war. Let us, at least have some indications today that the war will be followed immediately by the establishment of democracy in this country and that this country will be freed from imperialist control.

Mr. F. E. James (Madras: European): On condition Britain wins of course.

Mr. M. S. Anay (Berar: Non-Muhammadian): That is implied.

Mr. N. M. Joshi: If Indians get freedom, if they get at least a guarantee that freedom will follow and if there are indications today that the British people are sincere in the matter of giving freedom and establishing democracy in this country, I have no doubt that all sections of the population of this country including the working classes will co-operate with them. It is for the British people to make it possible for the Indians including the working classes to co-operate with them by giving them freedom, by giving them at least a guarantee which they can accept, by giving them indications today that freedom will follow—if they do so I have no doubt that the British people will secure our co-operation.

My Honourable friend, the Member from the European Group, who spoke yesterday, Mr. Griffiths, told us—and my Honourable friend, Sir H. P. Mody, also told us:

“What will happen if the fascists and nazis or the Japanese come to India? You will get worse rule. Imperialism may be bad. We may be tyrants, but you will get greater tyrants. Have you not got commonsense and self-interest to save yourselves from these greater tyrants than us?”

Sir, this argument is not good enough to persuade us to take part in this war enthusiastically. We shall try our very best first to see if there is no third and a better alternative to choose from than to choose between two kinds of tyrants. If the only alternative before the people of India is to have either the nazis or the British imperialists, we shall consider whom to choose; but we feel today that the alternatives are not only these; and there is a third alternative. If the British people would give us freedom, then they can have our co-operation and there will be a joint participation in this war in order that fascism and nazism should be destroyed and wiped out of this world. My Honourable friend, from the European Group, did not speak about this third alternative: he only frightens us and terrifies us by telling us that if we do not help British imperialism, however bad it may be, we will have to live under a worse thing. Nazism. It

is true we have to choose between two devils. It is true that we have to choose between nazis and the British imperialists. But when these two devils are fighting, can we not have a little devilish spirit in our heart and say let us wait and see. The two devils may destroy each other, and democracy and freedom may come into their own: this is quite possible. I am not one of those people who will lightheartedly depend upon these uncertainties. If I have only to depend upon the policy of waiting and seeing that the devils destroy each other, I would take that as a chance for the establishment of democracy and freedom in India. A desperate man does take that chance. But if I had an assurance that by fighting Nazism and Fascism there will be freedom and democracy established in this country, I would not depend upon such a chance. I, therefore, feel that to ask Indians to take part in this war by terrorising them, by showing them the horrors of Nazism, is a wrong thing for the British people to do. There is a better and a third alternative for them. That alternative is to secure the willing co-operation of the Indian people in the participation of this war.

Mr. President, there have been discussions between the political parties in this country and the British Government. I have no doubt in my mind that if the British people had shown goodwill and the desire for a settlement, there was a great opportunity for them to secure the settlement when Mr. C. Rajagopalachari placed his proposals before the Indian public. The proposal, in my judgment, for the establishment of a National Government within the framework of this Legislature was a very practical one. He did not ask for a new constitution. He only suggested that the Government that would govern India and conduct the operations of the war should be a Government in which this Legislature had the confidence. Where was the necessity for a change in the Constitution? What was necessary was that this Legislature should pass a Resolution of confidence in the Government that would exist in the Government House and in the Secretariat. He did not ask for a constitutional change. He merely said that the people who would rule had the confidence of this Legislature. Sir, it was said that when we are in the midst of the war, how could such a change be made

Sir Cowasji Jehangir: Does my friend mean the confidence of the nominated Members of this House?

Mr. N. M. Joshi: Well, Sir, if the nominated Members are included in the Legislature, I would not exclude them, but if some people will insist upon the confidence of the elected Members only, I would not stand in the way of any settlement being reached.

I feel, Sir, that the Government of India lost the best opportunity of securing the willing and enthusiastic co-operation of the Indian people by rejecting the proposal of Mr. C. Rajagopalachari. It is, Sir, understandable to me why the Government of India should have rejected that proposal. The British Government were willing to form a Union with France, not in peace time, but during war time; not only during war time, but when the war had reached its most critical stage. If they could make that offer to France, which is outside the British Empire, why could they not make a similar offer to India? Sir, they offered equal citizenship to the French people even in the British Colonies. Why don't

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they give equal citizenship to Indians who are within the Empire within the British Colonies? Sir, the rejection of Mr. Rajagopalachari's proposal clearly shows one thing. It means that the British people would like to get the co-operation of the Indian people if only they agree to be a subject nation. They want Indian co-operation only on one condition, that the Indian people would be content to remain as a subject people. Sir, there is distrust in the minds of the British people for Indians. They are not quite sure as to what would happen if the Indians are made self-governing. I cannot really understand the attitude of the British people. In this war in the matter of securing the co-operation of the Indian people the only thing to do was to give them self-government. We are asked to trust the word of the British Government. We may do so, but are there any indications today that the British people are willing to give self-government and freedom to India at least at the end of the war? I would, Sir, like to see some of those indications. Last year when the war broke out, we were told that India must prepare herself to fight the enemy. The army was to be expanded. At that time, we thought, Sir, that as the British Government would like to have all the Britishers to defend their own country in Europe, the European recruitment for the army would be stopped. We naturally thought that Europeans would be needed in Europe, in Great Britain. I have no doubt in my mind that if the recruitment of British officers for the Indian army had been stopped immediately after the war broke out, there would have been enough Indian officers for the new Indian army. Did they do it?

Sir, the Honourable the Defence Secretary, the other day placed some figures before the table of the House regarding the proportion of officers, European and Indian, in the new army. I think the figures are that the European officers are about a thousand and Indian officers are about 900. If they really want to give Dominion Status, leave aside independence, to India immediately after the war, why should not start stopping the entire recruitment of British officers to the Indian army? The Indian army will not be Indianised for 25 or 30 years even if you stop the recruitment of British officers today. Was that done? But, Sir, the Government insist that the proportion of Indians to the British officers in the army must be kept intact. What about the Civil Services? Have they stopped recruitment of Europeans to the Indian Civil Service? They need people in Great Britain. Don't they?

An Honourable Member: No.

Mr. N. M. Joshi: But the recruitment of British officers even in the civil service is maintained in the same proportion as it existed before the war. I need not go into the various details, but I have no doubt in my own mind that the administration as it is being conducted today does not give any indication that the British people propose to part with power even after the war.

I would like now to say a word about the special position of the working classes in this country regarding this war. We do not know what will happen after the war. India may get freedom, or India may not get freedom. But the working classes of India know one thing about the war, namely, that the prices have gone up. Their cost of living has gone

up and the wages have not yet risen to the same extent. The standard of life of the working classes is being lowered, that is what the working classes know about the war. They also know this that if they make efforts to secure a rise in wages, if there are sometimes strikes, the Defence of India Act is used against their leaders in order to break the strikes. Only the other day, I read in the papers that in Calcutta there was a municipal sweepers' strike and even in that strike the Defence of India Act was used to break that strike. In Great Britain the labour movement is co-operating with the other sections, but the Government there has taken care that the standard of life of the working classes in Great Britain will not be low; not only that, those members of the labour movement in Great Britain who are taking part in the war have made it quite clear that, if they are taking part in this war, they are not going to allow the present order of things to continue. They are insisting that the present order will end with this war and a new social order will be established in Great Britain. I have no doubt in my mind that, so long as freedom and democracy is not given to India so long as there is not at least a guarantee of freedom and democracy being given to India—and there are no indications of it today—Indians will not be willing to participate in this war and so long as there is no guarantee that the exploitation of the working classes will end and a new social order will be established, the working classes of India will not take part in this war. But, Sir, I have equally no doubt in my mind, that, if freedom is given to Indians, if democracy is established, if at least there is a guarantee of freedom and democracy being given to India, and if there is a guarantee that the exploitation of the working classes will end with the war, Indians, including the working classes of this country, will fight against Fascism and Nazism as partners with the British people. I hope it is not yet too late for the British people to change their policy. It is true that they rejected the offer made by Mr. Rajagopalachari. But they can now renew the effort, make another effort for a settlement. If Indian co-operation is worth something, then those efforts should be continued. It is not right to terrorise us, to frighten us to take part in this war by telling us about the horrors of Nazism. Let them choose this better way of securing our willing and enthusiastic co-operation by giving us our freedom and establishing democracy in India. Mr. President, under the present circumstances I propose to oppose the motion for consideration of the Bill.

Mr. M. Asaf Ali: Mr. President, I am at a disadvantage after the humorous speeches of some of the previous speakers, particularly, Sir Homi Mody, who created a different atmosphere in the House—an atmosphere which does not suit the grave occasion on which we are called upon to express our views with regard to the measure which the Honourable the Finance Member has brought before the House. Sir, I fear I may have to go over some of the points which have already been raised during this debate. I shall try my best to avoid repetition, but I am afraid there are certain facts and certain truths which can never be repeated too often.

Mr. President (The Honourable Sir Abdur Rahim): Anything can be repeated too often in this House.

Mr. M. Asaf Ali: I assure you that I shall not offend against your ruling, I shall try my best not to do so. Having regard to the issues which are

[Mr. M. Asaf Ali:]

involved in this debate, I have not the slightest doubt that there is a certain degree of inevitability about importing passion and heat into the discussion, and this is what happened yesterday when, unfortunately, I interjected once or twice during the spirited speech of my Honourable friend, Mr. Griffiths. I give him the fullest possible liberty to double those interjections if he so likes while I am speaking.

Mr. President (The Honourable Sir Abdur Rahim): I hope the Honourable Member (Mr. Griffiths) will not follow that advice.

Mr. M. Asaf Ali: I was only being fair, Mr. President, nothing more than that. I do not wish to be provoked by any interjections which any Honourable Member may feel like resorting to.

Before I proceed to the subject, I must express my fear of the kind of publicity which is being given to our speeches. Sentences are being torn out of their context and are being used for propagandist purposes. Perhaps, that is the way of statesmanship. Day after day, while we are listening to the radio, we find an interpretation of the speeches delivered here by the Opposition Benches which sounds extremely strange, because we have really said something quite different but the world is being told that we have raised issues which are really not of any great importance. For instance, after Mr. Satyamurti's speech with his able exposition of the Congress case, the Radio announced that the main objection of the Congress to the Finance Bill was that the House was not consulted before India's belligerency was declared. The Government can turn round now and say, forgive us for our past sins, we have now sought an opportunity of consulting you, will you condone our error and vote this amount?

Now, that is not the only issue, not the only objection. The Government knew full well long before this war broke out what the attitude of the country was and, particularly, what the attitude of the Congress was but before I come to that point I may be permitted, Sir, to make a reference to the feeling appeal which Mr. Griffiths made yesterday. He gave us a vivid description of the great and fiery ordeal which the British people are undergoing today. There was no need for him to appeal to us on that ground. We are human enough to feel all that. We are not callous, we are not wooden as, unfortunately, the Government are, which faces us to day. We are fully alive to the sufferings of the British people and we are also fully alive to the sufferings of many other people who are undergoing a terrible experience. We also recognise with admiration the courage with which they are fighting for their freedom but when we want to fight for our freedom they ought to sympathise with us too. We have the same feelings for our country and for the freedom of our country. I would beg them to pause for a moment and to feel the same as we feel about them. Mr. President, in so far as the attitude of the Congress is concerned, years and years ago it was made clear to the whole world. It was fully and clearly expressed here too from time to time on the floor of this House and as recently as March 1940, the present President of the Congress, Maulana Abul Kalam Azad expressed it in the following words: Referring to Facism, Nazism and Imperialism at the same time he said:

"While we were considering the dangers arising from Facism and Nazism, it was impossible for us to forget the older danger, which has been proved to be infinitely more fatal to the peace and freedom of nations than these new dangers and which has

in fact supplied the basis for this reaction. I refer to British imperialism. We are not distant spectators of this imperialism, as we are of the new reactionary movements. It has taken possession of our homes and dominates over us. It was for that reason that we stated in clear terms that if new entanglements in Europe brought about war, India, which has been debarred from exercising her will and making free decisions, will not take any part in it. She could only consider this question when she had acquired the right of coming to decisions according to her own free will and choice. If India remained deprived of her natural right to freedom, this would clearly mean that British imperialism continued to flourish with all its traditional characteristics and under such conditions India would on no account be prepared to lend a helping hand for the triumph of British imperialism."

Mr President, this was nothing more than a repetition of what was expressed over and over again year after year by the Congress. It cannot be said that this Government was not aware of this fact. We are not taking up a new attitude. We have not come into this House today as was said by some one with our minds made up only to oppose the Finance Bill. We were bound to oppose every step taken by this Government in the name of Imperialism and in the absence of India's freedom.

Sir, in so far as the question of the competence of this Government is concerned, let us try and see whether they are competent to do anything in the name of the country. Mr. President, it is not my purpose—and I want to make it perfectly clear at the very outset—to cast any aspersion on any individual member of the Government. They are only slaves to a system. All my criticism will be levelled against that system. That system has proved to be a dismal and bleak failure. If you look at the history of this system in this country, of which they are the creatures, of which they are the slaves, of which they may be the victims, it has nothing but a heart-rending tale of woe and misery to present to the country and to the world. They have been here for the last 200 years and what have they to show as the result of their administration of this country during the last 200 years? Would my European friends, particularly Mr. James and Mr. Griffiths who happen to be very proud Imperialists even today, like me to give them a review of the history of British Imperialism in India I assure you that if I give them even the bold outstanding points of that history not only they but all those who call themselves Englishmen will feel ashamed of themselves today and for all time to come. Does he want me to remind him of the fact that there was an old cheat called Clive? Does he want me to remind him of the fact that there was another old cheat called Napier? Does he want me to tell him that the entire history of India during the past 200 years is full of fraud and cheating and tyranny? We were prepared to forget all this, Mr. President. We were prepared to let the dead past bury its dead. We were prepared to make a new start. We were prepared to wipe this slate clean and say: 'Now, let us come round and see whether we cannot co-operate.' What is the answer. The answer is: 'we do not want the co-operation of the people of India or their representatives. We only want their money and we can buy their men'. That is the answer. Well, you are free to do so. The army of occupation is there. You can at the point of the bayonet, and by threats as usual, do whatever you like but you can never win the heart of India by these methods. Mr. Griffiths, as a proud imperialist, may like to know that there is not much difference between Imperialism, Facism and Nazism or call it by any other name, say, totalitarianism. We have begun to know something of Nazism, Facism and Totalitarianism recently. In fact, we do not know enough about them but as for Imperialism, we have known it for 200 years. You have only to walk out of New Delhi or Old Delhi to the

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nearest village and see the devastation, see the misery, see the wretchedness of the people, see the dirty squalor, see the devastating diseases and see for yourself what kind of civilization you have brought into the lives of these people. And this is the history of two hundred years of imperialism! Is it in the name of this imperialism that you want us to lend support to England? Is it in the name of this kind of civilization that you want us to pay you a penny? Is it in the name of this kind of civilization which you have brought into this country that you ask us to stand by you? Sir, we will stand by the people of Britain as they will emerge out of this war, after this blood bath—which has also been brought about, by the ruling classes of England, not by the people themselves. It was the lust of the ruling classes of England, it was the far-flung empire which they were trying to build for themselves and for a few people at the cost of the people themselves that brought about this war. The last war, Mr. President, was fought to end war by these ruling classes of England. Instead of ending war, when they went to Versailles, a peace was concluded, which, in the words of someone else, ended peace. War has continued all this time, and by whom has it been helped? It has been helped by the ambition of these ruling classes of England who are responsible for the present state of affairs. They turn to us, over and over again and they tell us, "oh, but what about your country? You have got differences in your country, you have got a fratricidal strife going on between Hindus and Muslims and so on and so forth." Now this is exactly what Hitler is saying about Europe. He says, "these poor countries cannot stand on their own legs without my help, they are at one another's throat, I want to bring peace and unity in Europe, and I have done it." Well, what is the difference, I ask?

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): None at all!

Mr. M. Asaf Ali: These gentlemen tell us, "you are asking for freedom, but what is freedom worth for countries which cannot stand on their own legs?" Now, whose fault is it that we cannot stand on our own legs today?

Lieut.-Colonel Sir Henry Gidney: Your fault.

Mr. M. Asaf Ali: I am sorry to say that even Colonel Gidney will not provoke me today. Whose fault is it that this country does not stand on its legs today? I say it is the fault of the Government. But what is their argument? Their argument is that freedom is not worth having. May I, ask them, "what then they are fighting for?" We were told right at the beginning of this war that they were fighting to preserve the freedom of the smaller nations in Europe. They wanted to restore the freedom of the smaller countries of Europe. Now, if you are not prepared to recognize the freedom of a country which is under your domination today, why do you declare to the whole world that you are fighting to preserve the freedom of the smaller nations? You are in reality telling a lie, when you say that you are fighting for the freedom of the smaller countries in Europe for you are fighting only to preserve your empire and particularly your stranglehold on India?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can resume his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. Asaf Ali: Mr. Deputy President, when the House rose for Lunch, I was dealing with the point which related to the patent hypocrisy of the British rulers of England and India. I was just saying that in the beginning of the war, an announcement was made on behalf of His Majesty's Government in England that they were going to war with Germany, because Germany was an aggressor, and they were fighting for the freedom of smaller countries of Europe. Almost about the same time, it was pointed out to them that there was another country, in fact a sub-continent called India whose freedom these very Britishers had destroyed 200 years ago. Would they be prepared to restore to India her freedom? If they were honest in their professions, the straight course for them was to declare to the whole world that while they were going to war with Germany in defence of the freedom of Austria, Czecho-Slovakia, Poland, Holland, Denmark, Norway, Belgium and finally France and Greece, they themselves were not playing the part of aggressors in any part of the world and at any rate whatever aggression they had been guilty of in respect of India they had made up their mind to go before the tribunal of world opinion with clean hands. The answer to this question, the answer to this demand is now a patent fact throughout the world. If any one has any doubt, the best course is to refer to American opinion and find out whether America is satisfied that England has done her duty by India so far.

Germany, in fact every day and every night is proclaiming to the whole world that England is hypocritical, do not believe it. Do not believe a word of what the Britisher says. There is India, look at it. They talk of the freedom of smaller nations in Europe. But what about this huge big country which they swallowed two centuries ago and which they are not prepared to disgorge. It is all very well for them to turn round to us now and say, "Oh! but we are fighting for the freedom of nations". This is, I believe, the last of the announcements of Mr. Churchill. Is anybody now prepared on behalf of His Majesty's Government to declare here and now that the nations for whose freedom Great Britain is fighting its battle with its back to the wall also include India? Are they prepared to say so? If they are not prepared to say so, and I am afraid you will find nothing but prevarication as far as this simple and straightforward issue is concerned, if they are not prepared to say so, I should like to know with what face they can come to us and say, will you please let us put our hands into your pockets. Their only right, their only claim is the claim of brigands robbers and dacoits. Let them exercise that right. They have got the power to do so. We the poor people of India are here, their pockets are there, their coffers are there, of the rich as well as of the poor and the Britisher can put his hand into their pockets if necessary at the point of the bayonet. They have been doing so for the last 200 years. Why not continue to do it. Do not let it be said by posterity that we were here and we did not tell them so to their face? That is why we are here today.

Earlier in the day I happened to say that I might take an opportunity of examining the title deeds or rather the title of this Government to govern this country at this critical juncture of world's history. I believe even they cannot justify their existence even by the law which their country's Parliament has passed and under which law they claim the right

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to rule this country, not in the name of this country, but in the name of another country. Even they cannot deny that this country is held in bondage as a conquered country by the ruling classes of another country. They cannot deny the fact that they are not here by the consent of the people, they cannot deny the fact that they do not derive their right, or title from a single voter or a single tax-payer in this country. Is there one man among these gentlemen who represent the Government of India, who can say that he obtained a single vote from any constituency created by their own law? Well, if they have not, with what right can they ask us to entrust them with even a penny of our hard earned money and allow them to squander it whichever way they like. Is this the law of England, I ask? Is this the law of any decent civilised country that a Government which does not derive its right from the votes of the people should be in power and should tax the people. I ask you a simple question. Is this the kind of civilisation that you want us to fight for? Is this the kind of civilisation and freedom of which Mr. Griffiths was talking yesterday? Sir, they have no title in law and no rights in law. Apart from that I ask them whether they have any other title. Have they won the hearts of the people by their actions? Some one was talking about freedom in this House yesterday. I believe it was Mr. James who interjected in the course of somebody's speech and said, "Now, Mr. Abdul Qaiyum, could you have delivered this speech in Denmark or Holland or any other country under Nazi rule?" Sir, I do not remember what Mr. Abdul Qaiyum said at that time, perhaps I was not in the House; but let me answer him. My answer is, yes, I could speak with the same freedom even under Nazi rule anywhere if I did not mind the attentions of the Gestapo. And let me tell you that we are not out of the clutches of the Indian Gestapo here.

Lieut.-Colonel Sir Henry Gidney: Where?

Mr. Sri Prakasa: Here, all around us.

Mr. M. Asaf Ali: Sir, it is not a matter of laughter, I assure you. It is all very well for any of us to make bold and courageous speeches here, but do you know that our footsteps are dogged by the sleuth-hounds of the C. I. D.? Are you aware that our letters are opened and read by them before they reach us? Are you aware of the fact that when we are travelling our footsteps are dogged by all these men whom I do not wish to describe in hard terms? And are you aware of the fact that not a man has spoken out his mind as he knows it to be the mind of the people,—not a man has spoken out his mind but has been clapped into jail behind the prison bars? Pandit Jawaharlal Nehru is a good instance. Pandit Jawaharlal Nehru whose generosity of spirit and whose gentlemanliness was being praised by the B. B. C. the day he declared that he was not going to embarrass the British Government. I said almost that very day that it was a very bad day for the B. B. C. to declare to the whole world that Pandit Jawaharlal Nehru was such a noble soul because the time would be fast coming when these very people would have to declare to the world that they had jailed him. And, fortunately, that day did come and when it did come that very B. B. C. had to declare to the whole world that Pandit Nehru had been sentenced to four years' rigorous imprisonment because he was delivering speeches which were calculated to hamper the prosecution of the war effort in India. Now, will not the world begin

to wonder why a man of that intellectual calibre, a man of such transparent honesty, a man who had such close relations culturally and otherwise with the English people, a man who had so many friends in England and all over the world was jailed by this Government? Will they not begin to think and say to themselves that there must be really something definitely wrong with the Government of India and the way they are dealing with the people of India?

Sir, this is only one instance. I can assure you that these instances will be multiplied. Perhaps even for me it may be the last utterance here in this House, and it may be the last utterance for all these gentlemen here. And it is quite possible that within a calculable time you may find every child in India repeating word for word what Pandit Jawaharlal Nehru has been jailed for; and that will be the time for you to say for yourself whether this country has any freedom or not. Either we are with you or we are not with you. If we are with you, give us the freedom to tell the whole world that we are with you; but if you want to tell the world that we are with you whereas you have not even so much as allowed us to have our say, we shall see to it that the whole world knows that India is not with you. You may have to turn the whole of India into a huge big concentration camp,—in fact it is a concentration camp today. It is no use saying that Indians enjoy freedom; there is no freedom in India. It is perfectly useless to talk of freedom in India. I remember a great Muslim leader once said when he was released from jail, "I have only come out of a smaller jail into a bigger one which is called India". That holds true even today. I find my Honourable friend, Mr. Griffiths, very jubilant and he should be because he realises that a handful of people, about three thousand Englishmen, happen to be in places of power with all this vast army behind them for which we pay. He is able to shut anybody up; he is able to keep India in bondage and he is able to exploit India to the fullest extent. He is able to buy our men; he is able to manufacture bullets which may eventually find their way into our hearts. He has every right to be jubilant and all the other gentlemen who feel like him have every right to be happy. But, Sir, let me tell them that there is such a thing as Nemesis in this world; there is such a thing as God's own justice in this world. These things cannot go on and you are paying for these very things today. You are paying for these very deeds and misdeeds today and, God knows, so long as you do not purge your hearts and so long as you do not come to realise the truth of India's right to be free, you may have to suffer. I assure you that I shall not be happy to see you suffer, but you cannot escape Nemesis; you cannot escape the justice which God dispenses in his own inscrutable wisdom.

Sir, in the earlier part of the day I said something about Nazism, Fasism and Imperialism being the product of the same poisonous weed; and later on perhaps I said that the very arguments which the British are using today to continue India's slavery are being used by Hitler and the Nazis to subjugate the European countries. When I said that I really laid myself open to a certain objection or rather I exposed myself to the charge that perhaps I was a friend of Nazism. Very far from it. I assure you that we are no friends of the Nazis; we are no friends of the Fascists; we are no friends of the Totalitarians; we hate them equally; but we hate Imperialism equally with Nazism. In fact, perhaps we hate Imperialism more profoundly because we have had enough taste of Imperialism in this country ourselves. The argument was used yesterday which to my mind appears to be infantile, and, unfortunately, it has found a good deal of

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currency throughout the country. Everywhere you hear people saying: "Oh, but will you by adopting this attitude not be helping the nazis to triumph?" I do not know whether we shall be helping nazism to triumph or not, but we are perfectly certain that we shall not be helping those who even today, at the time of their direst trial, are not prepared to say: "We have done wrong to you and we are prepared to undo that wrong today; and you are free as far as we are concerned." It was said that the nazis are bigger bullies than the English are—not in these words perhaps; as a matter of fact it was said: "If the nazis win and if they invade India, you would be worse off. Cannot you realise this?" I assure them that we have fully weighed all the facts of the situation and we are perfectly clear in our mind what our attitude towards this question should be. It is a very strange argument. One bully turns to the weak and says: "Well, I am a bully, I cannot help it; but, unfortunately, there is a bigger bully; if you do not help me today, this other bully will come and bully you, and, therefore, I want you to help me." But the actual words of Mr. Griffiths were slightly different. He said: "Surely this is not the time to think of the failure of this Government. I am not talking of the failure of this Government. I am only asking you to do one thing. Here we are at war and you are practically in the position of a person whose house is being burgled; and you turn to your policeman and say: 'I am not going to help you.' I am afraid that analogy is perfectly fallacious and wrong. It is not a question of a policeman asking me to help him; it is a question of one burgler who is already in possession of my house saying to me: 'Now, there is another burgler coming, he may dislodge me; will you help me, and help me by protecting me and coming between me and this other big burgler?' My answer will be: 'Yes, I will help you, my friend, but will you hand over the keys of my house? If you hand over the keys of my house, I will help you. There is not the slightest doubt about it; and then you and I both will beat this other burglar to pulp.' You cannot now turn round and say: 'the keys of your house are in my pocket; I have got all your valuables; I hold the power of the purse; I hold your lives in my power; and yet I ask you to help me because I happen to be in great distress.' I say I sympathise with you greatly sympathise with you in your distress, but, unfortunately, I realise that my own people have been in similar distress for the last two hundred years. I have got to think of that. Sir, they talk of India's help and they want to make light of their own failures in the past. I ask you, did England turn out Mr. Chamberlain or did it not, when it felt that Mr. Chamberlain had not given a good account of his stewardship of the British Government, that he had not prepared the country against the nazi invasion? He was turned out. Mr. Horé-Belisha was also turned out; and all this was done while this war was going on. If we say today, 'These gentlemen have failed in their duty; they have failed by every possible standard and they ought to be turned out of office and others ought to be there to manage the whole show as far as the defence of this country is concerned and if we can manage the defence of this country ourselves we shall also be helping you indirectly and possibly also directly,' why should they be kept in office? In 1935 this is what I said in this very House:

"That policy—(the defence policy)—to sum it up in two words, is wholly and profoundly anti-national. The defence of the country has been organised along lines which run counter to my pride, which run counter to my economic conditions, which

run counter to the actual demands of the defence of this country. They have followed a policy not of defending India but of defending the British Empire."

At the same time in the same speech I said while criticising the defence policy of this Government:

"Mechanise the Indian Army to the same extent as the British army and particularly, in so far as light artillery corps, tanks corps and air force are concerned."

Then, in 1936 I put the following question, and I want to repeat the answer I then received. The question was:

"Will Government be pleased to state if it is a fact that according to all competent authorities air warfare will be the predominant factor in any international war of the future; and the comparative strength of the air armadas of each of the first-class powers within striking distance of India is at least fifty times greater than that of the air force in India?"

If the reply to the foregoing question is in the affirmative or even partially so, will Government state what steps they have taken in the direction of anti-aircraft preparations, particularly against Thermite and Lewisite incendiary and mustard gas bombs, underground or other shelters for the populations of crowded cities like Peshawar, Lahore, Delhi, Lucknow in Northern India, gas mask drills, affording protection to mills, water supply reservoirs, bridges, power stations, railways etc.?"

I think it was Sir Henry Craik who answered on the occasion. He said—this was in 1937:

"The part which aerial warfare will play in future wars is even among experts largely a matter of opinion."

I hope Sir Henry Craik and his compatriots have realised that the point of view of the questioner was valid and the point of view of the person who answered was wholly invalid. They realise today what has happened. We warned them. I warned them three years ago in respect of India and this is the answer which I received. Again he said:

"Government have no detailed information—(with regard to the air forces of other countries)—but it must be realised that India's main protection lies in the distance which separates her from the first class powers to which the Honourable Member refers."

I believe, Mr. Griffiths is fully answered by Sir Henry Craik.....

Mr. P. J. Griffiths (Assam: European): He is answered by me.

Mr. S. Satyamurti: You are not the Government of India.

Mr. P. J. Griffiths: I wish I were.

Mr. S. Satyamurti: But you are not.

Mr. M. Asaf Ali: In spite of the fact that these people have failed, you want to keep them there. Are these the people to whom you can entrust the defence of this land? They are not fit to stay where they are. They really ought to be in the place where Pandit Jawaharlal Nehru is today.

Again, Sir, in 1938, speaking from this very place I said:

"By leaving the Indian army unmechanised, the Indian Government is really reducing the efficiency of the Indian army. We are for efficiency, not for reducing it. By adopting this policy of discrimination between the Indian and British wings of the

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Indian army, they are not merely reducing the efficiency of the Indian side but they are also trying to weaken the ultimate defence of India and it is on that ground that the Government deserves to be censured."

This was two years ago, and what have they done all this time? If they were not competent enough, why did they not get out? This is exactly where we come in. You are talking of the danger of Nazism, but the danger of Imperialism is even greater in India today than the danger of Nazism. In 1938 again, I said:

"We do want to have the most efficient army that anybody can ever think of for India and India's defence. But that army must be our army and not an army which is working like automata at the sweet will of somebody over whom neither you nor we have got any control. If ever war breaks out, it will be declared not by the Government of India, but it will be declared by His Majesty's Government."

Sir Cowasji Jehangir: May I know from my friend

Mr. M. Asaf Ali: I do not want to answer any question now.

Sir Cowasji Jehangir: I was only asking you whether you were non-violent.

Mr. M. Asaf Ali: I shall answer you and don't worry. The whole trouble is when we point out your mistakes, you ask us: 'Are you non-violent'. We are non-violent in this sense that, we do not want this world to consume itself in fire and blood. We want to see this world throw away its arms. When India is free, we shall certainly be prepared to lead the whole world to adopt a policy of disarmament, if possible. If the rest of the world does not throw away her arms, the whole of India will defend herself with all the weapons that may be available to her, but that will be when she is free. They have had a taste of terrorism. Do they want it now? If they so desire, we shall step aside, and let them have a taste of it again. It is not only today that we are saying that in our struggle against you we are not going to use arms. There are two schools of thought in the country. There is Mahatma Gandhi's school of thought. We recognise the fact that Mahatma Gandhi's non-violence is an ideal. We certainly think it is an ideal to which the whole world ought to aspire, but we also recognise that we are human beings. We have got our short-comings, and as human beings, we can only go so far as we can, but I may assure my friends that so long as this struggle of India's independence is going on under the present circumstances, and so long as Mahatma Gandhi is there to control the movement, we shall not adopt any method other than non-violence. This is the answer. Don't imagine for a single moment that we are for disarming the whole of India so that anybody may walk in and say: 'Now I am the ruler of India'. That is not what we want. All that we are saying is, until we have won India's freedom, we do not wish to resort to violence, and violence only in self-defence, when India is free,—it will not be violence,—it will be force used by the state in self-defence. (Laughter from some European Members). I find Mr. Griffiths laughs, and I am very glad that he is in a cheerful mood today.

Mr. P. J. Griffiths: Thank you.

Mr. M. Asaf Ali: Because yesterday he was telling the House that he was extremely depressed on account of the miseries which his people were undergoing in England and needed solace. I am glad I have cheered him up. You cannot laugh away a country's freedom. Before long you will find that all these laughs will be turned against you. Perhaps he who laughs last will laugh best.

Now, Sir, I was on the point of making a quotation from my speech in 1938. I said on that occasion:

"We do want to have the most efficient army that anybody can ever think of for India's defence. But that army must be our army and not an army which is working like automata at the sweet will of somebody over whom neither you nor we have got any control. If ever war breaks out, it will be declared not by the Government of India, but it will be declared by His Majesty's Government. Who will come to His Majesty's Government's help? The Dominions? Yes, the Dominions are today complete masters of their own foreign policy and also of their defence; why could not we be the same, and if we are, we shall decide the case on its own merits when the occasion arises. Every recruit that now enlists for war will have to be paid for by us, not by you. Can you realise it, and what do we get in return? We get in return an irresponsible and unresponsive executive sitting opposite us, and we also get kicks throughout the Empire. They talk of the Empire. Which Empire do they want us to fight for? The Empire in which we are treated as helots? Is there a single Dominion where Indians have any rights of citizenship? Leave alone the Dominions,—have we got full rights in our own country? If we have none, they have no right to ask us, they have no right to ask any Indian not to preach according to his conscience either to rebel or to mutiny or to do anything else; he would be fully justified if he did it."

Then again I said at that time:

"What exactly do we mean by an Imperialistic war? By an Imperialistic war, we mean a war which may result in more or less the same kind of morass in which we find ourselves today, that is to say, our freedom or want of freedom left where it is or perhaps curtailed a little more, because the so-called Empire may merge victorious out of this great war and become stronger. That would be an Imperialistic war from my point of view It is only intended for an Imperialistic war obviously, and therefore we are definitely opposed to it. In these circumstances, how can anybody come here and say 'Will you kindly sign your death warrant?' We refuse to sign our death warrant and the death warrant of humanity, and we oppose the Bill on these three grounds that I have placed before the House."

Mr. Deputy President, They are talking of India's help. Did India help them in the last war or did it not? The Congress at that time was not opposed to the British Government. What was our contribution? Our contribution at that time amounted to one and half million men (15 lakhs of men), nearly two lakhs of animals, and more than four hundred crores of rupees. The war budget of those days went up from 33 crores to 80 crores a year, and this state of affairs continued for about five or six years. That was our contribution. And what was the return? What was the result? We got in return, Mr. Deputy President, a blood bath in Jallianwalla Bagh, another blood bath at Peshawar, and a blood bath all over. We got lathi charges. We got broken limbs, and lakhs of people who wanted India's freedom were sent to jail. That is what we got. And the Mussalmans in those days were agitating for the freedom of Jazirat-ul-Arab. What did they get? They got the slavery of Palestine, which continues up to this day. Mr. Deputy President, it is all very well to turn round and say, will you help us? Time and again we have helped you willingly, voluntarily and gladly, and what have we got in return? Therefore, we are not wrong when we ask you today to tell us here and now what it is that India is going to get. If you want India's help of the people of India—of course, you will get your help from the Princes, and from other

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people of that type, and God help you. If you want India's enthusiasm, tell India that India is free and then we shall be fighting both for our freedom and for your freedom as well as the freedom of those nations on whose behalf you say you have been fighting. But before that, you have no right to come to us either for a penny or for a man.

I do not wish to recall the past history of the British rule in India.

Mr. M. S. Aney: You began with Clive.

Mr. M. Asaf Ali: I began with Clive, that is true. If you like, I can give you just a few points, but I hope it is realised by Englishmen themselves that their past history is not a very brilliant record. I hope they realise that they cheated Nawab Sirajjudaulah in Bengal.

Mr. F. E. James: He was a nice fellow.

Mr. M. Asaf Ali: He was a nice fellow certainly because he wanted his country's freedom and you would not let him have it.

Mr. P. J. Griffiths: He did not want it for democracy.

Mr. M. Asaf Ali: Read Vansittart's minute.

Mr. P. J. Griffiths: I have done it.

Mr. M. Asaf Ali: If you have done it, you ought to be ashamed of those against whom Vansittart was writing at the time. You ought to be ashamed of your Judge Impey and the whole blessed lot of those people who were cheating and tyrannising over those free people of Bengal.

An Honourable Member from the European Group: Free? (Laughter).

Mr. M. Asaf Ali: You will have some freedom before long. Go on laughing at our freedom of the past and you will have some freedom left for you in a short time! Get rid of that mentality.

Mr. Badri Dutt Pande (Rohilkhund and Kumaon Divisions:: Non-Muhammadan, Rural): Mr. Molotov is deciding at present.

Mr. M. Asaf Ali: They are only inviting it. I am only giving them what they want. They are laughing away. When I mentioned Napier, I had the Amirs of Sind in my mind, and the way in which they were cheated. Even your own historian tells us that it was the biggest piece of rascality that could ever be thought of in the history of the building up of the British Empire.

Mr. P. J. Griffiths: See what is happening in Sind now.

Mr. M. Asaf Ali: Mr. Griffiths will not take very long to take a few lessons: I hope, but let him keep quiet now. Mr. Deputy President they are asking me to repeat their history. Let them go into Old Delhi here. Have they seen the Champs-des-Mars? Those were the houses

of the elite of Delhi. One-third of Delhi, after 1857, was razed to the ground,—razed to the ground deliberately. Thousands of young men, innocent of any crime were hanged by every tree available in old Delhi. The old house in which I live today, happens to be in a quarter which was once the best locality, but today it is a slum, it is a perfect slum. In my own house there were 200 corpses of innocent people slain in 1857.

An Honourable Member from the European Group: They are still there!

Mr. M. Asaf Ali: Mr. Deputy President, don't let them provoke us. Do they want to awaken those memories in us? We want to wipe out those memories. Why do they wish to provoke us and ask us to revive those memories? (Interruption.) And if Mr. Griffiths and others of his ilk desire to read something from the pen of their own historian, I shall recommend to them a very simple, straightforward book, they can buy it anywhere, they will find it at the Oxford Book Depot, by Edward Thomson, "The Other Side of the Medal". Read it and you will realise the extent of the oppression, the extent of the tyranny, the extent of the cruelty to which your people went against my people. You are talking of Nazism. Can Nazism be very much worse than that? Once again I say, we have over and over again asked you to be reasonable. Let us wipe out all those old memories, we do not want them, they are good neither for you nor for us. It is possible, even now it is not too late, even now the enthusiasm of India could be called forth if only the people find that India is a free country. Then it is perfectly obvious that every man, woman and child will feel that if they do anything they will be doing so to protect their own freedom and they will also be helping those who want to get theirs.

Talking of the record of this Government, even today India finds herself saddled with huge debts. I believe the extent of our debts is about £900 millions or so.

The Honourable Sir Jeremy Raisman (Finance Member): Including the whole of the railway capital.

Mr. M. Asaf Ali: Well, you call it capital. I say it is a question of one cousin selling to another cousin at a very high price.

The Honourable Sir Jeremy Raisman: But the assets are there.

Mr. M. Asaf Ali: I know the assets are there, but they are not worth the money which has been debited to our account.

Mr. F. E. James: You have the Grand Trunk Express!

Mr. M. Asaf Ali: And thereby they have reduced India to the position of a debt slave. They ask over and over again, "What about these debts? We cannot leave India until these debts have been paid off." After the Great war, throughout the world, there was a scaling down of debts, in fact, some people went even the length of repudiating the debts, and even Great Britain was asking favours of its cousins in America. Did anybody lift his little finger to reduce the debts of India, debts which were not incurred in the interests of India at all, because some of these debts relate

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to wars, aggressive wars against Burma, Abyssinia, Afghanistan and other expeditions here there and everywhere. Four hundred crores have been spent during the last 90 years in an effort to subjugate Pathans. Money has been spent on bombing those poor Waziris, because they must have a shooting range somewhere for the practice of their young men. All these things have happened. Well, Sir, if that is the record of this Government, are they entitled to remain here any longer, particularly at a time when India has got to put her own house in order. We are perfectly aware that the old order is crumbling. We are perfectly aware of the fact that the old order is in its death pangs. We are also perfectly aware that by the time this war is over, a new world will emerge from the debris of the structure of the old world. Even Great Britain, I am absolutely certain, will not be the same Great Britain.

Lieut.-Colonel Sir Henry Gidney: It will be Greater.

Mr. M. Asaf Ali: Sir Henry Gidney says it will be a greater one. A great revolution is going on even today. I also hope that Great Britain will emerge stronger than it is today from the present war and I have nothing against them. I have no ill-will against them. If I criticise, I criticise those rulers of Great Britain and the rulers of India.

An Honourable Member: and their ancestors.

Mr. M. Asaf Ali: Yes, and their ancestors as well. We are perfectly aware of the fact that even Nazism during this war will exhaust itself. We know perfectly well that Imperialism will also exhaust itself. We want to make it perfectly clear that India must stand on her own legs. India must organise her own resources. India's people must be in power. India must evoke the spontaneous enthusiasm of its people in defence of its own freedom and of the principle of freedom for the whole of humanity.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I have listened to the speech of the Honourable and learned Member who has just concluded his statement, with interest, but not with surprise. I have listened to that kind of speech times without number in this House. There have been occasions in this House in the past when exactly the same kind of speech, exactly the same kind of adjectives and exactly the same kind of historic narration was made, and, therefore, it was not with any surprise that I listened to most of what the Honourable Member had to say.

Mr. Sri Prakasa: Neither does your speech surprise us

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am quite certain that my speech will not surprise the Honourable Members, because if it did, then I must have been saying something to which I have not been accustomed during the last 25 years of my political life. I must have gone back on all the traditions that I valued. I must have gone back on all the teachings that I had learnt, I must have gone back on all the principles on which my political education had been based. (Interruptions.) I hope that in what I am going to say, there will be

nothing which will surprise any Honourable Member on the opposite side, particularly Honourable Members who come from my own province.

Mr. S. Satyamurti: A leopard never changes its spots!

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It does not, except that it sometimes may change from one spot (pointing to the Opposition Benches) to another spot (pointing to Government Benches).

(Interruption.)

Mr. Deputy President (Mr. Akhil Chandra Datta): There should not be too many interruptions.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My friend, Mr. Asaf Ali, apologised to my friend, Mr. Griffiths, for the interruptions that he was subjected to. I shall not make an appeal that I should not be interrupted, because I have been accustomed to interruptions before. It will only take more time, but I would appeal to my friends opposite not to clap and shout, because thereby I may not be heard.

Mr. S. Satyamurti: You will be heard all right.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I know that I shall make myself heard in spite of your shouting. You will be only wasting time.

Mr. S. Satyamurti: You are a brave man! Go on.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I said that it was not with surprise that I heard the speech of my Honourable friend, but there was one element in that speech, one characteristic which did, to some extent, surprise me. The speeches that I referred to in the past were made at a time when there was peace in the land. Those speeches were made on occasions when no person thought that the dangers to which the world is exposed today would ever arise. Those speeches were made as debating points sometimes, as spicy anecdotes on other occasions, as fair good chafing by one side of the House or the other. But it did surprise me to find that at a time like the present a speech of that kind and, in fact some speeches, to which I had the opportunity of listening during the last two days, should have been made at all. Let me say at once that the Honourable Member's narration of British history is one to which most of us are accustomed. Most of us have learnt these from various books of Indian history. My Honourable friend, I find, has got that characteristic of oratory which has been handed down from the days when Shakespeare put into the mouth of Mark Antony those famous lines:

"I do not want to go into the past. I should like to bury the past. I do not want to re-open old sores. We want goodwill. We do not want to raise all these past issues. Let the dead past bury its dead."

And so saying, he raked up all the grizzly old bones of the dead past and exposed all the so-called skeletons, some real, some unreal, some completely artificial, to the gaze of the public. Now, Sir, that I do feel

[Sir A. Ramaswami Mudaliar:] ... is not the way in which a gentleman who wants to forget the past, who wants to promote goodwill and ask for such assurances as will evolve goodwill, that is not the way in which any gentleman who desires goodwill would go about his task, and in that statement of history, is there not occasionally another side of the picture also? My Honourable friend spoke of Clive, he hinted at Hastings, he spoke of various potentates and he spoke of the Mayfair Delhi and all that. But he ought to realise that, occasionally even in those days, there were Englishmen who pleaded the cause of the other side, much more freely, much more eloquently and much more fairly than many of our own countrymen are prepared to do. . .

Mr. S. Satyamurti: It is a shame that you are pleading their cause.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My friends may say that it is a matter for shame. (Interruptions.) I see my Honourable friends are indulging in their old game. They are the perfect paragons of all that is beautiful in political life. I do not want to go into that. I shall give them my own opinion certainly.

Mr. S. Satyamurti: Do.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall not flinch from that; I have done it for twenty years, and just because I happen to be on the Government Benches, it will not make any difference and will not make me say. . . .

Mr. S. Satyamurti: Of course not!

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: But I was telling them that, if there were these things done, let us also remember that there was a Vansittart who put that minute exposing his own countrymen, there was a Burke who pleaded for those very Indian rulers who had been robbed. Today my Honourable friends have not got a good word for any Indian ruler whatsoever and "that kind of men" is the description which my Honourable friend gave to his own countrymen—all of the same class, all tarred by the same brush, the same paint. There is nobody outside that Valhalla who has got any right. . . .

Mr. S. Satyamurti: For God's sake do not say that; we are living.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am questioning that, because in a few days you say you will disappear. . . .

Mr. S. Satyamurti: To come back again on your head!

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: What is the complaint of my Honourable friends? Their complaints seem to be two. First, that this war was declared without this House having been consulted. They know the position very well. They know that His Majesty's Government declares war, and when His Majesty's Government declares war, it virtually binds all the dominions.

Mr. S. Satyamurti: No, no. Go and read some books.

Mr. Deputy President (Mr. Akhil Chandra Datta): Let the Honourable Member proceed without any interruptions.

Mr. S. Satyamurti: He is wrong, Sir, he is absolutely wrong.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: And when His Majesty's Government declares war, virtually that declaration binds the dominions.

Some Honourable Members: No, no.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Can't you listen?

Sir Syed Raza Ali: I have no desire to interrupt, on a point of constitutional law. May I just point out that the constitutional position is that the declaration of war by His Majesty's Government does not bring in dominions automatically; those dominion Governments have got to take proceedings of their own.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Does my Honourable friend really think that I did not know that constitutional position? Could he not have waited for me to finish my sentence before he found fault with me? I can understand my Honourable friends over there; they are out merely to see that some sort of disturbance is created. I said that when His Majesty's Government declares war, virtually it binds the dominions also; I said "virtually", not "legally". What happens is that dominion after dominion goes through the formality of summoning its parliament, but it is a formality. . . .

Mr. S. Satyamurti: Nothing of the kind.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Dominion after dominion calls its parliament and goes through the formality of reiterating that declaration.

Mr. K. Santhanam (Tanjore cum Trichinopoly: Non-Muhammadan Rural): Does my Honourable friend not know that Ireland is still neutral?

Lieut.-Colonel Sir Henry Gidney: Ireland is not a dominion.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, there was a conference, called the British Commonwealth Relations Conference, the first British Commonwealth Relations Conference which was held at Toronto which was attended by various delegates from various countries. They did consider this question of whether the King could wage war on behalf of one dominion and not wage war on behalf of another dominion. The whole constitutional position was then reviewed. Constitutionally, there was little indication in that group of countries of the British Commonwealth of Nations which could give any help to decide an issue of that kind. I happened to be the Chairman of the Committee which considered this whole question, and it was then found that it was merely a matter of adjustment.

Mr. S. Satyamurti: It is a dead thing now.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: However, that is a point on which we need not dwell. My friends by shouting have gained their point, and I give them the credit for it. I was on

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the point that with reference to dominions, though every dominion may have the power to declare war, once His Majesty's Government has declared war or the King has declared war on behalf of the United Kingdom, it virtually becomes a *pro forma* declaration on behalf of the other dominions and that really speaking, in essence, in practice, there is really no such thing as a real attempt at weighing the *pros* and *cons* before a dominion declares war.

Now, let me come to the next point. My Honourable friends then say: "You state that you have got into the war and that India is behind this war" and the speeches of my Honourable friends seem to be for the purpose of proving that India is not behind this war effort. The whole point of the attendance of the Congress Party at this Session of the Legislative Assembly appears to me to make out that Indians are not behind this war effort, that India is an unwilling party to this war effort, and that speaking on behalf of the whole nation they are entitled to say that no section of the Indian people is really behind Great Britain in this war effort.

Mr. M. Asaf Ali: I am afraid the Honourable Member is misquoting me. I never said "no section".

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I was not quoting the Honourable Member at all. I was not quoting anybody. My Honourable friends want to make out by their speeches that India is not behind this war effort and by India they mean virtually, excepting a man who has sold his soul to the Government like myself, everybody else is against this war effort,—that we who are slaves, that we who are the chattels, that we who are the creatures, that we who are the victims of this system—I am now quoting the Honourable gentleman opposite—are alone behind this war effort because of our very nature and because of our very position, but that all other gentlemen, free and fine gentlemen all over India, and particularly among the ranks of the Congress Opposition, were not behind this war effort and will not help in this war.

Mr. M. Asaf Ali: Sir, while I was making that point, I made it perfectly clear that I was casting no aspersion on any individual Member of the Government. My criticism related to the system.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Let me say something about this system. My Honourable friend says that under this system, we are not condemned individually, but we are condemned by the lot.

An Honourable Member: Unfortunately

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: We are told that we are not individually slaves, but the whole group of us are slaves, and we are all victims. May I remind my Honourable friend that there is another system also which does not give the right of individual liberty, which subjects individuals to as much slavery as any system to which I have subjected myself at present, and more? May I tell them that today I have got more freedom to speak out my mind though I am a member of the Government of India.

An Honourable Member: In the name of India?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: . . . and tell this House what my grievances are about the constitution at present prevailing in this country, and tell India and tell my friends that I am not satisfied with the present constitution, that I should like to be what others are in their countries, and that immediately after the war, I hope to be able to demand that we shall be free citizens, with all rights, and with no kind of control from above.

Sir, I was referring to the system which is different from the system to which I am a party, a system which does not give any liberty whatsoever, a system which dare not allow any individual to speak out his mind, a system under which the law is all-embracing, more vigorous and more shattering in the doom that it conveys to the individual a system under which Queen Aliae's sentence "off with his head" was a very kind and good thing compared to the sentences which have been passed and are being passed day after day.

Mr. F. E. James: That is the Congress theory of democracy.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: . . . a system under which you walk in and walk out, you open your mouth to the extent you are permitted, you close it the next moment,—till Monday we give you a chance to speak, and on Tuesday you must be off—well, Sir, that is not the system under which I am working. That is not the system under which I, at any rate, am working. That is so far as the system and the victim and the slavery and all the rest of it are concerned.

Frankly stated, my Honourable friends' desire is to have their views conveyed to the outside world, the whole purpose of this debate, the whole object of the attendance of my Honourable friends is to convey to the whole world, to America in particular, that they represent everybody in India, and that, in the name of India, they will tell the world that India and Indians are not behind this war effort.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Whom do you represent? Why don't you face an election?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I represent Indians. I am going to tell you whom I represent. Let us not talk too much about votes and elections. We know where it has led us, and we know what the result of the last election was. The result of the last election, the result of the working of the democracy has been to make many men who were the most acute advocates of democracy, to make men who were the staunchest supporters of the democratic system, to make men who for 30 years and 35 years have been continuously in Legislatures and outside Legislatures pleading for democracy and democratic rights to make them say today, we, in India whatever other system may suit us, are not suited to democracy; the democratic system is not suited to us. That is the result of the votes at the last election. That

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is the result of the ballot box, that is the result of Honourable gentlemen having been returned by the ballot box, and that is the challenge that the Honourable Member has put to me, that I should go and stand by the test of the ballot. I have stood by the strength of votes, I have stood for election, I have tested the ballot box, but verily verily today there is not much chance, there is not the consciousness that the man who deserves it will be returned and can face the ballot box. You have reduced it to that impotency, you have made the ballot box a hollow mockery, a delusion, and a snare. Talk of the ballot box indeed! You take pride in the fact that you have been returned by majorities. No, Sir; I am not like the gentlemen next to me on either side who have put in years of service in the Indian Civil Service, who have not had the opportunity of facing the public, who have not had the opportunities of testing public opinion. I have gone through the same mill as any of the Honourable Members opposite, and I know that ballot boxes there are, and ballot boxes there are, some are green, some are yellow, and some even red.

I was saying, that my Honourable friends wanted to make out that there was hardly anybody worth the name, hardly any one worth considering, hardly any one who, if he be not merely a loyalist of loyalists, a man as I said who had sold his soul would be behind this war effort. I want to tell this House that there are millions of people who are for this war effort, that there are millions of people, as good patriots as any that can be found in the whole of India from Cape Comorin to the Himalayas who are for this war effort.

An Honourable Member: Your speech will go to America all right.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No, Sir, my speech will not go to America, nor have I such a desire! I am perfectly certain that their contribution to the war, their desire to make this war effort a success is not due to the fact that they are enamoured of this constitution, is not due to the fact that they are not conscious of past British history, is not due to the fact that they think that the present Government can continue for ever or ought to continue for ever, but it is due to the fact that at this time they realise as clearly as some at least of the Honourable Members opposite do, more clearly than most of them do, that this war is a war which concerns India as much as any one else, that on the result of this war depends all the hopes that Indians have for generations built up for the independence of their country and that if in this war things do not go straight, if by any chance the Allies—I shall not say the Allies, because it looks as if there are very few Allies now—if by any chance the British are defeated, then all our hopes will be turned to ashes and dust and there will be neither democracy nor Dominion status, nor independence, but the peace of the grave which my Honourable friend referred to will prevail. That is the reason why vast sections of my countrymen are in this war effort. I shall not refer to those sections of Indians because speakers have already referred to them and speakers will refer hereafter to them; I shall not refer to the various sections of people that they represent.

Then, Sir, my Honourable friend tries to make out that all this money which the Honourable the Finance Member is collecting has been got by nefarious methods, robbery, dacoity, picking from the pockets of

others by force, that nothing is coming forward willingly. No, Sir; those who have realised that this war effort is as much India's duty as anybody else, that the danger is there, very near to India and that this danger must be averted at all costs, they have been coming forward sometimes through taxation and sometimes through voluntary effort to meet this huge expenditure which has been incurred.

My Honourable friend, Mr. Santhanam, referred to the funds that were raised in Madras. Fifty-eight lakhs have been contributed so far by the Presidency of Madras, not by taxation, but by voluntary effort. I know that I shall be told that this was not voluntary effort, that this was mere *zaburdasti* and *zulum* and force—all those atrocities which Government servant can and will perpetrate, and that notwithstanding what the Governor has been going about saying, these atrocities have gone on and the result is 58 lakhs. (Interruption.) My Honourable friends will have the patience to listen to me for a moment. Let me give the House if it is prepared to listen, if it is prepared to have an open mind . . .

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Dr. Sir Ziauddin Ahmad: Yes, we have an open mind, we are prepared to listen.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: . . . if it is prepared to have an open mind, let me give the House some facts.

Then, I shall come to this 58 lakhs. As soon as the war broke out, a newspaper in Madras opened a fund, which was the first fund that was started even before the Governor's War Purposes Fund was started, for sending some aeroplanes to England. The *Madras Mail* opened a fund, and, within three weeks three lakhs of rupees were collected. Who were the Government servants that went about crushing the poor, annoying the rich, treading on the toes of Congress middlemen and collecting this amount? Does my Honourable friend want an inquiry as to how that amount was collected, who gave that amount, and whether it was voluntary or involuntary?

An Honourable Member: Europeans gave it.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend must traduce his countrymen; that is the whole trouble of it. In their anxiety to show that without their help nothing can be done, without their co-operation no money will be coming, without their being in office not a single soldier will be recruited,—in their anxiety to prove and establish that fact they are going to any lengths and fouling their own nest. And when people are coming forward readily with voluntary contributions because they are self-interested, because they can see things farther than some of my Honourable friends opposite, this charge must be made against them that they are only giving it because there is pressure in the land and official *zoolum* is there. Nothing of the kind. I will give you another instance. The other day,—and my Honourable friend knows it,—a Resolution came up before the Corporation of Madras with my Honourable friend, the Mayor, in the Chair, suggesting that a sum of Rs. 10,000 may be given to the City of London for the

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Lord Mayor's Fund for the relief of the women and children who were bombed. By a majority of two,—a majority for which my Honourable friend's party there, a replica of the party what sits behind him here was wholly and totally responsible,—that Resolution was turned down. The *Madras Mail* again came on the scene, raised a fund, and within one week, not Rs. 10,000, but Rs. 15,000, was collected, and that amount was sent to the Lord Mayor's Fund.

Mr. M. Asaf Ali: How long will that last?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend is going off the track; I do not propose to follow him. It is not a question of how long it will last. This sum of 58 lakhs is not a minute's expenditure for His Majesty's Government. This sum of Rs. 10,000 will not even build half a dozen shutters. But the point is that the people of India are behind this war effort and are showing by their contribution that they are with Great Britain in this war, that their interests are identical with those of Great Britain and that they stand or fall together by the result of that war. It is a conclusion most inconvenient to my Honourable friends opposite which they dare not accept, and which therefore they can only fight by suggesting that all this contribution is raised by coercion, fraud and oppression and all those things which during their 2 or 2½ years of responsibility in the Provincial Governments they must have realised whether their Government servants are capable of.

Mr. Mohan Lal Saksena: How much have you contributed?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Does my Honourable friend really want to ask that personal question? I am perfectly willing to satisfy him in the lobby.

Now, Sir, the trouble is that my Honourable friends do not know their own minds. When you have your mind made up by somebody else, I do believe it is very difficult to know what your mind is. That is the whole trouble. That is the tragedy of the party opposite, the tragedy of my Honourable friends.

(Interruptions from the Congress Benches.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should be listened to with patience; they were themselves heard with patience.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have heard in history of a place called Babel and of the many voices that were heard in the city of Babel; but the historian does not say that if all those languages had been translated whether the purport of it would have been the same. It was perhaps only the language that was different, and it is quite possible that all of them intended to say the same thing but in different languages. Here I do not know what city it can be named, but while the language is the same the purport of what different speakers say is entirely different, and each person seems to have his

own idea of what exactly he is standing for and what exactly he is advocating at the present time. One gentleman speaks of non-violence as the only thing that will save this country, as the ultimate thing that will save mankind. And let me here say something about non-violence. I do not think there is a single man, not merely in India but anywhere in the world except of course those who are out like Hitler and his myrmidons to destroy,—there is not a single man of any thought, a single man who is inspired by any spiritual motives, who does not believe that the best thing for this world would be the goal to which we should all attain, the goal which has been mentioned many many years ago, the Parliament of Man and the Federation of the World,—that the goal must be a peaceful, settled, contented family of nations where violence is a thing of the past. In that sense I entirely agree but that is not the sense in which some of the Honourable Members opposite use this phrase of non-violence. They talk of *ahimsa*. "*Ahimsa*" does not mean non-violence; it means no provoked violence, no violence which is provocative in its nature, and let me say. . . . (A Voice: "How do you know?") I say this because I am a Hindu and I know the meaning of that word. But let me say this that there is so much talk of non-violence that people are very often misled when it is made into a religious theme almost. I say this not because I want to detract from anything that any other person says or because I venture to enter into any controversies over religion because I am singularly incompetent to do so, but because I feel that there is a danger that if this creed of non-violence, as it is now explained, prevails and if this creed is accepted by wider and wider circles of Indians, it will indeed be a tragedy for this country. Hindu religion does not, I say emphatically, preach non-violence. Either you take the Dravidian scriptures, the *Tirukkural* and other books, or you take that book which most Hindus are proud of, believe in and read almost every day if they have any faith in Hinduism at all and which is best known to the outside world,—I refer to the *Gita*. How can any Hindu who says that he is a true Hindu, who reads his *Bhagwat Gita* and who understands it, for a moment suggest that non-violence is the creed of the Hindu religion? There on the battle-field of Kurukshetra the Lord Sree Krishna addressing his favourite disciple Arjuna tells him in verse after verse and in dialogue after dialogue that the duty of Arjuna is to fight—(A voice: "To resist")—yes, to resist certainly. "Victorious thou wilt rule the world, slain thou wilt attain Heaven". There is no question of non-violence. You may give this creed of non-violence any name you like, you may give any "ism" to it you like, but do not call it Hinduism and do not mislead the Hindu public by saying that non-violence is the creed of the Hindu religion. Sir, my Honourable friends opposite sometimes talk of non-violence, sometimes, as may naturally be expected from my Honourable friend opposite, Mr. Asaf Ali

Sir Cowasji Jehangir: He did not talk of non-violence; he gave it a very wide berth.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: They say that that kind of non-violence is a thing that they do not believe in. That is the difficulty with my Honourable friends. Some talk of one

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thing, some talk of another, some talk of nothing; and in that conglomeration what emerges must be a mystifying thing to every one of us who have to deal with these speeches. My Honourable friends, as I said, talk of a new National Government and I was not surprised when my Honourable friend, Mr. Satyamurti, said,—it is a sort of thing that he has been saying for some years and the sort of thing that has landed us in the present predicament,—that the Congress will create a National Government; Congress will say so and it will be a National Government.

Mr. S. Satyamurti: I said, the people of India.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend, I distinctly remember, talked of the Congress.

Mr. S. Satyamurti: I said, the people of India. I know you are out to create mischief; I did not say that.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have a better appreciation of the Honourable Members whom my Honourable friend has referred to than to think for a moment that I could create any mischief. The mischief is there: it has been created for the last three years: it has been created by the somewhat unfortunate and indiscreet speeches of my Honourable friend. No, Sir. I want to throw oil on troubled waters. My Honourable friend may not like to believe it; in his heart of hearts he knows it. I am not the person to create mischief. I have done everything I possibly could to avoid the mischief growing, to see to it that it is nipped in the bud, to see to it that by all these indiscreet speeches and more indiscreet actions this trouble does not grow. Really, it is my Honourable friend who has to reconsider his own position.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I would like you to go on with this point.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

I have got a sheaf of speeches here on my table, from which I can read mischievous statements which were calculated to and certainly did create all the mischief that my Honourable friend is now complaining of or is afraid of.

Mr. M. A. Jinnah: Or is capable of:

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall not read them. But, why is this party coming now and creating this atmosphere, telling the public that this war is a war only of imperialism, that this war is a war in which only imperial interests are concerned that this is a war for which they can have no sympathy. That was not the attitude of my Honourable friends when the war first broke out, when provincial governments were functioning all over India, when responsible ministers were making statements about the war. That was not the attitude that my Honourable friends then took up. Let me read a statement. My Honourable friends want to know the purposes for which the war is being waged. My Honourable friend, Mr. Abdul Qaiyum, said "What

does it matter whether Hitler rules or whether the British Imperialist rules? We are perfectly willing and happy to have either of them if we cannot be independent"

Mr. Abdul Qaiyum (North West Frontier Province: General): On a point of personal explanation, Sir

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must go back to his seat if he wants to speak.

Mr. Abdul Qaiyum: On a point of personal explanation, now that I am in my seat

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am not giving way.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not giving way.

Mr. Abdul Qaiyum: Can I have an opportunity after he finishes his speech?

Mr. President (The Honourable Sir Abdur Rahim): Yes.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend said "We want to be independent: we will have neither the Germans, nor the Russians, nor the British; but we do not see any difference between Hitler and the British, between the Italians and the British". That was not the attitude of Honourable Members at the beginning of the war, when the war was first declared, when provincial governments were still functioning, when responsible ministers were making their statements after the outbreak of the war. Let me read one quotation:

"Hitler's war is a war against smaller and helpless nationalities. It is a war of racial arrogance against humanity. It is a war of ruthless destruction carried on against civilised nations and international relations. It is violence carried to perfection, seeking to destroy peace. Above all it is a war against the dignity of human personality; it is a war against non-violence which we hold as sacred. It is an irreligious attempt to affront the sanctity of the moral law."

An Honourable Member: Who said that?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My Honourable friend, Mr. Munshi, has said in better words, expressed in far sweeter language, gone into flights of oratory of which I am incapable, in this passage that I have just read

Mr. Bhulabhai J. Desai: Who denies it today?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I did not say that.

Mr. Bhulabhai J. Desai: Then why read it?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Will the Honourable Member wait? He will see the point. Time after time

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such statements were made for some months after the war. My Honourable friend, Mr. Asaf Ali, talked of the British nation, of their iniquities, of their ruthlessness, of the essential indistinguishability between the British and the German. Here is what another friend of mine from the sacred ranks opposite has said:

"I know that Britain with all her faults is a decent nation."

Mr. M. Asaf Ali: The British people are, but not the rulers.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: You will find in the course of his speech that he was referring to the British Government and not to the British people. Now, Sir, what has come over these gentlemen, that from the statements they were making then, they are now making these statements such as we have heard in the course of this debate? It seems to me that the reason is clear. At that time they were in office; at that time they hoped that certain suggestions of theirs will be accepted. Some were accepted; others were about to be accepted. The trouble is that the moment a suggestion is accepted there is somebody there who puts forward a more extreme suggestion with the purpose of seeing to it that that suggestion is not considered or accepted. There were offers made; there were pourparlers; there were talks; some gentlemen were here in Delhi in September and October of last year; it is an open secret that suggestions then made would have been accepted, suggestions were forthcoming from some members, very important members of the party; but the moment that suggestion was made there was somebody with the ruthlessness of Hitler who said "This is all twaddle; we shall not accept it", and put in a clause here and a clause there which made it impossible, as they knew, for the British Government to accept it. Having come to that position stage by stage and step by step, having worsened your own situation, having got out of office with no tangible reason whatever, and with no prospect at the present time of going back to office, you become bitter; and if you become bitter and want to indulge in this language, then I do not see how anybody can help you. The fact is that they know that in this war the great majority of the people are with the war effort; some of the foremost patriots are with them in this war effort; they do not take the stand that Honourable Members have been compelled to take at the present time. Men who know that there are faults of the British Government, men who want as much as Honourable Members opposite want, to put an end to this kind of rule and have a different kind of rule, feel that this is not the time when all those changes need necessarily be made. I need not quote the names of those gentlemen. They are all known—some of them have been distinguished congressmen themselves, ex-presidents of the Congress some of them have been what Honourable Members call themselves—martyrs—long before perhaps one or two of the Honourable Members opposite were born: certainly, in the days, when, as a college student, I used to defy them almost. That great soul who is in Pondicherry feels that this is a war in which he must interest himself.

An Honourable Member: How do you know it?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: and he sends a contribution to the Governor's War Purposes Fund. A more

tangible evidence of his interest in the war and of his desire that the Allies should win I cannot see forthcoming myself. Mr. S. Srinivas Iyengar, once President of the Indian National Congress, a Deputy Leader of the Party opposite, occupying the very seat that my friend from the Madras City today occupies, has been making speech after speech saying that it is the duty of India now to rally round the cause of Great Britain and to fight along with the Britishers in this cause. He is not a patriot. He is a paid toady; he is a man who has sold his soul. That is the sort of totalitarian destructive criticism which you are prepared to apply to anybody who may by even a hair's breadth happen to differ from your views, your nostrums, and your dogmas. In the old days there were a set of people who went about with phylacteries on their foreheads in the streets of a famous city crying 'Lord be praised that we are not as other men'. Let us not repeat that mistake again. Let us all realise that Indians do feel for their country, whether they are on Government benches or elsewhere, that it is not community that decides who a patriot is, that it is not religion that decides who a patriot is, that the fact that one is born in this country is a child of India, is an Indian, that that is the fact that decides what patriotism is. Let us also realise that in methods there may be differences, I am perfectly certain, many of my own countrymen are perfectly certain, that at this time anybody who does not stand by the war effort, anybody who does not join in this war effort, is a traitor to the country.

Several Congress Members: Oh, oh. You are a traitor!

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My friends opposite

Mr. Sri Prakasa: On a point of order, Sir. Can the Honourable Member call us traitors?

Mr. President (The Honourable Sir Abdur Rahim): He has not done so. He has expressed a certain opinion about a certain attitude.

An Honourable Member: We are traitors to British Imperialism.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My friend, Mr. Sri Prakasa talked of Arcot. He said that the people of Arcot drank the gruel and gave the rice to the Englishmen. I know that the English historian has referred to that, and I do not quite appreciate his intelligence. My friend, Mr. Sri Prakasa, must know at least now that all the best stuff, the vitamins of which Doctors speak, the most substantial thing, is in the gruel, and not in the rice. The people of Arcot have been for generations accustomed to know where the real substance is, and they know how to separate the chaff from the grain, and, therefore, it is no wonder that even today we are able to appreciate what is grain and what is chaff. I am perfectly convinced myself that at the end of this war, whether it be short or whether it be long, a new order and a new world must come into existence. I am perfectly certain that nowhere in this world, in no country, will there be the same old social system, the same old economic system or the same old administrative system as prevails today. My friends think of only administrative changes. I am a radical and I go further. I see ahead social changes

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also, for which some of my friends are not as prepared as I am. I see economic changes ahead of me, and I am perfectly certain that at the end of this war, those who are now making sacrifices, those who are suffering, those who are giving of their best, will have stretched a hand through time to catch the far off interest of tears. Let me again remind my friends of what is happening today. There was a reference to the army and navy. My friends say there is nobody who is helping in this war. Day after day I have seen youngmen, it has been a pleasure to me, men who would never have dreamt of such a career, coming and asking for Commissions in the Army, Commissions in the Navy and in the Air Force—in fact, in any position which gives them a chance for a military career. You have only to put in an advertisement to see that these men by their thousands are forthcoming, and the complaint ought to be not that they are not willing to come forward and share risks and shed their blood, but that so few are being chosen.

An Honourable Member: Poverty.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My friends talk of poverty. I heard a reference also to mercenary troops. I venture to state here and now that there can be no greater calumny on the Indian soldiers and the sepoys and all the fighting people of India than that calumnious statement from whatsoever high quarter it may have come. Mercenaries indeed, poverty forsooth; my friend talks of shedding blood,—where, how and what kind of blood has he shed at any time? Here are men as air pilots, here are youngmen as naval officers, belonging to middle class and high class families, Brahmans who can trace their origin to the Aryan days, from Madras, people who never thought of a fighting career, coming by their scores, to have a Commission in the Navy or the Air Force. I have seen these individuals myself; some of them have got a big bank balance, and my friends say that poverty and mercenary motives have attracted them to this career—the flower of my countrymen. You do not want to recognise that youngmen are now wanting to take all the chances available so that they may equip themselves in this war, so that they may get training for the army and all the fighting forces, so that when this country shall be free as any other dominion, they will have the right and the duty of defending that independence which they hope to get at the end of the war. It is an inconvenient fact, you do not want to recognise it,—and you say that the whole of India is not behind this war. Intellectual youngmen to whom the political idea makes an appeal have been more far-sighted than yourself. They see the advantages and the opportunities open to them, they want to avail themselves of those opportunities, so that in the time to come, which is not far off, they will do their full share of service by this country and by their countrymen.

Mr. S. Satyamurti: Why not order some election?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My friend has got in his brains elections and elections. He has been returned. On one occasion he defeated me. That was many years ago, and as he said the other day, it is a forgotten chapter almost, because he has

filled his place twice as long as he had expected to fill it, but that sweet memory when he had defeated me, lingers on and is still alive. He is, therefore, dreaming of elections again, and is thinking of independence and freedom. I am thinking of war and the brutality of war time. I am thinking of the danger, not merely from the west, but also from the east. My friend, Maulana Zafar Ali Khan, said and rightly that the bastions of India are today at Turkey, and the outposts which have to be defended are at Turkey. I entirely and respectfully agree with him. It is now further away than it was a few months ago. We thought that the outposts of the Indian Empire were Egypt on one side and Singapore on the other. We now realise that is not so, and if those countries could be saved, if their liberty could be maintained, if their independence could be guaranteed if in the fight they put forward we go and join, then we shall be saved also and we shall be equally strong. It is an old old story of the fagget—the bundle cannot be broken if all the sticks are tied together. When my friends say the danger is not here, it is a thousand miles away, the danger will never come, Turkey, Afghanistan, Iraq will come to our rescue, Iran will be our saviour, Egypt is there which may not have to join the war,—when they say all this, do they forget that virtually Egypt is giving all the help that she can? Is any man in Egypt allowed to talk outside—except perhaps in their Parliament,—in the manner in which people talk here? Let some of my friends try to speak in Egypt, not in the United Kingdom. But there is one other thing. I agree Turkey and all the Muslim countries are the buffer states for India and any help to them is help to ourselves. But let us cast our eyes eastward. I shall not go into what may possibly happen, but I think as an individual, as a private member, I should have the prescience to see that in the East also there is danger. And here when we are surrounded by dangers of this kind, when we know the serious consequences that will ensue if any policy is pursued which does not meet these aggressive elements—is this the time when we can have this leisurely debate, review the past 200 years of British history in this country, apportion blame to this or that person.

Mr. M. Asaf Ali: That was asked for, and I had to do it.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: talk of the unconcern which we may feel whether one kind of rule exists or another kind of rule prevails so long as we are not independent. No, Sir. Let us all remember, the great truth, I hope the German hordes will be made to realise that truth, of the saying of the poet which in my own life I have often remembered and to a certain extent realised the verity of,

“Though the mills of God grind slowly,

Yet they grind exceeding small

Though with patience He be waiting

With exactness grinds He all.”

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Sir, after the two speeches which we have heard, one from my Honourable friend, Mr. Asaf Ali, and the other from my Honourable

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friend, the Commerce Member, I feel very great difficulty in expressing what I want to say in connection with this motion. Before I go into the merits of this supplementary Budget that was presented to us a week ago, I want to say a few words in connection with the speech of my Honourable friend, Mr. Asaf Ali, which he delivered this afternoon. In answer to a remark of Mr. Griffiths to Mr. Abdul Qaiyum, could you have made that speech anywhere else excepting India—the speech that Mr. Abdul Qaiyum made yesterday

Mr. Abdul Qaiyum: Could you have made such a speech, were India free?

Sir Abdul Halim Ghuznavi: Sir, look at the sample of freedom of speech, look at the sample of the National Government they ask for? They cannot tolerate even five minutes to hear the truth which is unpalatable. Mr. Asaf Ali, in answer to that question which was put to my Honourable friend, Mr. Abdul Qaiyum, in a shouting voice, said "Yes, all the countries, yes." I say with the same shouting voice, "No, not even in the free countries."

An Honourable Member: He was not as loud as you are.
(At this stage, Mr. Asaf Ali rose in his seat.)

Sir Abdul Halim Ghuznavi: I am not giving way.
(Mr. Asaf Ali again rose in his seat.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member is not giving way.

Sir Abdul Halim Ghuznavi: You may make another speech, you will have ample time. A foreigner,—who was listening to Mr. Abdul Qaiyum's speech yesterday from the Gallery, a friend of mine, whose country was a free country before the invasion by the Nazis,—said that he was shocked to hear the speeches that were made, and particularly the speech of Mr. Abdul Qaiyum. In his own country, he said, that speech would have cost him, not freedom of movement, but he would have been shot down straightaway.

An Honourable Member: Was he a German?

Sir Abdul Halim Ghuznavi: Not German. From a free country.

An Honourable Member: Poland?

Mr. M. Asaf Ali: If that was the kind of freedom, it is just as well that such freedom is gone.

Sir Abdul Halim Ghuznavi: My Honourable friend, Mr. Asaf Ali, with all enthusiasm and warmth charged this Satanic Government, the British people

Mr. M. S. Aney: He did not use the word "Satanic".

Sir Abdul Halim Ghuznavi: He did not use the word "Satanic". I am using it.

Mr. M. S. Aney: That is your qualification.

Sir Abdul Halim Ghuznavi: the Satanic Government, the successors of Clive

Mr. M. Asaf Ali: Are they not?

Another Honourable Member: Are you satisfied with Clive?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should be allowed to make his own speech.

Sir Abdul Halim Ghuznavi: My Honourable friend shouted that Clive was a cheat

An Honourable Member: What do you think of him?

Sir Abdul Halim Ghuznavi: My friend was referring perhaps to the Battle of Plassey. That battle was fought in my province, and not in his. I have read more books about the Battle of Plassey.

Mr. M. S. Aney: Question.

Sir Abdul Halim Ghuznavi: The usual interruption. Has he forgotten his own countrymen who sold Bengal to Clive? It is his own countrymen, not Clive. It was Mir Kasim and his ilk and Raja Kishen Chand. These two are responsible for the loss of the Empire, which was a Muslim Empire?

The Honourable the Finance Member has introduced a supplementary budget and a Finance Bill—for the money required for conducting the war. (Interruption by Maulvi Abdur Rasheed Chaudhury.) Don't interrupt me.

Maulvi Abdur Rasheed Chaudhury (Assam: Muhammadans): On a point of information. There is no supplementary budget here.

Sir Abdul Halim Ghuznavi: All right. Supplementary Finance Bill. Will that satisfy you? We, as elected Members, want to put it to a few tests, and if we feel satisfied that those tests have been answered, I shall, so far as I am concerned, have no hesitation in supporting the motion.

Now, what are these tests? First—is the amount really required? I have read his speech over and over again. I am satisfied that the amount is required. What is the nature of the expenditure? That is the next test. The nature of the expenditure he has explained fully, and I am satisfied it is a pressing one, and that this expenditure has to be met. Why was it not visualised when the budget estimates were made? He has explained fully why he could not visualise at the time the budget estimates were made, practically last October or November, but which came before this Honourable House in February. Was the reason for the fall of revenue justifiable? He has said that that is so.

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Is raising money by taxation justified? He has not explained that, but I will explain here. At the time of the last Budget, I opposed the imposition of the Excess Profits Tax on the ground that the money should be found by borrowing and not by taxation as was done in 1914 by the then Finance Member. Looking at this longish War, I consider it will only mean postponing the evil day and putting burden on our successors. Furthermore, one has to consider what is the nature of the taxation. Does it hurt the poor man or does it not, or it hurts those who are able to pay? Considering the stupendous sacrifice of the mother country, I do not think the Finance Member asked us to sacrifice anything like that. But, Sir, before I go into that Bill, I want to place before this House my picture of my Honourable friends sitting over there, and then I shall take up the Finance Bill. Honourable Members sitting opposite complained that the Government, the Satanic Government, did not sound the Assembly and consult them before the declaration of war. The Assembly was in Session last September and Honourable Members would not attend,—and why? The objection was that His Excellency the Governor-General had given an assurance to the Leaders of the various Groups in this House that he would not send out the Indian army outside India without taking the House into confidence and without taking the leaders into confidence, in case the House was not sitting.

Mr. M. S. Aney: That was a statement made on the floor of the House.

Sir Abdul Halim Ghuznavi: He has consulted the leaders. The Governor of Bombay sent for the Leader of the Opposition, Mr. Bhulabhai Desai, and consulted him about the sending of this army, and there are letters to show that he had acquiesced in.

Mr. M. S. Aney: How do you say he acquiesced?

An Honourable Member: Have you got a photograph of that letter?

Mr. Bhulabhai J. Desai: In reference to the supposition which my Honourable friend is talking about, I tell him that he is entirely misinformed. On the assumption that he has seen any letter, all I can tell this House is that he has no right to say what he does say in reference to that supposed letter. When I do speak, I will tell him more about that letter.

Sir Abdul Halim Ghuznavi: My Honourable friends did not attend the Assembly in the last Session. Let me tell the House and my Congress friends what Mr. Nariman said in his statement to the Press.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Louder please.

Sir Abdul Halim Ghuznavi: I cannot shout like Mr. Asaf Ali. This is what it says:

"The dreaded bomb turns out to be a toy balloon. There is an old saying in vernacular 'Dug a Hill to trace a mouse'. The last Working Committee's Resolution is even worse than that; after exploring a huge mountain for months, the Working

Committee at last discovered a tiny worm. Since the declaration of war over a year ago, the country is ringing with the militant cries of approaching Satyagraha. The Nationalist papers have been daily announcing in prominent headlines the coming struggle. The 'Generalissimo' was duly appointed with Dictatorial powers and with full military and civil control. Months ago, he gave the signal, the clarion call to be prepared for the epic onslaught, the last and conclusive War for Indian Independence. Death or victory was Jawaharlal's latest heroic slogan. 'Pandit Jawaharlal Nehru'—*I am not reading the whole statement; I am only giving a few extracts*—for the time being discarded the saintly and simple attire of 'Pyran' and 'Dhoti' and donned on a more fighting uniform of 'Shorts and Shirts'; they inspected the camps and exhorted the brave soldiers' to be ready for the final sacrifice"

Mr. Badri Dutt Pande: Is it Shakespeare you are quoting?

Sir Abdul Halim Ghuznavi: I am quoting one of the Congress members who was in the Congress Party, quoting what he has said. I am not reading an Arabian Nights tale which my friend, Mr. Sri Prakasa, read the other day. Sir, the only point I want to make before this House is this, how unreal is the position of my friends sitting on the other side!

"Much to the relief of most of the members of the 'Star Chamber' the 'Generalissimo' has to secure their safety further decreed that neither he or his 'trusted lieutenants' should be in the front fighting rank, they should watch the fray from the safe distance. Their personal liberty is much more precious than the 'liberty of speech'. The Leaders are reserved for Ministerial 'Gadis' and pompous seats of Fascist Power. So Sirdar's pathetic farewell to Guzerath turns out to be a hoax and Srijut Bhulabhai's pretended disappointment for missing Bannu Jail was a similar eye-wash"

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows already that to read out long extracts like that is not fair to the House.

Mr. Bhulabhai J. Desai: Written oratory has that effect—what can I do?

Sir Abdul Halim Ghuznavi:

"Now that the 'oracle' has decided, the iron-willed and steel-hearted British Premier Mr. Churchill will begin to tremble. The tragic but ridiculous sight of Vinoba Bhave and his revered train of monastic Friars, entering the gates of Gandhian Monasteries, i.e., the Indian Jails will surely make even the Churchillian heart to quail"

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is expected to make his own speech, and not merely to read out extracts from others' speeches at length.

Sir Abdul Halim Ghuznavi: Sir, this is how my Honourable friends sitting on the opposite side are described by one of them.

Mr. M. S. Aney: We neither know the name of the paper from which you are quoting, nor the name of the author.

Sir Abdul Halim Ghuznavi: *The Star of India.* (Interruptions.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better address the Chair.

Sir Abdul Halim Ghuznavi: Sir, "India is not in this war" is the cry. "We will not support Britain until and unless independence is granted". Sir, that independence will not last five minutes if it is given to us now. Unfortunately, that cannot be given. If they gave us that, I assure you it would not last twenty-four hours and we would be nowhere. Mr. President, you, Sir, come from Bengal, and so do I. That great man was born in Bengal, that saintly man, a great Saint, not a political saint, but a Saint

An Honourable Member: Who is that?

Sir Abdul Halim Ghuznavi: Will you have a little patience?—who gives *Darshan* to people from the whole of India only once a year. (Interruption.) I knew his late father. His father was our family doctor, and I know the family, and they were treated as members of our families, not mere friends.

An Honourable Member: Why did you not go to Pondicherry?

Sir Abdul Halim Ghuznavi: That Saint has taken up his residence in Pondicherry

An Honourable Member: Why, why?

Sir Abdul Halim Ghuznavi: and he is Shri Aurobinda Ghose. I will read out to this House what he has said about this war.

"Sri Aurobindo Ghose, of the Aurobindo Ashram, Pondicherry, has made a contribution of Rs. 500 to H. E. the Governor's War Fund. This is announced in a press note issued from the Governor's Secretariat today. Sri Aurobindo accompanied his generous gift with the following letter:

"To the Private Secretary to H. E. the Governor of Madras.

Sir, we are placing herewith at the disposal of H. E. the Governor of Madras a sum of Rs. 500 as our joint contribution to the Madras War Fund. This donation, which is in continuation of previous sums given by us for the cause of the Allies (10,000 francs to the French Caisse de Defence Nationale before the unhappy collapse of France and Rs. 1,000 to the Viceroy's War Fund immediately after the armistice) is sent as an expression of our entire support' *mark the words*—'for the British people and the Empire in their struggle against the aggressions of the Nazi Reich and our complete sympathy with the cause for which they are fighting. We feel that not only this is a battle waged in just self-defence and in defence of the nations threatened with the world domination of Germany and the Nazi system of life, but that it is a defence of civilisation and its highest attained social, cultural and spiritual values and of the whole future of humanity. To this cause our support and sympathy will be unswerving whatever may happen; we look forward to the victory of Britain, and as the eventual result, an era of peace and union among the nations and a better and more secure world order.

Yours Sincerely,

(Sd.) SRI AUROBINDO."

Sir, that Saint is respected from one end of India to the other, and that is the spirit in which he looks at the situation; not only that he contributes from his personal fund, which shows the spirit of his Association, but he says that it is in order to carry on the fight against the domination of Nazism which should be destroyed. Sir, if he appeals like that,

I am as certain as I am standing here today that he will be heard, and not Mahatma Gandhi. That is the reverence which Indians have for that Saint whose *Darshan* they can have only once a year.

An Honourable Member: Are you his *chela*?

Sir Abdul Halim Ghuznavi: Now, Sir, coming back to the Finance Bill, I will refer to the few speeches that I have been able to listen to. I regret, Sir, that I have not had the honour of listening to the speech of my Honourable friend, Mr. Satyamurti, but I have read extracts of his speech in the *Hindustan Times*.

My Honourable friend, Mr. Sri Prakasa, entertained us as usual with his Arabian Nights tales, and when I heard his speech, it was a recreation for some of us from our daily labours. He was talking of independence and nothing else, and he said that until and unless independence is won, he won't have any sympathy for the Britishers. Independence! But what does he mean by independence? They have failed to reconcile even the two major communities in India. What a shame? They could not bring about reconciliation between the two communities, Hindus and Muslims, at the Round Table Conference. Mahatma Gandhi failed at the Round Table Conference to reconcile these two communities. They say that Hindustan is for the Hindus only and not for the Muslims.

Mr. N. M. Joshi: Who says so?

Sir Abdul Halim Ghuznavi: Dr. Moonjee says so at the top of his voice.

Mr. N. M. Joshi: He is not India.

Sir Abdul Halim Ghuznavi: He is not India, but the Congress claims that they are India. I should say that the Congress is not India as well. (Laughter.) I say that my friends will only enrage me by their laughter. I will give them a bitter pill to swallow. Day in and day out the one story that we hear is "National Government." To whom to give this National Government?

Mr. Badri Dutt Pande: We are giving it to you.

Sir Abdul Halim Ghuznavi: I wish they would give me. Then, I would exclude my Honourable friend, Mr. Pande, the moment I get that power. Compose the differences, do not be childish, do not be blind when you possess eyes to see, do not pretend to be deaf when you can hear. See facts and do not be dreaming. How do you expect to get independence until and unless you settle the differences? There was an opportunity at the Round Table Conference in 1930, and today it is 1940. Ten years have elapsed. We were in England for four years, we could not do anything to reconcile the two communities. Six years have since passed and nothing has happened. Before you compose your differences with all the communities who call India their home, no Government can accede to any request of the kind that you ask for. We will refuse to allow this Government to give you a National Government as we have tasted what it will be. We had had a fore-taste of your National Government when the Congress Ministries were in power.

Mr. N. M. Joshi: We will make you the head of that National Government.

Sir Abdul Halim Ghuznavi: Yes, we know, we have tasted what a National Government means. My Honourable friend, Mr. Asaf Ali, in his exuberance said, "come now with me to Old Delhi and see the atrocities, the wretchedness of the condition of the poor people, see how millions of them are dying", and I say the same thing to him. If he will please come with me to Bihar, to U. P. and C. P. and in all other provinces where the so-called National Government was ruling

Mr. M. S. Aney: Except Bengal.

Sir Abdul Halim Ghuznavi: That was not a Congress Government. The Muslims have tasted the quinine pill that was administered to them by your Congress Ministers. What a shame! Even the Congress members have conceded that so far as the men of the I. C. S. are concerned, they are above corruption. They are not dishonest as Dr. Ziauddin Ahmad described us businessmen. We all belong to that category of dishonest men. Only Professors of Economics or Professors of Mathematics could be above dishonesty

Dr. Sir Ziauddin Ahmad: Certainly more than businessmen.

Sir Abdul Halim Ghuznavi: Such a wholesale condemnation of businessmen was not warranted. It did not lie in the mouth of my Honourable friend, Dr. Sir Ziauddin Ahmad, to say so. What was the position in the Ministries in the Congress Provinces? Bribery, corruption and jobbery from top to bottom. It was stinking in the nostrils, the manner in which the administrations was conducted by the Congress. There is positive proof of that in the possession of people who know the real facts. That is the sample of Congress Government we had in seven provinces. They want the Government to accede once more to this mockery of National Government before they will accede to Government's demands for money, before they will take any efforts to get money for war purposes to conduct it to a successful ending. They say, it is not India's war. I say, it is India's war. My Honourable friend, Mr. Sri Prakasa, is not here. He said: "We Indians have learnt English but you, Britishers, have not cared to learn our language though you have been ruling here for such a long time. What does it matter if the Germans come in or if the Japanese come in? We will learn their language as we learn the English language". That is what he said, not by way of a joke, but seriously. Another Honourable friend sitting opposite, Mr. Abdul Qaiyum, said that so far as he is concerned, he does not care a tuppence whether Germany comes, or Japan comes.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech on the next day.

The Assembly then adjourned till Eleven of the Clock on Friday, the 15th November, 1940.

LEGISLATIVE ASSEMBLY

Friday, 15th November, 1940.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

TAKING ON LEASE OF A ROLLER FLOUR MILL AT LYALLPUR AND TENDERS FOR GRINDING WHEAT FOR USE OF MILITARY FORCES.

69. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Defence Secretary please state whether it is a fact that Government, since the year 1922, abolished the system of purchasing wheat products from various flour mills for the use of military forces, and took on lease a Roller Flour Mill at Lyallpur, and since then Government wheat is ground only in that mill?

(b) Is it a fact that the period of the lease of the said mill was originally three years only, but that it was extended till the year 1933, without inviting tenders from other flour mills? Is it a fact that it was only after representations that tenders were invited in the year 1933? If so, will Government please state the different rates quoted by the tenderers and the one accepted? Was the lowest tender accepted? If not, why not?

(c) Will Government please state the difference of grinding cost annually paid by Government to the mill, in excess of the lowest tender received by them?

(d) Will Government please state if they are prepared to consider the question of inviting fresh tenders for grinding flour for military forces, in the present high and urgent demands for war supplies, and save a large amount of money by accepting the lowest tender?

Mr. C. M. G. Ogilvie: (a) No. The system of obtaining wheat products on contract from flour mills was discontinued in March 1918 when it was replaced by controlled flour mills. The roller flour mill at Lyallpur was first taken under control in December, 1923, in addition to two other mills doing part time grinding, and it was not till two years later that the grinding of Government wheat was confined to the mill at Lyallpur.

(b) The first agreement was not for three years but for two. The second agreement was reached as a result of selection by open tender and was for five years. It was extended for three more years (i.e., till 1933) without calling for tenders because the service rendered was satisfactory and because Government were satisfied that the rates were reasonable. Government are not prepared to disclose the rates tendered either in 1925 or in 1933. Of the tenders which could be regarded as likely to prove satisfactory, the cost of supply from these Mills was the lowest.

(c) No; and in any case the information would be misleading because the standard of service must be taken into account.

(d) The contract with this flour mill is still valid; but Government have already called for fresh tenders from owners of Flour Mills to meet their increased demand.

Dr. Sir Ziauddin Ahmad: With reference to part (d) of the question, may I ask, will the Government now, leaving out the past, adopt as a measure of economy the cheapest rate for giving the contract and find out whether they cannot get the wheat ground at cheaper rates?

Mr. C. M. G. Ogilvie: No, Sir. The work at present is being done satisfactorily having regard to the standard, and is supplied at economical rates. On the question of economy, it should be noticed that the process of grinding is one only of the processes and that the finished product compares favourably as a general rule in price with articles of similar quality in the open market.

Dr. Sir Ziauddin Ahmad: It may be satisfactory as far as the work is concerned; but from the point of view of the taxpayers I think, if you inquire, you will find that this thing can be done with equal efficiency at two-thirds of the price, if not half.

Mr. C. M. G. Ogilvie: Government at present are of the opinion that it cannot be done at a cheaper rate, but the rates of grinding are subject to periodical revision, and if it were found to be excessive they would certainly be reduced.

Mr. Lalchand Navalrai: Has the Honourable Member made any attempt to find out by inquiry whether the others also will give satisfaction as much as this mill gives?

Mr. C. M. G. Ogilvie: Now that the demand has increased owing to the rise in the number of troops, more tenders have been put out and we shall see whether other firms can do the work cheaper and better.

Dr. Sir Ziauddin Ahmad: I am not concerned with any firm—X, Y or Z. I am concerned with the rate, and I think, if the Honourable gentleman made an inquiry, he will find that it can be done at two-thirds of the price and this thing can be done even today; and even the same contractor will take on the work at two-thirds of the present cost if he sees there is competition.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not asking any question.

EXTENSION OF THE DURATION OF THE SIMLA SEASON, 1940.

†70. ***Sardar Sant Singh:** (a) Will the Honourable the Home Member please state whether an announcement was made that the duration of the Simla season 1940 would be from 4 to 4½ months? If so, will he please state whether it is a fact that Government's stay in Simla was for practically the same period as heretofore?

†Answer to this question laid on the table, the questioner being absent.

(b) What expenditure was anticipated on the basis of 4 to 4½ months' stay at Simla?

(c) What has been the extra expenditure involved as a result of the extended stay?

The Honourable Sir Reginald Maxwell: (a) Yes, it was announced that, as the annual second Session of the Central Legislature would be held in Delhi between the middle of September and the first part of November, the stay of the Government of India at Simla would be reduced from 6 to 4 or 4½ months. As, however, it was decided not to convene the Legislative Assembly before the 5th November, 1940, it was found to be unnecessary for Government to return to Delhi before the 13th October, and the stay in Simla was in effect just under six months.

(b) and (c). The duration of the Government of India's stay at Simla affects only a few items of expenditure connected with the exodus, for example, telephone trunk calls, carriage of dak bags, house-rent allowances and compensatory allowances. The estimated expenditure on trunk calls and carriage of dak was Rs. 1,00,000 and Rs. 66,744, whereas the actual expenditure was approximately Rs. 45,000 and Rs. 58,000 respectively. The extra expenditure involved in these items on account of the larger stay was roughly Rs. 21,000. The corresponding figures for the allowances, which are granted only to the members of the staff, are not available.

UNDULY LARGE NUMBER OF OFFICERS MOVING UP TO SIMLA.

†71. ***Sardar Sant Singh:** (a) Will the Honourable the Home Member please state the reasons for which nearly all officers—about 90 per cent.—in the Secretariat moved to Simla, when the major portion of the work was done by 80 per cent. of the clerical staff stationed at Delhi?

(b) Will the Honourable Member please state the reasons for not keeping a larger number of officers at Delhi when about 80 per cent. of the ministerial establishment was detained here during the hot weather?

(c) Is it a fact that most of the Indian Civil Service officers up to the rank of Deputy Secretary have had to work in the plains as district authorities in all weathers, including summer?

(d) Will the Honourable Member please state whether there would be a saving in expenditure on account of movement of files, etc., if, during summer, officers are kept at Delhi in proportion to the ministerial establishment?

(e) Is it a fact that everybody in India is expected to help in the prosecution of war by making monetary and other sacrifices? If so, are Government prepared to give a lead in this direction by stopping Simla exodus and by utilising the savings, if any, towards war purposes? If not, why not?

The Honourable Sir Reginald Maxwell: (a) and (b). Important as it is for Officers to be in touch with their clerks, it is much more important for them to be in touch with each other; and as it was not possible to keep both officers and clerks together if the volume of the Simla exodus were to be reduced, the system actually adopted was considered the most advantageous in the circumstances.

†Answer to this question laid on the table, the questioner being absent.

(c) Yes.

(d) I cannot say without a detailed scheme. In any case the proposal is not regarded as feasible.

(e) While Government are fully alive to the necessity of economy, they must also take into account the necessity of maintaining the efficiency of the administration.

CONTRIBUTIONS BY OFFICERS OF THE ARMY AND AIR FORCES HEADQUARTERS TOWARDS THE DEFENCE SAVINGS PROVIDENT FUND AND DEFENCE SAVINGS CERTIFICATES.

†72. *Sardar Sant Singh: Will the Defence Secretary please state if the military and other officers employed in the different Branches of the Army and Air Forces Headquarters are contributing sums of money towards (a) donation to Defence Savings Provident Fund, and (b) Defence Savings Certificates? If so, will he please lay on the table a statement showing the amounts contributed?

Mr. C. M. G. Ogilvie: Government have no information on this subject, which is the private concern of the officers themselves.

OFFICERS AND MINISTERIAL STAFF OF THE HOME DEPARTMENT AND ITS ATTACHED AND SUBORDINATE OFFICES WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†73. *Sardar Sant Singh: (a) Will the Honourable the Home Member please state:

- (i) the number of Superintendents, Assistants and clerks of his Department and attached and subordinate offices who moved up to Simla with the Government of India camp offices in April 1940;
- (ii) the number of officers who accompanied the camp office to Simla;
- (iii) the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- (iv) the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- (v) the total cost on account of the last move from and to New Delhi of his Department under the following heads:

†Answer to this question laid on the table, the questioner being absent.

- (1) travelling allowance, etc.;
- (2) house rent allowance;
- (8) daily allowance; and
- (4) all other expenditure in this connection?

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Sir Reginald Maxwell: (a), (i). Four Superintendents, 20 Assistants and 84 clerks.

(ii) Thirty four officers of whom six were recessing at Simla.

(iii) and (iv). Ten clerks in all were called to Simla at different times, during the summer owing to the pressure of urgent work connected mainly with the war. They remained there until the end of the season as the work for which they were called up continued. One cashier went to Simla at the beginning of every month to disburse pay. A statement giving the information as regards staff called to Simla temporarily is laid on the table.

(v) Information with regard to the Home Department proper is as follows:

	Rs.
(1) Travelling allowance	14,930
(2) House rent and compensatory allowances	14,700
(3) Daily allowance	37/8

As regards other expenditure such information as is available relates to all Departments and has been given in reply to question No. 70 which I have just answered.

(b) The requirements of the Department will be reviewed afresh before the next season with every regard for economy.

Statement showing (i) the number of officers and staff of the Home Department and its attached offices who were required to attend duties at Simla and Delhi, (ii) the number of times each went to Simla and the period of his stay on each occasion.

(i) At Simla—

No. of Officers	38	
No. of staff	103	(moved with Government of India.)

At Delhi—

No. of Officers	11	
No. of staff	218	

(ii) Number of Officers and staff going to Simla from Delhi in addition to those shown above.	No. of times each went to Simla.	Period of stay on each occasion.
Officers.		
1	1	About a month.
1	6	For periods varying from 5 to 19 days.
1	2	About a week each time.
Staff.		
One Superintendent.	1	About a week.
One Stenographer.	3	About a week each time.
One Stenographer.	1	About a week.
Three clerks.	2	About a week.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE HOME DEPARTMENT.

†74. *Sardar Sant Singh: Will the Honourable the Home Member please state:

- the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- the name of the chairman or presidents of each of such committees, etc.;
- the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Sir Reginald Maxwell: (a) A meeting of Provincial Representatives was held in Simla for the purpose of confidential and informal consultations with the Home Department on a number of questions of common concern including various aspects of internal defence.

(b) I was the chairman.

† Answer to this question laid on the table, the questioner being absent.

(c) The Secretary, Additional Secretary and a Deputy Secretary of the Home Department also attended.

(d), (f) and (g). The meeting was attended by 14 Provincial Representatives including five from the Punjab who were in Simla. No expenditure beyond that referred to in the reply to part (e) was incurred by the Central Government on this account. Some Provincial Governments may have incurred an additional expenditure of a few hundred rupees on account of the conference being held in Simla but it would not have been administratively convenient to hold it in New Delhi.

(e) One. Rs. 200 approximately.

(h) Whether future conferences are held in Simla or New Delhi must depend on the circumstances of the case and the urgency of the questions under consideration.

OFFICERS AND MINISTERIAL STAFF OF THE FINANCE DEPARTMENT AND ITS ATTACHED AND SUBORDINATE OFFICES WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†75. *Sardar Sant Singh: (a) Will the Honourable the Finance Member please state:

- the number of Superintendents, Assistants and clerks of his Department and attached and subordinate offices who moved up to Simla with the Government of India camp offices in April 1940;
- the number of officers who accompanied the camp office to Simla;
- the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - travelling allowance, etc.;
 - house rent allowance;
 - daily allowance; and
 - all other expenditure in this connection?

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Sir Jeremy Raisman: (a) A statement is laid on the table.

(b) The strength of the camp office moving to Simla has been kept at the minimum, and no further curtailment is feasible.

† Answer to this question laid on the table, the questioner being absent.

(a) (i) Superintendents. 5
Assistants 8
Stenographers 10
Clerks 10
(ii) 13*

*Excluding the Honourable Finance Member.

(iii)

Finance Department.	Central Board of Revenue.	Auditor General.	Office of the Director of Audit, Defence Services.	Reasons.
Superintendent-ent.	Superintend-ent.	Assistants.	Clerks.	
May	1(23 days)	..	..	..
June	1(5 days)	..	..	..
July	1(13 days)	..	..	..
August	1(32 days)	..	..	..
September	1(4 days)	..	..	..

Designation.	Number of visits to Simla.	Periods of stay.
Under Secretary	two	{ 5 days. 7 days.

(iv)

Number of visits to Simla.

FINANCE DEPARTMENT

Under Secretary	two	{ 5 days. 7 days.
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CENTRAL BOARD OF REVENUE.

Officer on special duty (1)	one	8 days.
Officer on special duty (2)	two	{ 4 days. 34 days.
Officer on special duty (3)	two	{ 7 days. 4 days.

AUDITOR GENERAL.

One officer	one	7 days.
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NOTE 1.—The information required is presumably in respect of persons who, besides the Camp staff, travelled to Simla in connection with their official work.

NOTE 2.—The information about ministerial staff is given in the Table under part (a) (ii) of the question.

(v)

Finance Department. Central Board of Revenue. Auditor General's Office. Office of the Director of Audit, Defence Services.

	Rs.	A.	P.	Rs.	A.	P.
(1) Travelling expenses etc.	17,147	8	0	5,254	4	0
(2) House rent and advance	6,315	6	0	1,863	8	0
(3) Daily allowance	497	8	0	503	9	0
(4) Other expenses	8,034	5	0	1,672	11	0
	31,994	11	0	9,294	0	0
				5,901	2	0*
				2,055	0	0

*Includes Rs. 985 on account of the move of the War Purposes Fund Section, which is a special temporary feature.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER
UNDER THE CONTROL OF THE FINANCE DEPARTMENT.

†76. *Sardar Sant Singh: Will the Honourable the Finance Member please state:

- (a) the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- (b) the name of the chairman or presidents of each of such committees, etc.;
- (c) the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- (d) the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- (e) the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- (f) the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- (g) the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- (h) whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Sir Jeremy Raisman: (a) to (g). A statement is laid on the table.

(h) From the information given in the statement it will be clear that no curtailment of expenditure would result from the change suggested.

† Answer to this question laid on the table, the questioner being absent.

Statement.

(a)	Names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of the Finance Department.	Committee on Public Accounts.
(b)	Name of the chairman or presidents of each of such committees, etc.	The Hon'ble the Finance Member.
(c)	Government members stationed at Simla and who were required to attend such conferences, etc.	Secretary Finance Department.*
(d)	Number of Members who came from outside to attend.	7†
	Total cost on T. A. and other charges paid by Government.	Rs. 4,924
(e)	Number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences.	6†
	Cost on account of their T. A. and other charges.	Rs. 865
(f)	Savings in each case if the meetings of these conferences had been held in New Delhi.	None. On the other hand, additional expenditure to the extent of about Rs. 1,120 would have been incurred on T. A. and other charges of Chairman, Member and Secretary.
(g)	Reasons for holding each of these conferences etc., at Simla and for incurring expenditure on account of payment of T. A. and other charges to the members who came to attend from outside.	It would have caused great dislocation of work if the Committee was held in Delhi as departmental representatives would have had to come down to Delhi and extra expenditure of more than Rs. 11,000 would have been incurred on T. A. and other charges of these officers alone. It was also not practicable to postpone the meetings till after Government's return to Delhi.

(a) Names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of the Finance Department.	(b) Name of the chairman or presidents of each of such committees, etc.	(c) Government members stationed at Simla and who were required to attend such conferences, etc.	(d) Number of Members who came from outside to attend.	Total cost on T. A. and other charges paid by Government.	(e) Number of ministerial staff sent for from New Delhi to the requirements of such conferences.	Cost on account of their T. A. and other charges.	(f) Savings in each case if the meetings of these conferences had been held in New Delhi.	(g) Reasons for holding each of these conferences at Simla and for incurring expenditure on account of payment of T. A. and other charges to the members who came to attend from outside.
Standing Finance Committee.	The Hon'ble the Finance Member.	None.	9†	Rs. 4,215	1‡	..	None. In this case too additional expenditure to the extent of about Rs. 550 would have been incurred on T. A. and other charges of Chairman and Secretary.	In this case too, besides the dislocation of work, additional expenditure of more than Rs. 5,000 would have been incurred on account of T. A. and other charges of the departmental representatives. Moreover it was necessary to take the earliest opportunity to place before the Committee the probable demands for new votable expenditure in connection with the War and other items.

*The Finance Secretary is a member of the Sub-Committee appointed by the Committee on Public Accounts to examine Military Accounts.

†Two of the members were common to both the Committees.

‡This figure of 4 reporters, 1 assistant and 1 Cashier, from the Legislative Assembly Department. The reporters and the Assistant returned to Delhi after the meeting of the Public Accounts Committee, but the Cashier stayed on for the meetings of the Standing Finance Committee.

OFFICERS AND MINISTERIAL STAFF OF THE DEFENCE DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†77. *Sardar Sant Singh: (a) Will the Defence Secretary please state:

- the number of Superintendents, Assistants and clerks of his Department who moved up to Simla with the Government of India camp offices in April 1940;
- the number of officers who accompanied the camp office to Simla;
- the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - travelling allowance, etc.;
 - house rent allowance;
 - daily allowance; and
 - all other expenditure in this connection?

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

Mr. O. M. G. Ogilvie: (a) (i). 56.

(ii) 9.

(iii) April—Nil.

May—One Superintendent for three days.

June, August and September.—One clerk in each month for five, six and three days respectively.

They were required in Simla for duties connected with accommodation and establishment.

(iv) One officer proceeded to Simla from New Delhi five times during the season. His stay amounted to from three to six days. With regard to staff, the information is contained in the reply just given to clause (a) (iii).

(v) (1) Rs. 24,509-4.

(2) Rs. 4,984-14.

(3) Rs. 288-0.

(4) Rs. 5,256-9.

(b) Every effort possible.

† Answer to this question laid on the table, the questioner being absent.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE DEFENCE DEPARTMENT.

†78. *Sardar Sant Singh: Will the Defence Secretary please state:

- (a) the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- (b) the name of the chairman or presidents of each of such committees, etc.;
- (c) the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- (d) the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- (e) the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- (f) the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- (g) the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- (h) whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

Mr. C. M. G. Ogilvie: (a), (b) and (c). No formal conferences or committees were held by the Defence Department during the last summer season.

(d) None.

(e) None.

(f), (g) and (h). Do not arise.

79. *Dr. Sir Ziauddin Ahmad: Sir, question No. 79 is now unnecessary. We have got our grievances redressed, and so I am not putting this question.

RESOLUTION RE APPOINTMENT OF A PERMANENT MUSLIM PILGRIM OFFICER IN THE SECRETARIAT OF THE GOVERNMENT OF INDIA.—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the following Resolution moved by Mr. H. M. Abdullah on the 6th November, 1940:

"That this Assembly recommends to the Governor General in Council that a suitable Muslim be appointed as permanent Pilgrim Officer in the Secretariat of the Government of India to be in charge of the work connected with pilgrimage to the Holy places in the Hejaz, Iraq and Iran and all matters connected with pilgrims."

† Answer to this question laid on the table, the questioner being absent.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, the other day I was submitting

Mr. President (The Honourable Sir Abdur Rahim): I may remind the Honourable Member that he has got eight minutes to finish his speech.

Maulvi Muhammad Abdul Ghani: Sir, I was submitting to you the other day the necessity of having a Muslim officer to look into the grievances of the pilgrims. In that connection I was submitting that their grievances are not put properly, simply because the non-Muslim officers are not so sympathetic and so conversant with the grievances of the Haj pilgrims. If there is a Muslim officer, on account of his knowledge and also his instinct, he will go into the grievances, make proper representations to the Government and then get all those grievances redressed. The other day I said that for want of a Muslim Officer the construction of the pilgrims' camp at Karachi which was most needed was stopped during the year 1938-39 although provision was made in the Budget. It was not a question of economy because ample money was then at the disposal of the Government out of the quarantine fund. That day I felt that some list of grievances is necessary to impress the Government that a whole time officer is needed. It has been said in reply to a question—unstarred question No. 28—that every year almost about one hundred *Amir-ul-haj* are appointed and they submit various reports; and so it is necessary to analyse their reports. Besides proceedings and reports of various provincial and central Haj Committees, suggestions and inquiries made by other persons and bodies are ample to take up the time of a Muslim Officer. Besides we know that the poor Indian Hajis are robbed not in one place but in various places. Had there been a Muslim officer he would have shown to the Government and invited their attention that they are needlessly harassed and taxed. You know that the Government of India charges per pilgrim Rs. 3 as Kamaran Quarantine fee. Just a day or two when these very Hajis after making quarantine there reach Jeddah, they have to pay Rs. 25 per head; and if you will inquire, the various reports say that there is no arrangement for any medical relief for the Hajis except a few by the British Consul there.

Why is such a thing allowed? Is it not desirable that the Government of India should press in their international relationship with the Hedjaz Government and tell them that either they should make proper arrangements to justify the levy of Rs. 25 per pilgrim or put a stop to imposing such a levy on them. Besides that, Sir, Rs. 66-6-0 per head is charged for various other things, and thus about Rs. 18 lakhs are paid by the Indian pilgrims only to the Hedjaz Government. Over and above again they have to pay about 1 lakh and 16 thousand rupees more for things already included in Rs. 66-6-0 per pilgrim. I do not like to go into the details of all the items. I am in possession of a copy of a Report of the Chairman of the Karachi Port Haj Committee. He personally went there and saw all the complaints of the poor Hajis with his own eyes in 1939. Although each Haji has to deposit Rs. 66-6-0, even then no care is taken of him, and the same charges are levied again and again. If they do not pay a second quarantine fee of Rs. 25 at Jeddah, they are detained and are not allowed to perform their Haj. What kind of a *zuloom* is this? The poor Hajis go there to perform their Haj and other religious ceremonies once in their lifetime, and if they fail to pay this sum of Rs. 25, they are stopped altogether from performing their Haj, and thus they have to waste all their

[Maulvi Muhammad Abdul Ghani:]

money and energy. When they reach Minu, there are no proper sanitary arrangements made. They have to pay heavy fees to several personalities.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Maulvi Muhammad Abdul Ghani: Alright, Sir. These are the things which necessitate the appointment of a Muslim Officer so that he may draw the attention of the Government of India to the complaints of the Hajis, and there is ample money at the disposal of the Government of India. No money need be paid out of the public exchequer if objected on grounds of economy. The poor Hajis pay amply. The Government of India charge Rs. 57,000 from Hajis of India alone, say Rs. 8 per head as quarantine fee there, and the Government of India can very well spend and find the money out of that amount for the appointment of a Muslim Officer

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that already. There is no more time left.

Maulvi Muhammad Abdul Ghani: Very well, Sir, with these words, I support the Resolution.

Mr. M. S. Aney (Berar: Non-Muhammadian): Sir, as this is a question affecting one of the religious and sacred duties of the people who want to perform Haj, I have full sympathy for the particular grievance, for the redress of which this Resolution has been moved today. I am not a Haji myself and cannot become a Haji. I can become a Haji if I cease to be a Hindu, which I don't want to. Now, Sir, in this Resolution there are only two points of importance,—the first is whether there is any need for a permanent officer, and, secondly, whether the duties connected with this kind of work should necessarily be entrusted to a Muslim officer. The Honourable the Secretary for Education has in his speech tried to make out a case that the work is not sufficient for a wholetime officer to keep him engaged throughout the whole year. As against that, my Muslim friends say that enough work is not being done because there is not a man to look after this work properly, and if there was a wholetime Muslim officer he would be able to devote his attention exclusively to the Haj pilgrim work and there will be enough and more work for him to do. On that point, I am not going to say much, because I do not know what kind of grievances there are, to which he will have to pay attention. Then the second point is, are those duties of such a nature that they must necessarily be performed by a Muslim officer? I believe having heard the grievances of the Hajis and having listened to the speech of the Honourable the Education Secretary, if there is a competent officer, no matter to what race or religion he belongs, he will be able to discharge that duty, and I do not think it is necessary to have a Muslim officer only. Of course, a Muslim Officer will perhaps be able to appreciate the difficulties of the Hajis better, but looking to the nature of the duties, I do not think that necessarily the officer must be a Muslim only. I may say that in appointing an officer, preferably a Muslim may be selected, but to pin down the choice to Muslims only in the Resolution itself is, in my opinion, not correct. Of course, as I

said, if a Muslim could preferably be appointed for the purpose, it would be better, but that condition need not be rigidly laid down in the Resolution itself, and there should be some latitude for the appointment of any officer of any race or religion if, in the opinion of the Government, he is competent and sufficiently alert to take prompt steps for the redress of the grievances of the Hajis. This is the only observation I wish to make. I have, otherwise, full sympathy for the grievances referred to in the Resolution.

The Honourable Sir Girja Shankar Bajpai (Member for Education, Health and Lands): Sir, this is the first occasion when I address the House, not as a Member, but as a stranger, with merely the right of audience; but that makes no difference either to my old associations or to my own old loyalty, and I hope that my colleagues will continue to extend to me in full and generous measure the indulgence that they have extended to me in the past.

Sir, coming to the Resolution, there is one observation made by my friend, Mr. Ghulam Bhik Nairang, whom I do not see in his seat today, that I should like to touch upon. There was a suggestion from him that we probably looked upon this Resolution as having been framed in a spirit of levity. It will be improper for us to draw any such inference considering the religious implications of the subject. It would have been equally improper, considering the earnestness and the sincerity with which Mr. Ghulam Bhik Nairang approaches all public questions. I can assure him, and those who have spoken in support of this Resolution, that there is no such suspicion in our minds at all. The question at issue is a very simple one. Do we need a wholetime officer, all the year round, in order to look after the difficulties of the Hajis, or do we not? Now, Sir, I have had some experience of this department. I have served in every capacity in it. My association with it goes back 17 years, and, therefore, perhaps Honourable Members will give me credit for speaking with some knowledge of what the requirements are. The work itself falls chronologically into two seasons. There is the off season, when there is no Haj. Then the work is fitful; it is merely limited to an examination of reports that come from Jeddah, that come from Haj Committees, that come from individuals. That, on my experience so far as it goes, can easily be dealt with by the department as it is at present constituted. Then, you come to the season immediately preceding the Haj and the Haj season itself. Undoubtedly, the work then is heavy, but I do not for a moment plead guilty to the charge that there has been any casualness so far in the disposal of the work, even during the heavy season. My officers, the Secretary, the Deputy Secretary and the Under Secretary concerned, have done their best. And I would remind my Honourable friends that the Haj Enquiry Committee which went into this question carefully.—I am speaking from memory, but I think I am correct—did not itself make any recommendation to the effect that a wholetime officer was necessary all the year round for the purpose of looking after the Hajis.

Mr. M. S. Aney: What was the year of the report?

The Honourable Sir Girja Shankar Bajpai: That report is, I think, about ten years old. But the question asked by my Honourable friend, Mr. Aney, has an implication of importance, namely, that times change and with that, needs change too. It is because of our realisation of the possibility of a change and the desirability of a change that we have decided to take this step. We have decided to put an officer on special duty this year, in order to see whether the existing arrangements are in any way inadequate during the Haj season in so far as looking after the comforts and the needs of the pilgrims is concerned. That is the reason why we have made this experiment.

Honourable Members may have drawn from the speech of my Honourable friend, the Education Secretary, the conclusion that we have set in our minds some rigid limit as to the duration of this experiment, that we propose to try this experiment only for this year, that we have already made up our minds that the experiment will be a failure and that, therefore, for the future we do not consider the possibility of repeating this arrangement either on a seasonal basis or on an annual basis. I can assure my Honourable friends that we have not closed our mind in any such way at all. This is essentially an experimental arrangement and it is our intention when we get the report of the officer—and the instructions to the officer will be to make a report on this aspect of the matter—we propose to see for ourselves, in the light of the report, whether a seasonal repetition of this is necessary or whether something more enduring is needed in the best interests of the Hajis.

Now, Sir, I think that Honourable Members who have spoken in support of this Resolution are Mussalmans. My Honourable friend, Mr. Aney, has also supported them, but the majority are Mussalmans. They approach this question as a question of faith. I submit for their consideration that they are equally the custodians of the taxpayers' money, and it is for them to consider, in the light of the report of the officer whom we have put on special duty, as to whether a permanent arrangement is necessary or whether seasonal repetition would suffice.

Mr. M. S. Aney: Would the report come up for consideration here?

The Honourable Sir Girja Shankar Bajpai: I was just going to add that when that report comes, it is my intention to place it before the Standing Haj Committee of this Legislature. They will have the fullest possible opportunity of examining it and tendering advice to Government. I am also prepared to put a copy of the report on the table of this House so that the House may have an opportunity of discussing it.

In brief, the position is this. So far, we have not felt from experience the need of a permanent officer. Now, we feel that Mussalman sentiment is in favour of a permanent officer. Ten years have elapsed since the Haj Enquiry Committee reported, and it seems desirable to review the working of the existing arrangements in the light of the experience gained. Would anything be fairer than the offer which I have made to the House today, namely, that we shall give instructions to this officer to report as to whether this arrangement is necessary on a permanent basis or on a seasonal basis, or whether the enquiry that he would make would be sufficient really to adjust matters for the future. These three questions are open for examination and they will be dealt with in the report. The report will be in the hands of the Standing Haj Committee which is representative

of the Muslim Members of this House. Subsequently, it will be before the House itself. In other words, Government will not only be guided by their own individual and independent judgment, but will have before them the advice of the Standing Haj Committee and this House. I submit that, in the light of the considerations which I have now placed before the House, it is not necessary to press this Resolution to a division and I hope that my Honourable friend will be agreeable to withdraw it on the assurance that I have now given.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab: Muhammadan): What are the terms of reference which the Honourable the Education Member has given to the officer who would make the enquiry? What are the points on which the enquiry is to be made by the officer appointed?

The Honourable Sir Girja Shankar Bajpai: It is rather difficult, on the spur of the moment, to repeat the instructions which have been given to this officer. *Prima facie* they deal with the actual working of the existing arrangements at the ports for the Hajis, but I am going to go further than that. I am going to ask this officer to report upon the desirability or otherwise of more permanent arrangements in order to ensure that the Hajis perform their religious duty as befits the subjects of an enlightened Muslim State.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I do not take the Government of India in water-tight compartments. I consider the problems as a whole. I do not believe in the argument that this subject forms part of the Education Department, that subject, of the Defence Department, a third, of the Foreign Department, and so on. In addition to the work that has been outlined by the previous speakers and also sympathetically considered by the Honourable Member in charge, there are two other points which we have also to take into consideration in taking a final decision on this particular question, though my Honourable friend may say that it does not legitimately come under the jurisdiction of his department. One thing is that we have got a large number of houses and other property built up by the Indians for the benefit of Indians. These houses have been taken by persons who have no right to take possession of them. They let them out for their own advantage. I think some of my Honourable friends know definitely about some of these houses. It is necessary that there should be an enquiry as to the houses belonging legitimately to Indians and then we can think over the method of taking possession of them.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Where are those houses?

Dr. Sir Ziauddin Ahmad: In Mecca. Several Indians built houses in Mecca for the benefit of Indians who go there for pilgrimage. These houses have been misappropriated by certain persons there and the Indians are not allowed to stay there and they are given to people of other nationalities who derive benefits, but the Indians who go there derive no benefit even as regards the rent charged.

Mr. Lalchand Navalrai: Are other nationalities allowed to go there?

Dr. Sir Ziauddin Ahmad: A large number of Mussalmans, that is, from Java and other places.

Mr. Lalchand Navalrai: I would like to go there.

Dr. Sir Ziauddin Ahmad: Do go. You will probably become a better man after your return from there.

As I was saying, Sir, there is one more important thing to which I would like to draw the attention of the House. And for saying this, I have now got authoritative reasons. I was told by a reliable person that there is a good deal of propaganda which is being carried on in Mecca by the Italians. The Italians are now preparing a certain number of Mussalmans coming from the Italian territories to perform their Haj and to carry on their propaganda among the Hajis during the Haj season. If that is a fact, then I think it is very desirable that the officer whom the Government may choose should also look after this particular thing. We should not divide ourselves into watertight compartments. If it is not the business of the Education Department, let the Foreign Secretary or somebody else look after it. I think it is very desirable that a person who has got some sympathy with the Mussalmans should be appointed to do this work so that the Indian Mussalmans may not incorrectly become the victim of the propaganda from our enemies. I know it also that the Nazis wanted to do their propaganda but they were not allowed to have any access there but the Italians have got some access there and there is reason to believe that they may carry on some kind of propaganda there during the Haj season. So, your officer will be able to do some exceedingly good work if he is properly selected and will be able to do some counter-propaganda and thus the effect of the Italian propaganda will be lost. These are the points which we may consider in connection with the ensuing Haj. You have already got your officer there but you have to consider that he has got to perform not only his ordinary duties but also the other duties which I have mentioned. With these words, I support the motion.

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Mr. President, I am a member of the Standing Haj Committee and was also a member of the now defunct Haj Inquiry Committee, and, therefore, I must have my say on this subject. All the speakers on this side have made out a fairly good case in favour of the Resolution moved by my Honourable friend, Haji Abdullah Sahib. I am glad to say that from the Government side there was no opposition, nor was there any lack of sympathy on their part. The only thing that the Secretary of the Education Department said the other day was that if such an appointment is to be made, the officer would not have full time work. If at all, there would be work for him for about six months, three months before and three months after the Haj pilgrimage.

Sir, so far as I can make out, there will be tight work for six months to this officer and light work for the remaining period of six months. This, I do not think, Government will mind. So far as the quarantine station at Kamaran is concerned, the House may not be alive to the fact that the sum spent for the upkeep of that establishment exceeds one lakh of rupees. This expenditure is not met from the Central revenues but is met, so far as I know, out of the fund of the pilgrims. Though we were

not in favour of having a quarantine station at Kamaran, we were bound to accept it simply because of the International Law. There are about 45 officers and subordinates attached to the Kamaran quarantine station. If I am wrong, the Secretary of the Education Department will correct me. I am open to correction. I am saying this from the reply given by the same officer in answer to a question put to him the other day by my Honourable friend, Dr. Sir Ziauddin Ahmad. Now, what is the work that they do? They do only 50 hours work during the whole year. They spend only two hours for every ship. The number of ships that sail from India as well as Java comes to nearly 25 and so, in all, the establishment has to spend only 50 hours. And yet the money spent on the maintenance of this establishment, as I have said, exceeds a lakh of rupees. Now, so far as this Resolution is concerned, the sum involved is very small as compared to that amount. It is only a few thousand rupees. If you appoint an officer on, say, Rs. 600 to Rs. 1,000 or, say, Rs. 800 to Rs. 1,200, the total amount will come to Rs. 12,000 or Rs. 15,000 per year. I do not think the Government will grudge paying this amount for the sake of an important duty which is incumbent on every Mussalman who is financially and physically in a position to do. Such a function is being looked after by the Government, and I am the last man to level any charge against them by saying that they have not done their duty properly. I am not the man to say that. I have been in the Assembly for the last 18 years and I have never said anything against Government when they were doing their work properly. At first, we had Sir Mian Muhammad Shafi and Sir Fazl-i-Hussain in charge of this Department but now we have been having non-Muslim Members in charge of this portfolio. We do not grudge it, since they have been doing their duties in a manner which the departmental officers who have to attend to multifarious engagements can be expected to do. So, our request is that a special officer should be appointed to attend particularly to these duties which are conducive to the Haj pilgrimage. It has been stated in the Resolution that a Muslim special officer should be appointed. There is much significance in saying this. The House is fully aware of the fact that the Government have got the Ecclesiastical Department under their management, and what do they do? They are always cautious enough to have that portfolio under a Christian Member and not a Hindu or a Muslim Member. Do we grudge it? Certainly not, because they have every reason to think that a Christian Member is expected to evince much more interest than a non-Christian Member. The same argument holds good with regard to this Resolution. We say that a Muslim special officer should be appointed not because non-Muslim officers do not do their duty properly but because a Muslim is expected to do it more interestedly, more promptly and more efficiently.

This is our case. Sir, our case is that this should not be opposed by the Department; on the other hand, I expect that my Honourable friend in charge of this portfolio and also his Secretary would lend their support and see that this paltry sum of a few thousand rupees is sanctioned. So I would request Government on behalf of all Muslim Members that they would support this Resolution without any opposition whatsoever. With these few remarks, I resume my seat.

Some Honourable Members: I move:

"That the question be now put."

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

"That the question be now put."

The motion was adopted.

Mr. H. M. Abdullah (West Central Punjab: Muhammadan): Sir, in view of the speech made by the Honourable the Education Member and sympathy shown by him in favour of the Resolution, I beg leave of the House to withdraw the Resolution for the present.

The Resolution was, by leave of the Assembly, withdrawn.

RESOLUTION RE SCRAPPING OF THE LONDON COFFEE MARKET EXPANSION BOARD BY THE INDIAN COFFEE CESS COMMITTEE.

Dr. F. X. DeSouza (Nominated Non-Official): Mr. President, I rise to move the Resolution which stands in my name which is as follows:

"That this Assembly recommends to the Governor General in Council that the Indian Coffee Cess Committee be instructed to scrap the London Coffee Market Expansion Board, at any rate while the war lasts and divert the funds so released to further develop the Indian market as the activities of the London Board during the last four years have not resulted in the slightest improvement either in sales or in consumption of Indian Coffee in the United Kingdom and the Indian market has proved more responsive and is capable of vastly increased development."

The Resolution comes up for discussion at a very opportune moment. The Indian coffee industry is passing through a most acute crisis due to the closing of the traditional export markets on the Continent of Europe caused by Nazi aggression. Unless an outlet is found for the surplus crop in the immediate future, there will necessarily be a collapse of prices in the internal market, and the industry will be irretrievably ruined. Any disaster to the industry will have far-reaching effects. The capital sunk is over ten crores of rupees. The area under cultivation exceeds two hundred thousand acres giving employment to nearly 2,00,000 labourers. The industry provides more than a crore of rupees to the balance of trade in favour of India so that the importance of the industry to the internal economy, no less than to the foreign trade of India, cannot be exaggerated. I may add, Indian planters are as vitally interested in the industry as Europeans as they own five-eighths of the acreage under coffee and pay about the same proportion of cess. For these reasons I regret to see that my Honourable friends on the Congress Benches are not here to assist in the deliberations as they profess to take a keen interest in Indian agriculture.

Mr. F. E. James (Madras: European): They are celebrating the Italian victory.

Dr. F. X. DeSouza: So great is the concern of the Government of India in the fate of the industry that I understand emergent legislation for inaugurating a control scheme is on the anvil, and I take this opportunity to give expression to the gratitude of all the coffee planters in Southern India to the Government of India for the promptness with which they have come to our rescue. I have special pleasure in paying a tribute to the

Commerce Member, my Honourable friend, Sir Ramaswami Mudaliar, for the great assistance which he rendered while presiding the other day at the Merchants' and Planters' Conference at Madras, and for the expedition with which he is preparing emergent legislation for being placed before this Honourable House. He is a great coffee drinker, I may say.

Apart from stabilising the prices in the internal market, the Control Board will have to find new markets for the export of the surplus. And my intention in moving this Resolution is partly to place certain aspects before the Government of India in the hope that they will take them into consideration in their search for new markets. The most obvious market for Indian coffee is the market at our very doors, *viz.*, the home market. It is a vast market not subject to disturbances by war or rumours of war or dislocation by economic forces, such as economic nationalism, tariff walls, quotas, exchange restrictions, etc., and as I shall presently show, it has proved a most responsive market and will be capable of absorbing the entire produce of coffee in the country.

Although the coffee grown in India is amongst the finest grown in the world, it is a curious circumstance that the *per capita* consumption in India is about the lowest in the world. It appears from the latest report on the marketing of coffee by the Agricultural Marketing Officer to the Government of India that in 1932-33 the *per capita* consumption per annum was five cups. To promote sales of Indian coffee in India and abroad this House by Act XIV of 1935 established a Coffee Cess Committee to be financed by levying a cess on all exports. The Committee began its propaganda in India in 1935 and in 1936-37 the *per capita* consumption rose to seven cups or 0.136 pounds. If the rate of consumption increases by another seven cups, or 0.15 pounds per head, all the coffee grown in India would be absorbed, and there would be no need to search for fresh markets.

It is a strange circumstance that no planter has yet made an attempt to tap the Indian market. 96 per cent. of the coffee consumed in India is consumed in Madras. Travancore, Mysore and Coorg, the home of its growth, and only four per cent. outside. It is an unknown drink in Sind, North-West Frontier, Punjab and Northern India, where there is an abundant milk-supply, and where, therefore, conditions are most favourable for spreading a coffee habit. How popular the habit can become even in the short space of two years is proved by the phenomenal success of the India Coffee House opened by the Coffee Cess Committee on Queens Road, New Delhi

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Opened by me.

Dr. F. X. DeSouza: opened by the Honourable the Commerce Member, as he says, and I would ask Honourable Members to pay a visit to this Coffee House and see for themselves what excellent results the propaganda of the Coffee Cess Committee has achieved.

It would be a most hygienic habit if India adopts coffee as a national beverage. Coffee is both a food and a stimulant. It promotes the drinking of milk on a large scale in a most palatable form. Under Prohibition it has been found to be an excellent substitute for alcoholic drinks and it is a

[Dr. F. X. DeSouza.]

staple drink in Islamic countries. As an intellectual stimulant its action is well known. It is, I think, the poet Pope, who in describing the effect of coffee just then introduced into England on the politicians of his day says:

"Coffee, which makes the politician wise,
And makes him see all things through his half-shut eyes."

Perhaps the most intellectually alert people in the world are the Frenchmen, the Yankees and the Madrassesees. All of them are coffee addicts their *per capita* consumption per annum exceeds two pounds. Who knows whether the Madrassese politician excels because of the quantities of cup of coffee which he quaffs?

Perhaps the politicians from other provinces will give it a trial. In any case I think coffee drinking is a habit which deserves encouragement at the hands of the national legislature.

Owing to very restricted finances, the Coffee Cess Committee has not been able to open more than 14 coffee houses in India by way of propaganda. A programme for further expanding coffee houses in the most promising parts of India, namely, at Calcutta, Agra, Lucknow and Peshawar or Rawalpindi at a modest total cost of rupees twenty-five thousand per annum was under consideration when the amount was suddenly diverted to London under what I consider to be an unjustifiable demand.

The United Kingdom market has not been a responsive market to Indian coffee. England is not a coffee drinking country. The total annual consumption does not exceed eighteen thousand tons. Between the years 1921 and 1935 her annual consumption of Indian coffee steadily fell from 2,400 tons to about 1,800 tons. The London Market Expansion Board commenced its propaganda in London under the auspices of the Indian Coffee Cess Committee in the year 1936. The Director of the Board, Mr. Oliver, has displayed wonderful technique in advertising Indian Coffee, but notwithstanding all his efforts the sale of Indian coffee in London has steadily fallen both absolutely and relatively. In 1936, the sales amounted to 1,879 tons or 11.5 per cent. of the total consumption, in 1937 to 1,737 tons, or 10.9 of the total consumption, and in 1938, to 1,501 tons or 9.6 per cent. of the total consumption. The reason for this fall was the emergence as producers of mild coffee of Costa Rica and Kenya, in both of which countries British people had financial interests, and it is not likely that they would sacrifice their dividends for the blandishments of Indian coffee.

It is a curious circumstance that the decline in consumption of Indian coffee in the United Kingdom synchronised with a similar decline in the British Dominions. In the quinquennium ending 1934-35—I am quoting these figures from the Report on Coffee Marketing by the Agricultural Marketing Officer to the Government of India, the Commonwealth share of exports of Indian coffee fell from 56 per cent. to 34 per cent. and in 1936-37 they reached the lowest figure of 23 per cent. while exports to foreign countries increased from 44 per cent. to 66 per cent. during the same period. This decline coincided with the coming into operation of the Ottawa Trade Agreement between the United Kingdom and India. I made bold to prophesy at the time that Ottawa would ring the death knell of

Indian coffee within the Empire. But whether it is a case of cause and effect or of a mere coincidence it is for political economists to say. All that I am concerned with is that not even the vigorous campaign of Mr. Oliver has been able to arrest the decline. But he is no more to blame for the failure than Mrs. Partington for her failure to stop the waves of the Atlantic Ocean with her mop. Only few people will be found to finance Mrs. Partington in her operations.

I am a firm believer in promoting trade within the Empire, in strengthening the silken ties of loyalty to the Throne with the golden bonds of commerce. If, as I have shown, the Ottawa policy of the Government of India has completely failed in promoting inter-empire trade, so far at least as Indian coffee is concerned, may I respectfully ask them to press for an increased preference? My Honourable friend, Sir Muhammad Zafrullah Khan, on the last occasion, as Leader of the Indian Delegation, vigorously pressed for preference at the rate of 2d. per pound, and we are grateful to him; but, unfortunately, he failed. Now that the results of Ottawa are manifest, another representation may be more successful.

Under present conditions is there any justification for the Indian Coffee Cess Committee for remitting any portion of their dwindling income from India to London? Between the years 1936-40, a total sum of Rs. 1,77,496 has been spent on the London Board; but the results are like Dead Sea fruit. The sales have steadily fallen. The London merchant will not buy any more Indian coffee than is absolutely necessary for blending purposes.

Meanwhile, the income of the Coffee Cess Committee is steadily falling owing to the fall in exports. The receipts in 1940-41 amounted to Rs. 1,89,620; during the year 1941-42 they are estimated to be Rs. 86,980. On the other hand, while the war lasts all propaganda on the Continent will have to be necessarily stopped and in England enormously curtailed. And now that His Majesty's Government has granted a quota of 2,000 tons to Indian Coffee further propaganda will be useless. Nevertheless, this is the time selected by the Coffee Cess Committee to grant a spectacular increase in the salary of the Director from £450—500 to £800—850. This increase has been sanctioned by the Government of India in spite of protests from Indian Planters' Associations throughout the country. And last month a remittance of £2,100 was made to London of which 66 per cent. was to cover the salaries of the Director and his Assistant and 33 per cent. to cover their expenses for the only form of propaganda possible *vis.*, selling Indian coffee to persons taking refuge in air raid shelters. The situation would be comic if the interests of Indian planters were not so deeply affected. Kenya under similar circumstances has disbanded their London Board. The Indian Coffee Cess Committee insists on retaining theirs. People are asking in all seriousness whether the Indian Board is a Board for the expanding of the market for Indian coffee in London or for maintaining the London Director and his Assistant in a *Khushi* job while the war lasts.

Who stands to benefit by this expenditure of Indian money on the London Board? Not certainly the planters who pay the cess; they are financing a losing market. Mr. Clement Lake, the representative of Mysore planters on the London Board, was outspoken in his criticism. He said he did not think much good could be done by carrying on propaganda in the United Kingdom under war condition whereas he felt there was a

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tramendous scope for coffee market expansion in India. He doubted whether the Board's efforts had succeeded in increasing the consumption of Indian coffee. It was said that if the propaganda is interrupted now, much ground would be lost. But admittedly all the ground previously held for propaganda purposes has been abandoned owing to the war. The only ground now held are the canteens in air raid shelters. It is hoped that it will not be necessary to retain these when peace is restored.

The parties who really benefit are the European trading and shipping firms. They have their representatives on the Committee who have managed to obtain a predominant voice in the management of the Committee's affairs both in London and here. They have vested interests in the London trade. When primary producers and middlemen work together the former invariably go to the wall. Incidentally the shippers and traders seem to have obtained the ear of the High Commissioner. But I maintain that to divert the money paid by the impoverished Indian planter to finance the London Board to benefit the European Shipper and European trader is a grievous wrong done to the Indian planter. The Committee is the trustee appointed by the Government to administer the funds for the benefit of the planter. And if the funds are diverted to other purposes or there is a suspicion to that effect, it becomes the duty of the Government as the author of the trust to intervene. It is not open to them to shelter themselves, as the Honourable the Commerce Member seemed inclined to do the other day behind the plea that these matters are really for the consideration of the Indian Coffee Cess Committee. The wrong becomes all the more grievous if propaganda in India which is far more fruitful is starved for the purposes of financing London.

This brings me to a point which was raised by my Honourable friend, 12 Noon. Dr. Sir Ziauddin Ahmad, the other day. He asked why it was that when this Honourable House imposes a tax by way of a cess, as for example, cess on cotton, cess on lac, cess on coffee, no facilities are given to this House to examine whether the money so collected is properly spent. The various committees appointed to administer the cesses behave virtually like a Star Chamber. They exclude the press and the public from their deliberations. This is not a healthy state of things, especially when as in the present case, there are representatives of conflicting interests on the Committee. I venture to submit that to prevent one set of interests obtaining a predominant voice in the management to the prejudice of other interests, it is advisable to appoint an independent Government officer of sufficient status to be able to hold the balance even. I am glad to find that Government propose to appoint a Government officer of high status as executive officer of the Central Board to be soon constituted for coffee.

In conclusion, I shall advert to a very interesting question that will arise. Shall we be able to regain the markets which we have lost for our coffee when peace is restored? That is on the lap of the Gods. It would depend upon what would be the new order to be established in Europe. Whether it is going to be a federation of semi-sovereign States with custom's unions controlled by the League of Nations, or whether it is going to be, as at present, a conglomeration of sovereign States, each striving for economic self-sufficiency with all the paraphernalia of tariff walls, import quotas and exchange restrictions, no one can say. In any

case, I feel certain that even without the war we would have, by the play of economic forces, lost the markets in England and on the Continent of Europe, to which we have been so fondly clinging, and the war perhaps from that point of view was a blessing in disguise. I conclude, therefore, with the observation with which I began and that is that the most stable, the most certain and the most ample market for the Indian coffee is our own internal market and we need cultivate no other.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council that the Indian Coffee Cess Committee be instructed to scrap the London Coffee Market Expansion Board, at any rate while the war lasts and divert the funds so released to further develop the Indian market as the activities of the London Board during the last four years have not resulted in the slightest improvement either in sales or in consumption of Indian Coffee in the United Kingdom and the Indian market has proved more responsive and is capable of vastly increased development."

Mr. F. E. James: Mr. President, as the only other Member of the Coffee Cess Committee in this House, I feel it right that I should make the House aware of the precise position. My Honourable friend, Dr. DeSouza, has been diverting as usual, he has diverted from his own proposition, and in fact I think he is so lukewarm about his own Resolution that he forgot to move it!

First of all, let me say that I repudiate very strongly indeed the suggestion made by Dr. DeSouza that the expenditure on the coffee propaganda in the London market is incurred for the benefit of European shippers and traders. The attempt to drag in a racial issue in a matter which is not in the least racial is one of which Dr. DeSouza ought to be thoroughly ashamed.

Dr. F. X. DeSouza: Not at all; I assert it with all the earnestness at my command.

Mr. F. E. James: That makes things worse.

Dr. F. X. DeSouza: Your proposition is absolutely absurd.

Mr. F. E. James: I will not say thoroughly ashamed, but I will say that I hope he will in future regret.

Dr. F. X. DeSouza: I shall never regret it.

Mr. F. E. James: What is the Indian Coffee Cess Committee? First of all what is its composition? Its composition is such that it is quite impossible for what Dr. DeSouza calls the European shippers and traders ever to have a predominant voice. My Honourable friend has forgotten the composition of this committee. I do not want to weary the House, but I may observe that apart from the fact that eleven persons represent the coffee growing industry itself, a big majority are Indians. There are five persons representing the agricultural departments of the various Governments in the South, there is one representing the Imperial Council of Agricultural Research and there are three persons only, representing what are described as "trade interests" and of these one is an Indian. Therefore,

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under any combination which is conceivable in any circumstances whatsoever, the European shippers and traders, as the Honourable Member has described them, can never secure anything approaching a preponderance of influence on the committee.

The other point is this. Under the Coffee Cess Act of 1935 which this House passed, an export cess is leviable upon the exports of coffee and so the money for propaganda is derived from the proceeds of this export cess. Presumably, therefore, those who are financially interested in this matter may be trusted to see that the money which is collected is spent in the way in which they wish it to be spent. The expenditure of the money is in the hands of this Indian Coffee Cess Committee, subject, of course, to the review of the Central Government. The budget which is estimated year by year is carefully examined, first of all, by an executive committee and then further by the meeting of the Coffee Cess Committee which all members are invited to attend. This is the Committee which decides on policy with regard to the relative amount to be spent on propaganda in India and abroad. It is, of course, unfortunate, that on this committee, in this particular instance, Dr. DeSouza constantly finds himself in a minority of one.

Dr. F. X. DeSouza: I have been excluded deliberately.

Mr. F. E. James: My Honourable friend has not been excluded. The persons who are on that committee are the persons who are returned by the trade itself. At the last meeting of this committee, I well remember my Honourable friend making his case either for reduction of the amount spent in London or for the abolition of the Coffee Market Expansion Board; but he did not secure one single vote in his favour at that meeting.

Dr. F. X. DeSouza: I was in a minority, it is true and, therefore, I have come here.

Mr. F. E. James: I am glad my Honourable friend represents a minority community in this House. But he carries it to an absurd length when he represents himself as a minority in this House from the Coffee Cess Committee.

Sir, it is true that the position with regard to propaganda outside India is difficult, owing to the events of the last summer. The Committee had this matter of the money which is spent on propaganda in London very carefully under examination. As a matter of fact the grant for expenditure in London has been reduced by over 25 per cent. and further reductions have been requested of the London Board during the present year. It is also true,—no one makes any attempt to dispute the figures that my Honourable friend has quoted,—that both the volume and the percentage of Indian coffee consumed in the United Kingdom declined between the years 1936 and 1938. He will, of course, remember that the Coffee Market Expansion Board, in the origination of which I had a large part, only began its work towards the end of 1936, and naturally, the first stages of its work were mainly in the direction of investigation, so that results could not be expected quickly. Actually that Board has not been working fully for more than three years, and my Honourable friend surely cannot expect

quick results. However, there is one encouraging statement. The war has, as I have said, had a disastrous effect upon the European markets. On the other hand in a circular issued on the 10th September by the Ministry of Food we learn that His Majesty's Government have granted quotas for the import of coffee into the United Kingdom during the season 1940-41. India is granted a quota of 2,000 tons which is a 17 per cent. increase upon the average consumption in the London market during the previous three years. On the other hand East Africa is granted a quota of 7,500 tons which is an increase of only eight per cent. over the previous average. Thus, even so far as His Majesty's Government is concerned, India has gained in the quota fixed. It is certainly a matter of consideration as to whether that gain would have been agreed to by His Majesty's Government had there been in London no coffee market propaganda work. Now the matter was referred to the Committee in London and I want to read a telegram which was sent by the High Commissioner for India after considering the communication from India requesting a curtailment of activities. This telegram reads as follows:

"Board considered your letter in all its aspects. They strongly express the extreme desirability of continued publicity in view of the vital importance of the United Kingdom market to Indian producers and the opportunity created by tea rationing and probable restriction of foreign coffee imports and the presence of large dominion forces and refugees. Board strongly believe that any serious curtailment of its activities in the United Kingdom which is the largest market for Indian coffee would undo most of the good work already done and make it extremely difficult to reorganise propaganda after the war."

My Honourable friend suggests that the only work which the propaganda board in London is doing was the encouraging of the drinking of coffee in air raid shelters. He has not even read his own reports. The telegram goes on to say:

"The introduction of Indian coffee to National Service canteens has been extended to industrial canteens thus providing vast scope for expansion."

The Board then goes on to say that they appreciate the difficulties of the Coffee Cess Committee in this country which is faced with a curtailment of available funds. The Board agreed to a reduction of the grant and goes on to say that the Board's recommendations are fully supported by the Indian High Commissioner.

This is dated the 12th September, 1940. It seems to me, Sir, that in view of the almost unanimous recommendation of the representatives of the coffee industry it would be unwise for this House to entertain a proposal which would, in spite of their declared wishes, abolish an institution in London which has done good work and which is capable of doing extremely good work even during war time.

There is one observation which my Honourable friend made to which I should reply. He referred to the money which is spent in the United Kingdom and to the percentage of it which is spent upon salaries. Well, Sir, the success of a propaganda board largely depends upon the success of the propaganda officer; and if my Honourable friend chose to turn to the figures as to the money spent in India upon propaganda he would find that an even larger percentage of that is represented in the salary bill. One cannot do propaganda without propagandists and, therefore, if the salary of propagandists is a reasonable percentage my Honourable friend cannot

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complain. Sixty-six per cent. on salaries is not an unduly high proportion in view of the excellent work of this propagandist. I may say that, although my Honourable friend speaks of protests being received from associations of coffee producers in different parts of the country against the increase of salary which was granted to the propagandist last year on the expiry of his first term, he has not quoted those particular association by name nor does he reveal the fact that this increase in salary was approved by the Committee of which he is a member. I believe at the particular time he was not present and in his absence the recommendation was accepted unanimously.

I have no further comment to make on this proposal of my Honourable friend, Dr. DeSouza, except to express to the House the hope that it will not entertain it for one single moment. As I said at the beginning, the money comes out of the pockets of the exporters and it is administered by a committee representing Indian growers who in themselves and through provincial representatives of Governments are in a majority on that committee. If, therefore, the industry itself wants this work to be carried on I do not see why the House should interfere with that decision.

Mr. M. S. Aney (Berar: Non-Muhammadan): May I ask one question? Is there a progressive increase in the consumption of coffee, since the establishment of that Board in London, during the last three years, leaving aside this quota of 2,000 tons this year?

Mr. F. E. James: No. I explained to the House that I accepted my Honourable friend's figures which do actually show for the three years,—the last available figures being for 1938,—that there was a decrease in volume and a decrease in the relative percentage of consumption of coffee in the United Kingdom. There are a great many reasons for that and we are satisfied that had there not been a Coffee Market Expansion Board in London that decrease would probably have been very much more. And that is the considered view of the representatives of the industry.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Mr. President, the purport of the Resolution which my Honourable friend, Dr. DeSouza, has moved is merely to scrap the London Board which is in charge of the expanding of coffee consumption in the United Kingdom. Various other matters have been raised in the course of the discussion; and another member of the Indian Coffee Cess Committee, my Honourable friend, Mr. James, has controverted some of those issues. I shall briefly deal with the issues that have been raised by my Honourable friend, Dr. DeSouza. I am thankful to him for the compliment he paid me for the interest I have taken in the work of the Indian Coffee Cess Committee and in the problems of the planters of coffee in this country. Coming from the South, I have, a personal interest in this matter, as a coffee addict myself; and I should like to see this habit growing in Northern India.

My Honourable friend referred to the fact that very recently I had the honour of presiding over a conference of planters and industrialists and businessmen dealing with coffee in Madras. The recommendations

of that conference are now under active consideration in the Commerce Department, and I hope in the course of this Session to introduce a Bill very much on the lines that have been recommended by that conference and by the Indian Coffee Cess Committee, lines which I understand have been generally approved by the trade and business interests engaged in coffee. Two questions have been raised by my friend, Dr. DeSouza: one relates to the utility of the work that is now being carried on by the Coffee Board in London and the second relates to the salaries paid to the staff; and let me say here that it is not quite accurate in describing the salaries as being 66 per cent. of the present expenditure. The salary of Mr. Oliver is £750 and of the lady assistant £300, making a total of £1,050 as against £2,400 which has been sanctioned for the next year for the total expenditure on this business. (A Voice: "£2,100"). Even so, it is not 66 per cent. My Honourable friend objected to the rise in the salary of Mr. Oliver in London. I happen to know Mr. Oliver myself. I met him in London; I had opportunities of watching the work that was being done by the Board in England and particularly of the work done by Mr. Oliver. But there is no need to go into the merits of that work, because my friend, Dr. DeSouza, paid a handsome compliment to the work of Mr. Oliver. The question that he raised was whether the increase of that salary was justified. When the Indian Coffee Cess Committee sent up its recommendation to the Government that the salary of Mr. Oliver should be increased and asked the Government to sanction its recommendation for such increase, I was not personally happy over the proposition at all. The Government of India asked for specific reasons why that salary should be increased; and here let me tell my Honourable friend, Sir Ziauddin Ahmad, that in these matters while we do pay the greatest attention naturally to the recommendations of a committee such as the Indian Coffee Cess Committee constituted for the purpose of organising its own industry and spending the proceeds of the cess in a way most beneficial to the industry; and while from the very nature of the constitution of that committee we are bound to give the highest value to any recommendation that comes from that organisation, Government still do reserve to themselves the right of questioning any particular recommendation and of modifying any particular budget proposal that they may send up or of regulating in other ways, as the Government may think fit from time to time, the expenditure of that Board. Let there be no misunderstanding on that point whatever. It is in pursuance of that policy that when the recommendation came up from this Board, the Government, not feeling quite happy that there was even a *prima facie* case made out for the increase, asked the Coffee Cess Committee to justify in greater detail why this increase was called for

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I ask one question? Has this House also got the right to criticise these reports and if so, will he supply the reports of the Coffee and Tea Cess Committees to the Members of the Assembly?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: If the Government have got the power to consider the recommendations of this committee and to sanction or to refuse, *a fortiori* the House has got a

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right to do so, because the House can criticise every action of the Government. As far as the reports of the Committee are concerned, the other day in answer to my Honourable friend's question I said I would consider whether the report should be circulated. As a matter of fact, since then I have ascertained that copies of this report are regularly kept in the Library of the House and are available to Members of the House; and if any particular Member is so interested in coffee—and I hope every one of them will be interested—I shall be very happy to supply copies to all the Members.

Mr. M. S. Aney: In order to interest the Members more in coffee, they should be supplied with a copy of the reports.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall accept the suggestion. The Indian Coffee Cess Committee, in reply to the Government's questionnaire, stated:

"The Board strongly recommend that Mr. Oliver, the present Director, whose term of appointment will expire on the 30th September, should be asked to continue in the same post for another three years on the salary suggested."

And, in justification of that, they say:

"The suggested increase might appear to be rather high. The position, however, appeared to be that if the proposal were not agreed to by my Committee, our work in the United Kingdom might seriously suffer, as the experience gained by Mr. Oliver during the past three years would be lost to the Board, who would consequently be hard put to it to find a suitable substitute for Mr. Oliver. As the Board had felt that Mr. Oliver, its chief executive officer, was indispensable to carry on its work, my Committee had necessarily to accept its strong recommendation."

This is the recommendation made unanimously by the London Board and accepted unanimously by the Indian Coffee Cess Committee the constitution of which my Honourable friend, Mr. James, has already referred to

Mr. M. S. Aney: Was he offered some other more remunerative job somewhere?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That is so. As a matter of fact, he was offered another job and they were about to lose him. In the face of that justification I felt that it was not fair, it was not possible for the Government to suggest that the increase in salary should not be granted.

Let me now come to the question of whether the work of the London Board should be scrapped. Here, again, as soon as the war broke out—and in fairness to the Coffee Cess Committee my Honourable friend, Dr. DeSouza, may have recognised it—the Board itself set up an inquiry whether the work of the London Board should be scrapped and whether the time had not come, owing to the circumstances that have supervened since the outbreak of the war, for that work to be arrested during the period of the war. This is the letter that the Indian Coffee Cess Committee addressed to the Coffee Market Expansion Board in London:

"It does not now appear to my Committee that these hopes will materialize, and my Committee shall be able to get much by way of cess receipts for some time to

come, or, to continue for long to finance coffee propaganda activities in the United Kingdom and in India, on the scale hitherto done.

Further so far as propaganda work in the United Kingdom and on the Continent is concerned, exhibitions and fairs, participation in which is an important item of work of the Board, are unlikely to be held during the period of the war, and the opportunities for making fresh personal contacts with the trade may become few

In the circumstances explained above, my Committee is anxiously awaiting the proposals the Board would like to make regarding its future programme of work.

In this connection, my Committee is anxious to develop the nearer outlets for Indian coffee

It was in reply to that that the London Committee met again, considered the whole position and stressed the fact that at this time it would be disastrous if the work of the board were arrested, though they were willing to consider the suggestion of continuing the work of this Board on a less grandiose scale. Accordingly, from an expenditure of £4,500 they have reduced it to £2,400 in the current year and to £2,100 in the next year. These propositions again were put before the Government: they had been considered both by the London Board and by the Indian Coffee Cess Committee. The executive had strongly recommended it. The Coffee Cess Committee unanimously supported that recommendation, and Government felt again that, in those circumstances, it was not for them to question the wisdom of an organization which was primarily intended to look after the interests of every one, coffee growers, coffee sellers, in this country, shippers and all, that it was not for them to question the wisdom of that unanimous decision, and the Budget has been accepted. I only wish to stress the fact that Government do not automatically accept the recommendations of these Committees, but they do weigh these recommendations and give that weight which is due to them, specially when they are adequately supported.

My friend, Mr. James, has already referred to the composition of the Indian Coffee Cess Committee. It is true that one or two organizations representing themselves to be organizations of Indian planters in certain localities protested against the increase of salary given to a particular Director, but on the Coffee Cess Committee are represented all organized Indian associations separately from the European, and among those nominated by the Government, most of them are Indians, and the Chairman himself is my esteemed friend, Raja Praveena Mr. Madhava Rao, the First Member of the Council of the Mysore Government, and therefore it is impossible for me to accept the position that all aspects of the question were not considered, and that all interests did not have their say in the matter especially when a unanimous recommendation was presented to it. My friend referred to the fact that proposals are now afoot for a coffee control scheme. In that connection I hope to have the composition of this Committee slightly altered, and I can assure my friend that he need have no hesitation at all in thinking that any sort of racial majority will prevail, or that the interests of the Indian planters will not be adequately safeguarded. I would like him to wait and see the composition of that new Board. As it is, in the present Coffee Cess Committee the representation is adequate, but he will find that in the new Control Board the same caution has been observed, and that the interests of the Indians and Europeans alike, are safeguarded. Sir, that is what I have to say on behalf of the Government. I regret it will not

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be possible for me to go against the recommendations of these various Committee and Boards and to advise the scrapping of the London Marketing Board. And may I say this? Reference has been made to the fact that the total quantity of coffee consumed is at present small in spite of the existence of a Coffee Propaganda Committee, but the Propaganda Committee is concerned with many more things than merely with the extent of consumption for the time being. At the present time it is small, because shipping facilities are not readily available. There are also other reasons why the quantity has to be restricted, and India has not suffered very badly by the quantitative restriction, though I am hoping, and the Government of India is using its best efforts to see that the United Kingdom takes even larger quantities of Indian coffee than they have so far done. Incidentally, may I say that my friend Mr. James, while he was accurate in the answer he gave to my friend, Mr. Aney, as to the extent of coffee consumption up to the year 1938, did not give the coffee consumption in 1939, for the simple reason that the figures were kept secret after the war. As a matter of fact, in eight months of 1939 more coffee was consumed than in any one of the previous years, 1939 was in fact a record year, the percentage having gone up to 14.6 per cent. of the total coffee drunk in the United Kingdom as compared with 11 per cent in any of the previous years. The propaganda that is now being done is of this kind. There are various canteens, to which this coffee is supplied, the industrial canteens, army canteens, the canteen at Chelsea and so forth. If you can get these people to interest themselves in coffee at the present time, I am perfectly certain that once that habit is caught on, the habit will stay on, and that is the value of the propaganda at the present time. For all these reasons, I hope my friend, Dr. DeSouza, will consider the advisability of withdrawing his Resolution.

Mr. Husenbhai Abdullahai Laljee (Bombay Central Division: Muhammadan Rural): Sir, I had no intention to intervene in this debate as I have no practical experience of coffee planting or coffee industry. But when I heard that East Africa has scrapped the London Office of the Coffee Cess Committee, then as a business man with some connection with East Africa, it struck me that the coffee production of that country is much more than ours, that planters of East Africa had naturally been interested in the expansion of their coffee market not only to England but to all places in Europe, that the Government of East Africa always paid much greater attention to the interests of their coffee planters and gave them all facilities to develop their coffee industry in East Africa. In fact the coffee trade of East Africa has been developed at the cost of the interests of Arabia and other countries. Therefore, I do feel that when East Africa decided to do away with this Cess Committee, our coffee planters in this country should have woke up and realised the position much earlier. My friend, Mr. James, pointed out that had it not been for our officers there, we would not have got the quota of even two thousand tons. That brings me, Sir, to a most important question, and that is, until and unless we have a special officer in England, in the heart of London, this country will not get any quota whatsoever in Great Britain, leave alone the world market. This is the mentality of my English brethren even today, and it is a thing for which we ought to feel very sorry. In season and out of season we

have always found that a great deal has been done to send European exports to various countries,—I do not want to mention the special encouragement given for the purpose by way of export credit, special banking facilities, shipping facilities, insurance, subsidies, protection and what not, but so far as our poor country is concerned, nothing has been done by our Government

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Nothing?

Mr. Husenbhai Abdullahai Laljee: Nothing really. It really pains us to see that when a large population of India, nearly 90 per cent of it, is dependent on agriculture, we have got no shipping facilities; we have to depend on foreign companies, we have to go to foreign syndicates, to get shipping orders,—not only to British, but to Italian, German and others. We were often told by our Foreign shipping people in Bombay and Calcutta that they had to go by the International and other shipping conference rules, and preference would be given to those people who have their flags running on their ships, and not to us. This, Sir, is a fact. I wish my friend, Diwan Bahadur Sir Ramaswami Mudaliar, had not interrupted me. Sir, we have no banking facilities; no bank will accept our shipping documents as they do of European, and this is a well-known fact. Then the same complaint applies to insurance companies. My friends here have been representing many insurance companies. Even after the Insurance Act was passed, they took up the agencies of Italian, American and German companies, but little did they care to co-operate with the Indian companies, and what do we find? We find that the importers insist upon sending the goods insured through foreign companies, not only British, but any foreign company, but not Indian. These are the handicaps under which we are working. The agriculturist has to pay for it very heavily, and this is the interest evinced by our Government in 90 per cent. of our agriculturists.

My friend, Mr. James, says: 'Oh, the cess has been realised from the exporters and they ought to have the voice'. I may say that because the salt tax is realised from the salt importers like myself, therefore it is not paid by the poor Indians. The Export duty on grains and other things is certainly realised from the exporters. But who really pays? The Agriculturist pays. It is the tenant who pays the revenue of the Government, not the landlord, though it is the hand of the landlord that pays it. Everything that is paid as cess or duty or otherwise is, it is common knowledge, paid by the producer and not by the exporter. These exporters like myself, I am one—if I find a better market I will buy from there, I will not buy Indian coffee for the sake of paying the cess. We are business men. Dr. Sir Ziauddin knows the business man very well. He knows what he means by a businessman, I also know very well. A large portion of the exploitation of the country's prosperity is by the hands of the European businessmen. It is on account of these businessmen that this Empire is kept going on; world wars are being waged for the purpose of exports, and that export is carried on all over by these businessmen. Nobody wants to come to my poor country. Nobody wants to remain in this country but for the

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exports. I am really sorry that the poor people are being exploited so very much. I strongly feel that the real voice ought to be of the agriculturist, it is his shoe that pinches. For goodness sake, do not think about others doing your propaganda outside, do not consider anything else than this, namely, you must find out the view of the person who pays it, the person who feels it, the person who has to bear it. It is his point of view and nothing else that should weigh with the Government. With these few words I do urge that the views of the planters, as has been represented by my Honourable friend, Dr. DeSouza, must be respected and looked into.

Dr. F. X. DeSouza: I am indebted to my Honourable friend, Mr. Husenbhai Laljee, for bringing it prominently to the notice of the House that one of the countries most vitally interested in propaganda for their produce, namely, East Africa, has withdrawn its London office as soon as the war was declared. They thought that it is useless spending money on a very large scale on maintaining their Board in London while the war lasts, and for obvious reasons. What propaganda is possible there during war? While in London bombs are bursting over you, are you going to participate in exhibitions, or are you going to go and say to people who have taken refuge in canteens, please take this cup of coffee because it is a very much better coffee than Kenya coffee? The whole proposition is ridiculous. Kenya is wise and we are foolish. We are spending £1,200 a year on the London Board, which is a very large slice of our income. We are maintaining an office for a director and a lady assistant and just going round a canteen and saying, well, will you take this cup of Indian coffee? It is much better than any other coffee in the market. It is ridiculous. If anybody else had done it, I would have laughed at it; but, unfortunately, I as a planter feel hurt, that my money is spent in a manner from which no benefit can be derived. I feel that that money has been scandalously wasted over a pampered director and his assistant. For whose benefit? My Honourable friend, Mr. James, got wild. He said that I raised racial prejudice. It was not my intention to raise any racial prejudice. I respect Englishmen, I love them even.

Mr. M. S. Aney: Don't respect them more.

Dr. F. X. DeSouza: All that I said was that the shippers and traders and not planters, benefit from the London Board. Many an English planter has told me the same. I am more in touch with the majority of the English planters in Mysore than my Honourable friend is, and they have asked, "what are you doing in London? We are wasting our money there. Oliver and his friends get high prices for their coffee. That is all".

Mr. President (The Honourable Sir Abdur Rahim): Today being Friday, the House has got to rise now. But if the Honourable Member wishes to finish now, I can put the question.

Dr. F. X. DeSouza: No, Sir. "I would like to resume my speech."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can resume his speech at 2-15 P.M.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Dr. F. X. DeSouza: Mr. Deputy President, my Honourable friend, Mr. James, is a doughty fighter. He has an iron hand and he conceals it in a velvet glove but I assure you that I would not feel the weight of it. Like a lawyer who has a bad case, he resorted to the plan of abusing the advocate of the opposite side.

When the House adjourned for Lunch, I was talking about Kenya withdrawing her supply board in London. If Kenya did that with its vast resources and large interests, why should we, who are far more insignificant in the London market, continue our board at such a large expense? I could not get an answer to this question. The obvious reason why Kenya withdrew her Board was because propaganda under war conditions is impossible and His Majesty's Government have granted a quota of 7,000 tons to Kenya. In these circumstances the quantity imported can neither be increased nor reduced. To Indian coffee they have allowed a quota of 2,000 tons. In these circumstances, I really do not understand what is the work the Director can do during war time. I do not know whether the Honourable the Commerce Member is in a position to say anything about the propaganda that the Director is carrying on now. I am sure he would like to call for a further report and then decide whether he is worth keeping during war time at ruinous expense. I ask him to exercise his independent judgment and not blindly accept the view of the Board. I do not deny that the Director is an exceedingly able man. He is a very capable organiser and has fully realised the meaning of the saying "It pays to advertise". No doubt he might have deserved his salary before the war. But now, during the war, what is the work that he is doing. The entire propaganda on the continent has been stopped. Is he going to take coffee by aeroplanes to Norway, Holland and Switzerland and other countries? He might say: 'Oh, we display Indian coffee at all exhibitions but now they are closed'. Does he expect to have exhibitions while bombs are crashing over peoples' heads. On top of that, he is keeping a lady assistant, on £300 a year. I say that the whole thing is absurd. The Director has a comfortable job and his friends on the Board who are interested parties want to keep him.

The next point is about the decline of the imports in the London market. My friend, Mr. James, said that this expansion board has been working in London for just three years, that it is too short a period and there has not been sufficient time for any improvement to declare itself. May I point out some figures to him. I quoted them this morning. From 1921 down to this day, the imports of Indian coffee in London have been steadily falling and today they are the lowest figure. From 2,400

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tons ten years ago, today it is 1,500 tons and why? For the obvious reason, that John Bull is wise in his generation. He will not trade except with those with whom it profits him to trade. He is the embodiment of the economic man. Why should he trade with us when it is more advantageous to him to trade with Kenya and Costa Rica. In both countries he has invested money and looks for dividends. From Costa Rica he obtains exchange. I had the pleasure of meeting and dining with Mr. Wheeler Williams, the other day, a most esteemed broker in the London market. He said: "Why are you planters wasting your money? We admire your coffee but we do not want your coffee in the London Market." (Interruptions.) Instead of wasting our money to improve our sales in the English market, I say that we have a splendid market at our very doors. Here in India we can expand our sales almost without any limit. If we expand our activities here, I am sure we can command better prices. It is true that at the meetings of the Committee, I find myself in a minority.

Mr. N. M. Joshi (Nominated Non-official): I am with you.

Dr. F. X. DeSouza: But I have been an official and I have been a non-official and my friend, Mr. James, also knows what Indian Committees, especially those appointed or nominated under official auspices or the auspices of persons who have patronage in their hands count for and what their votes are worth. They are generally "yes" men.

Mr. F. E. James: Doctor, you are not.

Dr. F. X. DeSouza: It is not a wonder if you get unanimous decisions in Bangalore or in London. In London you have got the authority of the High Commissioner, behind whom the Commerce Member shelters himself. I have the privilege of knowing the High Commissioner. I have the highest respect for his considered opinion. But do you mean to say he can have studied all the statistics? He is simply guided by the opinion of the few men who are in the forefront and who are interested.

Mr. M. S. Aney: Just as these men are guided here.

Mr. F. E. James: Dr. DeSouza is a "no" man.

Dr. F. X. DeSouza: One more point and I have done. As for Mr. Oliver, as I have said, I have got the highest respect and regard for him; he would be an acquisition in any job; in fact one of his admirers on the Coffee Cess Committee said that he was a live wire, but although he is a live wire, I regret to say that he has not set the Thames on fire yet. And another thing he said was that he could cleverly tie up the "elephant boy Sabu" and the "drummer boy". But that would qualify him to be a cinema organizer, not a coffee salesman.

As for giving him an enhanced salary, it was said that he threatened to take another job, if he was not given an increase.

The Honourable Sir Jeremy Raisman (Finance Member): Oliver asked for more.

Dr. F. X. DeSouza: Next year he will ask for a further increase under a similar threat. Is the Committee going to sanction it? Mr. Deputy President, I do not wish to press the matter any further. I am very glad to find that my Honourable friend, the Commerce Member, has given an assurance that the considerations which I have urged before him will receive due attention at his hands and that he will act as far as possible in conformity with my representation. Having that assurance and having the hope of Mr. James' support, who in his calmer moments will realize the force of my arguments, I beg leave of the House to withdraw my Resolution.

The Resolution was, by leave of the Assembly, withdrawn.

RESOLUTION RE APPOINTMENT OF A COMMITTEE OF THE CENTRAL LEGISLATURE REGARDING ECONOMY IN WAR EXPENDITURE.

Mr. Muhammad Nauman (Patna and Chota Nagpur cum Orissa: Muhammadan): Mr. Deputy President, Sir, I move:

"That this Assembly recommends to the Governor General in Council to appoint a committee of the Central Legislature to advise the Government so as to secure reasonable economy in the expenditure connected with the war."

Sir, the purpose of the Resolution is very simple, and it does not require much of elucidation. I do not want to indulge in any discussion on the merits of the present war, but I want to face realities. The war is there, and India has been dragged into it,—how and why, is no concern of mine to discuss when commending this Resolution to the House. India is at war with Germany and Italy and has to place her resources at the disposal of His Majesty's Government and her allies and to equip herself for meeting such contingencies as may eventuate in the extension of the war to the shores of India. Sir, nothing is impossible under the sun. Sir, some friends in this House feel that that is still too far. But we do not know what might happen tomorrow. Probably, in England, people used to feel in 1937 that any war like that was not possible on the part of Germany whose resources were very limited, but we have seen what has happened. So we cannot believe for a moment that the Axis Powers with their beastly designs have not got an eye on India and we cannot by only a pious hope try to divert them from India, and we must, therefore, without any question, keep ourselves in the best position to challenge them if at all we are compelled to meet that position. We have got to equip ourselves in the shortest possible time in the little interval that we have as yet got to fight any battle that is thrust on our heads.

This being the position, we have got to meet the evil in a way which will least disturb the people of this country. If it is an evil, it has to be combated with the evil power which is required in a war. Now, I want to state that when I say "with the least disturbance to the people of this country", I mean "in full consultation with the people of this country and with their representatives." It has been an old theory of economics that there should be no taxation without representation; and as we have to pay in money, in men and in resources, and everything else, I think it is the just right of this House, which is the representative of this country, to ask this Government to make them acquainted with the entire

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position in which they are and to receive their advice in the matter of the immediate expenditure to be met with the greatest possible care in economy, especially in the case of a country of poor people, more than 2 per cent. of whose people cannot afford two square meals a day, a country over 70 per cent. of whose people are engaged in agriculture, which is carried on with great disadvantage and by means of uneconomic, small holdings which barely leave the agriculturist in a position to have any thing appreciable in their hands, and which only reduces the agriculturist to the position of the Labourer, who only toils on the land and gets just one square meal just to live up to that particular day. I want to impress this fact because we have got to be exceedingly cautious about the expenditure in this country. Also because we have got the extreme and acute unemployment. Most of the people are not able to find jobs. There is no industrial development whatsoever, and naturally the necessity of economy is more acute with us than with any other country of the world. Our resources of industrial development have had not much support from the Government. I am sorry for it. We are mostly exploited by the foreigners, including the Germans and the Italians who were till late the members of the commercial community and the members of the Bengal Chamber of Commerce and similar other organisations which are responsible for the exploitation of this country.

Now, Sir, I have been trying to stress the question of the poverty and the incapacity of affording a very big fund for any war. But if the war has come, there is not much of a choice, but we should act with as much alacrity and with as much economy as it is within our power to do. We have got to realise that we are equipping a country whose *per capita* wealth is about Rs. 2 and who is being prepared to take challenge with those belligerent powers who claim the highest scientific equipment and who claim probably bigger resources at the moment. Hitler can finance his war by turning out a community like the Jews. On some pretext or other, he took their wealth for the war and turned them out. But we cannot do that sort of thing. We have got to look to our limitations and we have got to look to our resources. We have got to see that we make the best of the worst bargain in which we have been placed. It is for this reason that we warn the Government that they should be careful. We want them, therefore, to spend money with economy and in consultation with the representatives of the people who will be the best persons to give their consent or to minimise the expenditure in the best possible manner in the circumstances. I have said that we have got to face the realities, and a poor country like ours has to make the use of economy as a matter of necessity as we cannot afford extravagance.

Having said this much, I now come to concrete facts. Immediately after the declaration of the war, a Supply Department was organised by this Government. I wish the Honourable Member in charge of that Department, Sir Muhammad Zafrullah Khan, was in his seat to hear me on this particular point. This Department was organised to control purchases in this country for her own use, for His Majesty's Government, and for her Allies. We expected that the Government of India would realise the position of this country and the extremely poor circumstances of the people to finance the war, but our experience has all along been contrary to this expectation. The Supply Department became the dumping

ground for all sorts of people and all sorts of commodities, and the luxury of extravagance made everybody jubilant about his own prospects. Instead of a feeling of depression and a feeling of horror which this war was bringing to the human kind in another part of the world, here we saw shining faces because people were anxious to make hay while the sun was shining. There was no spirit of sacrifice on the part of the people who came to support the war or who joined the War Supply Department or who came to offer their goods and commodities for the Supply Department. The real spirit was that of bargaining and profiteering. I do not want to stress this question very much, but from the reply which the Honourable Sir Hugh Dow gave in the other House on the 4th of March last, it is self-evident how they have proceeded in the matter of recruitment to this Department. We have known since what the situation now is. It is unparliamentary and also distasteful that I should give the names of those individuals who have received the favours of the Supply Department. I think it is most unpalatable that I should come out with the names of the firms who have been shown favourable treatment. At the same time, if the Honourable Member wants to challenge me, then I have got with me the list of some names which will show that the Government have not been behaving in the way in which they ought to have done. We feel that we have got to proceed very cautiously. Naturally, we expected that the people will come forward with a sense of sacrifice. We had thought that the Government officials, both Europeans and Indians, who were getting such pay and allowances as were more than their work justified, would not expect anything more in the Supply Department. We had expected that the big firms, both Europeans and Indian, would come forward and say that they were prepared to give at the cost price. We had expected that they would take just a little profit to keep the firms and industries going. But instead of that, the spirit of bargaining and profiteering is going on. When the world is burning, they want to make as much profit as they can. Is that the spirit which will help us? It is very nice to talk. I am sorry my friends of the European Group will not appreciate my talk, but they know in their heart of hearts that they have not behaved properly and they have not done what they should have done. They should take a lesson from the mercantile community of England. They are showing great self-sacrifice. Look to the position to which they have been reduced. Here in India a particular piece of skin which could be bought for eight annas was tendered to the Government for Rs. 3/8. I do not want to name the firm. Government cannot come forward and say that they did not know the market rate or that the skin was of an exceptional quality. Not at all: Government know all that. When I spoke to my Honourable friend, Sir Muhammad Zafrullah Khan, and said that there was the feeling in the country that the Supply Department has become a dumping ground for all sorts of people, do you know, what he said? He said: "Give me the concrete cases." Have we got any such organisation, have we got the one-hundredth part of the office which my friend has, to supply him with all these concrete examples? Are we going to sit as C. I. D. on all the tenders that they are sending out? Are we going to sit as C. I. D. on all the employments that they are giving to different people? We have got no facilities to know what is going on. If we ask a question in this House, the reply is always evasive. We are always told that they do not know anything about the matter inquired into and want us to let them know

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the facts. If you want our support, is that the way to treat us? We are treated just like depressed classes who have got their limitations and who cannot enter into certain temples because of their particular caste. We are, therefore, now asking you by means of this Resolution to take us in your confidence, to take this House in your confidence, and to take such Members of this House in your confidence as are prepared to co-operate with you. I am not going to believe in the argument which Mr. Griffiths advanced the other day in this House. We are not asking for these committees because the Congress is absent. I am sorry, Mr. Griffiths is not in his place now. However, he is not a Member of the Government, and I do not take his arguments seriously. If you cannot get the entire population to subscribe to your view, can you not allow those people, who are prepared to subscribe to your view, to look into things and help you with as much sincerity as possible in their power to do.

I do not want to dilate on this subject any further. As I have said, we are only anxious to see that a gesture is made from the Government and that a definite undertaking is given that we will be given all the information. We should also be assured that all the expenses incurred by the Government in connection with the war are all legitimately spent and that Government are getting the full worth for their money.

In this connection, I want to give some concrete suggestions. The War Supply Board should act in consultation with the Committee in all matters concerning the appointment of officers whose salary is above Rs. 300. I do not want that the Committee should be consulted for petty appointments of *chaprasis* or of clerks. Secondly, there should be a strict watch on the method of open tenders, and avenues should be explored to buy commodities at the cheapest rates, and the contracts should be split up into reasonable divisions. What I mean is this. Supposing the Government of India want 2,00,000 tons of rice. Why should Ralli Brothers alone be considered to be fit to undertake this contract? If no other single firm is willing to undertake this contract why should you not split up the contract into, say, 100 or 200 tons, and say that any merchant who wishes to supply 100 or 200 tons is quite welcome. That will be the cheapest way of getting supplies, and, at the same time, more people will be benefited, instead of a single large firm. There will be competition, a healthy competition; there might be unhealthy competition also; but it will all be to the good of the Government. As the House is aware, owing to the war, most of the avenues of trade, export and import trade, are limited. There is no reason why the Government should not allow a large number of people to take advantage of the Government requirements, and supply them. Why should you give the privilege, or sacrifice, as it is sometimes said, to a favoured few to get all the contracts of the Government? I know the Government of India are fully equipped with information about the prevailing market rate of each and every commodity. They know the price of all sorts of commodities in the world. If the Government should say that they have no means of knowing the price of all commodities, then they stand self-condemned. What I am submitting is this. When a commodity sells in the open market, say, at Rs. 20, why should the Director of Contracts accept tenders for the same commodity at Rs. 40, simply because a particular firm has greater access to the Supply Department? I do not want to cast any aspersions on anybody. But, I am sure, every-

body here knows the notorious Munitions Board case in which even an officer of the standing of Sir Thomas Holland was considered to be very much different from what he appeared to be. As it is said in Julius Caesar "Brutus is an honourable man", we cannot say anything against anybody, but there is a feeling that there must be something, otherwise there cannot be such a feeling in the minds of people.

The Honourable Sir Jeremy Raisman (Finance Member): If the Honourable Member would permit me to intervene, I should say that it is not fair for him to cast reflections on an individual who was once a Member of the Government of India and who is not here to defend himself. Everybody knows the circumstances of Sir Thomas Holland's case, and he left the Government, because, having launched a certain prosecution, he withdrew it. But I am not aware that it has ever been suggested that he was, in the words of the Honourable Member, something very different from what he appeared to be or was supposed to be. It seems to me that that is a very unfair remark to make in this House of an individual who rendered great service to India and who is not present here to defend himself.

Mr. Muhammad Nauman: I am very sorry. I never meant any reflection on Sir Thomas Holland's character. What I meant was this, that there were wild allegations made against him. If the Honourable Member would care to read the proceedings of the Munitions Board Case, a lot of allegations were made and, since the case was dropped, nobody knows what was the real truth.

The Honourable Sir Jeremy Raisman: The only public grievance that arose from the facts of that case was that Sir Thomas Holland, having launched a prosecution against an individual alleged to have been guilty of dishonesty subsequently, without the full concurrence of all Members of the Government, and particularly of the then Viceroy, withdrew that prosecution. That is the only matter which stood against Sir Thomas Holland.

Mr. Deputy President (Mr. Akhil Chandra Datta): Let not the Honourable Member go into all those controversial matters. The Honourable Member will do well to avoid them.

Mr. Muhammad Nauman: What I meant to convey was that the Government of India should try to purchase in the cheapest market with as much economy as possible, and that they should adopt a policy which will not give room to say that they are purchasing in a dearer market simply to favour certain individuals. I personally feel that an open tender would be the best system.

The next suggestion that I wish to make is this: that a committee of experts should be appointed to watch the trend of prices and examine the accepted tenders in the light of the cheapest prevailing rate for that particular commodity. All the different Chambers of Commerce and the Trade Associations would be prepared to co-operate with the Government in this matter and send daily list of prices of various commodities. As a matter of fact, I know that my Chamber has been sending such lists, if not daily, at least weekly. As President of my Association, I have

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ordered my Secretary to send such weekly reports to the Government, both to the Supply Department and to the Director of Contracts. My purpose in doing so was to enable the Government to know the prevailing price of commodities, and that would help them in accepting the lowest tenders.

The next suggestion is that a committee of experts should be associated with a committee of this House to advise Government on the possibilities of industrial evolution and subsidiary questions of subsidies, and protection to cottage industries, and so on. At a time when we require the maximum industrial development in this country for war purposes, we have to adopt a long range policy. We should not be thinking only of the present and thus allow an industry to languish as soon as the war is over. We have got to take all possible precautions to see that every industry that is developed on account of the war survives after the war is over, so that it may be useful to the country for all times. Even in the matter of giving subsidies, the Government of India should be guided by the advice of the Committee. They should see the possibility of the development of the industry, what is the best machinery to be adopted for such development, whether the machinery should be imported from America or from any other country, whether such industry, if given the subsidy, will be able to develop in such a way as to be able to survive after the war and stand on their own legs, and so on. All these points have to be considered with the help of that Committee. But whatever industries are there at the moment, the Government of India must see that these industries survive after the war as well. It is no use helping or subsidising an industry which will only serve the purpose of the war. Of course, if it is necessary, you have got to do it, but if, by better financial backing and other arrangements, you can make it a permanent thing, that would be something most desirable for this country.

Last of all, this Committee should examine the financial adjustments with His Majesty's Government, and through this Government examine a workable basis and what results were expected to be got after the war. On this question Sir Ziauddin Ahmad made some remarks the other day, and also, by means of questions, we asked Government to let us know what were the settlements with His Majesty's Government on the financial adjustments. But we have not been given this information yet. It may be a secret for war purposes,—I do not deny that,—but why not take a committee of a few people on whom you can rely and convince them that whatever arrangement has been made is for the best interests of the country and in the interests of the country which is co-operating with us? This is the only other concrete suggestion which I have to make, and I hope the Government of India will accept the Resolution and appoint a Committee that I have asked for.

Mr. Deputy President (Mr. Akhil Chandra Datta): Resolution moved:

"That this Assembly recommends to the Governor General in Council to appoint a committee of the Central Legislature to advise the Government so as to secure reasonable economy in the expenditure connected with the war."

Mr. C. P. Lawson (Bengal: European): Sir, I have listened with considerable interest to the speech of the Honourable the Mover and also with a certain amount of sympathy to the views that

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he expressed, more especially over the question of economy. It is, however, one thing to suspect a complaint and quite another to point to an adequate remedy. The circumstances which attend a matter must receive very considerable attention at the present time. The policy of this Group has been made clear from time to time on previous occasions. In March last, although I was not present myself, this Group advocated the formation of an Estimates Committee as an alternative to the Standing Finance Committee, and showed thereby that they were anxious for a continuous and careful survey of normal expenditure. I submit, however, that the present case is somewhat different; and I will not conceal from Government that the community that I represent are anxious certainly for economy and still more for efficiency but, at the present moment above all, for speed. It is on the last point that my community are perhaps most apprehensive. We would like to be certain that there is all possible speed in the defence of this country and that, Sir, is my main point.

The Honourable the Finance Member in a recent speech, which I may say, we welcomed very considerably, stated that Finance was the handmaiden of Defence. I am glad, Sir, that he used that particular metaphor, because a handmaiden is a servant and Finance must be the servant of Defence and not the master. In normal times it may be necessary to cut the coat according to the cloth but in a question of defence if the coat is not big enough you must get more cloth and more cloth still if you want it.

Now, Sir, what does this Resolution demand? It demands another committee drawn from political parties to "assist"—if you wish—the Government in its purchases of war materials and in the equipment of its forces. I am in considerable doubt whether a political committee drawn from all parties is the best method of effecting this. One must consider the political aspect of such a committee, the political pressure that would be produced and the delays. I believe that at one time, Sir, Nero fiddled while Rome burnt. I suggest that this House avoids fiddling until Rome really is burnt.

Sir, the Honourable the Mover has produced considerable criticism of the Supply Department, and such criticism is not new. He appears to have, although he disclaimed any such possibility, a C. I. D. of his own and he knows a lot that I do not know. But, Sir, I propose to deal with the matter from a totally different standpoint. The Supply Department has to deal with new problems and with new organisations and if mistakes do occur it surely is not surprising. They are bound to occur when a revolution is taking place in production and in organisation. Sir, this is a war of machines and with machines of equipment, and as long as you admit that you must admit the necessity of taking commerce and industry to a large extent into your counsels. You cannot expect any official, a man who has probably spent his life dealing with official channels, to know as much about industry and the various departments of industry and commerce, as the people in industry and commerce know themselves. And if you go to the United Kingdom and to the Dominions you will find that those Governments have already recruited the best brains in commerce and the best brains in industry to help them in this revolution in army equipment development.

[Mr. C. P. Lawson.]

I suggest to the Government that they move on equivalent lines, that they consider tapping the best commercial and industrial brains of this country and for once turn them from sellers into buyers. I think the time has come for them to say: "Come over unto Macedonia and help us", like another country which has recently said. I intend to produce no dogma or suggestion as to how this should be done. I am all too aware of the difficulties that such a proposal must produce; but what I do know is that the people from the industrial and commercial community are anxious to help and I can assure the Government that whenever they call upon this help, it will be forthcoming. I would repeat that the most enormous problems are facing the Supply Department, and I do suggest that the Supply Department should not attempt to face these problems alone. This country is possibly not completely industrially developed, but there are in this country industrialists who would be glad to help, and I do not think that up to now their help has been called upon as it should have been. I cannot support this Resolution as it stands, but I trust that the Government will give full consideration to the points I have raised and I can assure them that if such consideration is given, they will receive the heartiest co-operation from Members on this side of the House.

Mr. Umar Aly Shah (North Madras: Muhammadan): Sir, I rise to support this Resolution moved by my friend, Mr. Nauman. It looks an ordinary Resolution but there are many important points in it. The Honourable the Finance Member has told us that the war costs us Rs. 20 lakhs per day. No doubt the war is coming to the door-step of India and India is in danger; and we are ready to supply men and money for the sake of defending the Indian peasant and the Indian taxpayer. But these big amounts are being spent like water and we do not know if they are spent reasonably or not. We are not in touch with the officers, who cannot say how they are spending the money. Government may say the Auditor General and the Accountants General are there to check expenditure, but there are reports circulating in the country that there is no previous sanction of the Finance Department for this expenditure, to see if it is properly spent for war purposes. This habit is spreading everywhere. It may be said that we are merely criticising as politicians, but nobody gives us the truth about these things. There is nothing wrong in our demand and I think the situation should be faced. The war has increased our defence expenditure from 50 to 80 crores a year, and expenditure on Civil Departments also has mounted up. If there is not an advisory committee there is bound to be much waste. The Honourable Sir James Grigg abolished the Standing Finance Committee and wished to put an Estimates Committee in its place. Owing, however, to the opposition to this proposal in the country, the Standing Finance Committee has been restored. But even this committee cannot possibly help in this direction since it is created to meet the needs of normal peace times and is not designed to face up to the strain of war conditions. People have been agitating everywhere, but Government has not taken any step to meet them.

Another thing is that many poor people have been giving donations and other forms of subscriptions; but government officers do not show any gratitude or appreciation: they are drawing thousands of rupees as salary in this time of war but they do not give adequate support in the war effort,

and this advisory board may be able to take some action to check unnecessary expenditure. This board is intended to help the Government; but not to hinder its activities. For all these reasons, I support this Resolution.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I congratulate my Honourable friend, Mr. Lawson, on his maiden speech, which he delivered in a very lucid manner. But I differ from him on two small points. One is that he thought that a committee of this type would very much delay the working of the Supply Department. The Committee which we are suggesting is only an advisory committee which is not an executive body; and since it is not an executive body the work need not be delayed. Questions of policy only will have to be referred to it and not the questions of day to day administration.

The second point he raised was about advice from businessmen about the manner of purchase. This is just the point I have been hammering at in the course of my speeches on the Finance Bill and I should like to point out to him just to think for himself—I do not know what business he represents unfortunately—but suppose he represents jute for the time being: if his opinion is invited as to how to purchase jute and which are the best firms from which jute can be purchased, he will, with perfect honesty, only recommend those firms whom he knows; and the persons who are minor people and who probably are not in intimate touch with the Honourable Member will not have any chance. This is just the point we are fighting for and when my friend, Mr. Nauman, suggested that we should have a system of open tender, I also laid stress upon this particular point and I suggested that if we have any order, then that order should be split up into smaller orders, that we should invite tenders from different places, fixing the minimum quantity which a particular individual or firm should offer, and, afterwards, we should try to distribute the orders among the various provinces and among the various interests—Englishmen, Hindus, Muhammadans and so on. The price will be fixed by the quotations from various firms. This is the way in which distribution ought to be made, and this committee will be of very great help in this way—it will examine periodically once a month how orders were received and how they were distributed. In this way it will help the Supply Department in the matter of distribution of orders. It will also help enormously in the fixation of prices because some of these members will know what the real prices are, and they will be able to judge for themselves whether the prices are fair and reasonable. In that way a Committee of this kind will be of the greatest assistance, and with the adoption of an open system of tendering advocated today by my Honourable friend, a good deal of economy can be effected, and the stigma that now attaches to the Supply Department as it is now constituted will disappear. Sir, it is rather unfortunate that the Supply Department is now popularly known as the Department of Loot. I take it as a personal stigma that it should be called a department of loot, because as a legislator, am as much responsible for the proper expenditure of the taxpayer's money as anybody else, and I am very anxious that this stigma ought to disappear. Then I should be able to defend in public that the Supply Department is as well administered as any other department of the Government, and the system which now prevails will disappear.

[Dr. Sir Ziauddin Ahmad.]

There are, Sir, certain suggestions which I should like to make in order to remove this stigma of extravagance, and I am sure when a Committee of this type is appointed it will go a long way to bring about the much needed reforms in this department. We should no doubt have a Supply Department, and I suggest that with it we should associate the Department of Co-ordination, because these two things must go together, but when we come to the question of purchases, then the Indian Stores Department alone should be empowered to order the things. This is a department which we built up under the pressure of the Legislature; we paid a good deal of attention to it in its earlier stages, and it has now developed into a good position, and we should not allow this department to be killed. We should see that during the war it assumes such importance that when the war is over it should continue to maintain its importance and position. What I want to abolish is the neighbouring military department, what is called the Office of the Director of Contracts; that should be merged into the Indian Stores Department. One of the reasons is that at present we have got very few officers in the army to train a large number of recruits. Therefore, every British officer in the army ought to be set free to devote his attention to the training of soldiers, and he should not be allowed to waste his time in purchasing ordinary things which a civilian officer can do much better. We want to relieve all these military officers from the Supply Department and we want them to do their legitimate work. In this manner there should be one department called the Indian Stores Department to be run as at present.

Sir, I find very great difficulty to find out who is in charge of the Supply Department. I call it an Orphan Department, because I do not know who is in real charge of this department. If we say that the Leader of the House is in charge of this department, the question is whether he is so on paper or in reality. I cannot say how far he is responsible for extravagance and loot. People say that the Finance Member has a great deal to do with the Supply Department, but I am not sure how far he is responsible either. Then, it is said that the Commerce Member is also in charge of this Department, because he is really in charge of the Indian Stores Department which forms a fundamental part of the Supply Department. I do not know how far he is responsible for the loot.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): I should not go by what people say.

Dr. Sir Ziauddin Ahmad: I do not go by what people say; I only go by what I see.

Unfortunately, the real man in charge of this department is the man who is not before us. He is really the power behind the throne. Who that person is I have not been able to find out, otherwise I would have entreated him to carry out the changes which I am advocating here almost vainly, because the gentlemen sitting before us have not got the power; they are not really the power behind the throne; they cannot carry out any changes, but real power rests somewhere else; who they are, I do not know. My friend opposite will help me enormously if in the course of his reply he will let me know who is the person responsible for the policy of this particular department, whom we may approach and prevail upon to do

what we consider to be the right thing. This person should sit before us and reply to our difficulties, so that we convince the public.

Sir, I said very clearly that this Committee which we are advocating should have nothing to do with munitions. I would like to leave the question of munitions entirely to the army people. It is they and they alone who ought to be made responsible for it. We will give them free and complete latitude; let them do whatever they like; let them requisition any factory in this country that they want to. Let them have anything they want so far as munitions are concerned. Then we will be able to give them every help they would ask for. But if we give them the fullest latitude in regard to munitions, they should not interfere with the legitimate duty of civilians, duties which really can be much better done by civilians than by the military people. I want the Leader of the House to examine and satisfy us as to why he could not follow our advice.

Sir, a Committee of the House will also be of very great use in keeping an eye on the money which we are devoting for the training of technicians. I suggested on the last occasion, and I repeat it today, that though we are voting about a crore of rupees for the training of technicians, a great portion of it ought to be recovered in the shape of finished goods. Things of a minor nature the Army Department may want, which need not be made in large factories, can be made by the students of these technical schools who will be under training at Government expense. I have got a scheme practically ready which I shall be laying before,—I do not know,—whom, because I do not understand whether it is the Labour or the Finance Department or whether it is the Munitions Department or what department it is before whom I should place this scheme, but I shall place it before the Government of India, whoever that Government of India may be. By my scheme a certain portion of the money which we are spending for the training of these students can be recovered.

There is another direction in which the proposed Committee can be useful. We have repeatedly pointed out on the floor of the House about the extravagant salaries paid to officers, about the number of men employed and so forth. This Committee will be able to give very good advice as to what kind of persons should be recruited, what the scale of salaries should be and in what manner they should be recruited; and if the members of the Committee succeed in creating such an atmosphere that the work in the Supply Department should be regarded as work of sacrifice, then we shall be able to induce a number of men to accept posts in this department without any surcharge, and accept the salaries which they were getting before they joined this department. I do not want that the men employed in this department should be out of pocket, but I do think that they should not transform the service to a lucrative profession. Sir, we are all making sacrifices, we are ready to contribute as much as possible for the successful prosecution of the war, and we naturally expect that those people whom we are employing should also make similar sacrifices to carry out our programme, they should show a spirit of self-sacrifice, by contributing their quota, for the successful prosecution of the war. We can compensate them after the war is over either in the shape of titles or some kind of special pensions or in some other way. But I want that people employed in this department should be an embodiment of self-sacrifice and they should set an example to others, and thus remove the stigma which attaches to this

[Dr. Sir Ziauddin Ahmad.]

department now, because the people call this department as the department of loot, and every one there is a Haji Baba. I am quite certain everybody there is not a Haji Baba; we have got there very honest people also, but I am anxious that this general stigma should be removed.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has got two minutes more.

Dr. Sir Ziauddin Ahmad: Thank you, Sir.

I am very keen on this point, and I am sure that when a committee of the type we are suggesting is formed, that committee will fight the battle on behalf of the Supply Department before the public. If any one will say anything about that department, then every member of the committee will challenge the statement made by any person either in this House or outside this House. He shall say, "No, we know very well that everything is right in the department. Your impressions are wrong, all the rumours that are being circulated are not perfectly correct." I think it is in the interests of the Supply Department for the maintenance of the honour and the prestige of the department—it is necessary that we should have a body of men who, in the first place, should be satisfied that everything is right, and once they are satisfied, I am sure they will fight on behalf of the department people outside who are now freely talking about the loot of this department.

Mr. N. M. Joshi (Nominated Non-Official): Let the question be now put.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): The Resolution moved by my Honourable friend, Mr. Nauman, is a very modest one, and if my Honourable friend of the European Group over there who has just criticised Mr. Nauman's motion had gone carefully through the wording of the Resolution, he would have jumped at it and congratulated him on putting forward such a motion. The Resolution simply says that a committee of the Central Legislature may be appointed to advise the Government so as to secure reasonable economy in the expenditure connected with the war. It does not say that the committee shall consist of at least three-fourths of the elected Members of the Legislature. As the Resolution goes, the Government may very well appoint a committee presided over by the Honourable the Finance Member and consisting of three members of the European Group and three members on the back benches on the other side—seven members of such a character. Let them do what they like, and Mr. Muhammad Nauman will have to be satisfied with it because he himself says that a committee of the Central Legislature may be appointed. It seems to me, however, that Government are very much afraid of the bold and frank criticism of the elected Members of the Legislature and they ought to do something to satisfy them that the money which is being spent upon the war is spent appropriately. We have a complaint that the Government do not trust us, and that the Honourable the Finance Member does not trust us. And there is a talk abroad—I am referring to the man in the street, not to the higher upper circles—that everything the Government do, they do it behind the veil, behind the curtain. They do not allow a corner of that curtain

to be lifted up so as to enable the public to see what sort of thing is going on. Mr. Muhammad Nauman, when he referred to Sir Thomas Holland—unfortunately he went into personalities—gave Sir Jeremy Raisman an occasion to be very much annoyed and he resented the reference. But I may tell my Honourable friend, the Finance Member, that human nature is human nature all over the world whether the skin is white or dark. Don't you remember the great scandal that rang in the world during the South African war when millions and millions of pounds which were contributed by the British public went into the pockets of certain traders and their supporters among the upper ten of England, the officials. Then there was the Munition Board scandal. We do not say that so and so were responsible for it, but there was a scandal. So, if you want to avoid this stigma,—if you want to remove the stigma in the words of my Honourable friend, Sir Ziauddin Ahmad, you ought to take us into your confidence by appointing a committee. Have your men as well, but have a few from this side also. They would advise you as to the best way in which the money should be spent. The other day, when speaking on the Finance Bill I was saying that if we were only assured that the money was being spent actually on the defence of India we should be prepared to discuss the Bill on its merits. But we do not know where it goes, and we do not know whether the money spent on the obtaining of war materials goes really into the pockets of certain army contractors whom the Government appoints, which enables them to indulge in corruption and invite corruption from a section of the lower kind of officials. Of course, Sir Jeremy Raisman like Caesar's wife is above reproach. But does he think that there are others also of the same character, of the same sterling worth, of the same strength of character? Certainly, they are, after all, human. So, to avoid that and to inspire confidence in us, appoint a committee. With these words I strongly support the Resolution.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): The Resolution puts forward a very modest proposal, and I fail to understand why unnecessary heat has been created on the suggestion or the remarks made by the Honourable the Mover. It is still fresh in our memory that there was a proposal for the expansion of the Executive Council to take advice in matters of war, and now, here it is a question of a mere committee to advise on the purchase of war materials. This should not be resented I think. My Honourable friend, Mr. Nauman, has suggested the system of open tender. That system will in my opinion create a spirit of self-sacrifice. There are people in the country who, seeing the offer of others, will come forward saying, this is not the time to make profits, or to make bargains, this is the time to help the State with all the power that they can. They might come forward with a lower tender. They may be ready to sell their material at a lower rate. Therefore, the system of open tender will, instead of doing harm, be beneficial in the interests of the country. My Honourable friend, from the European Group, said, that it is not desirable to have suspicion. There is no question of suspicion at all. If we advise, if we give proper instructions to any department, it does not amount to any suspicion. If so, then the whole audit department will amount to a suspecting body.

As regards appointments another procedure is being followed here. No higher appointment is referred to the Public Service Commission. I see that in all departments of the Government of India the higher appoint-

[Maulvi Muhammad Abdul Ghani.]

ments are referred to the Public Service Commission, but here the case is quite the reverse. With one exception I find from the statement laid before the Council of State on the 4th March, 1940—that leads us to believe that there is a system of loot as just pointed out by Dr. Sir Ziauddin Ahmad, because if he will compare the very first item of the list placed before the Council of State, he will come to know that the recipient instead of getting Rs. 4,000 as is the usual case in peace time is getting Rs. 5,000. Is this the way to help the successful prosecution of the war? Is this the way in which when his countrymen are in distress he should be benefited? He should have followed the example of the Chief Commissioner of Delhi. He is an exception and everybody should have followed his example at least, because this is the time to help the Government out of their own salaries. Here funds have been started at the instance of the departmental heads and poor clerks are making contributions and these people having a long list which I am in possession of, are making profits. I do not like to take the time of the House by enumerating all the names. I have made a reference to the proceedings of the Council of State of the 4th March and that is enough. The poor people are making contribution and persons already drawing high salaries are out to make more and more money. Is this the way to help the Government in the successful prosecution of the war? I fail to understand it. The sooner we put a stop to this the better. I think the Government should seriously consider these things and accept the modest suggestion contained in the Resolution of my Honourable friend, Mr. Nauman. With these words I strongly support the Resolution.

Mr. M. S. Aney (Berar: Non-Muhammadan): I had no mind at first to intervene in this debate, not because the Resolution is not an important one but in my opinion it is a self-evident one. It does not require in my opinion an additional speech to demonstrate the necessity of the recommendation contained in the Resolution. Sir, during the course of the debate on the emergency Finance Bill, various speakers have made references to what they consider as almost colossal mismanagement of affairs in the Supply Department. Many questions were asked which also implied that there was something suspicious about the working of that Department. In fact, the Department is actually charged with indulging in extravagant expenditure when there is great need for economy. These references are frequently made on the floor of the House. It is really difficult for non-official members on this side of the House to prove these things with facts and figures, but somehow or other information leaks out which makes them highly suspicious: and they entertain serious doubts as to whether the things are running in a proper manner in that Department. This is the most important Department connected with the prosecution of the war at the present time. When the Government are anxious to secure the co-operation of the people in the raising of the funds that they require either in the form of taxation or in the form of voluntary donations, it is necessary that the Government should be in a position to explain very clearly to the House that the funds already available to them have been spent with due caution and due regard to economy and the financial exigencies of the situation. Now, Sir, if the Government actually see that there is a suspicion lurking in the minds of so many Honourable Members on this side of the House, who of course

take their information from people who are more or less remotely or intimately connected with some activities connected with the Supply Department, Government themselves should come forward and welcome a suggestion of that kind, which is contained in this Resolution. Now, what is the suggestion made in this Resolution. The suggestion does not mean that the Supply Department should stop its work. It only requires that the Department should have by its side a standing committee of advisers; the committee proposed is a mixed committee, if I mistake not, and, of course, not a committee of purely nominated members. It is bound to be a mixed committee at any rate, to say the least of it. There is a committee of advisers associated with almost every department of the Government of India and almost all departments have appreciated the utility of having Standing Advisory Committees by their side to help them. Then, why should this new born child be allowed to play free and unrestricted, unaided and unassisted by some elders from this House. This new child if it is not properly controlled in time promises to be a source of trouble and mischief. It is a kind of imp which requires to be properly disciplined and checked. We are asking for nothing else. With these words, I support the Resolution.

The Honourable Sir Jeremy Raisman: Sir, I have listened with great interest to the remarks which have been made by various Honourable Members who have taken part in this debate and I would like to say that I have a very open mind on this question, because it is a matter to which for a very long time I have given considerable thought. As my Honourable friend, Mr. Aney, said just now, it is desirable in the interests of Government as well as of the Legislature that many of these vague, unavailing reports and rumours should be dispelled. The question is what is the best way to tackle this sort of thing. Now, I did, in the course of the last Session when certain questions were asked on this subject, try to indicate to this House the extraordinary difficulties with which the Government and particularly my department were faced in devising and ensuring proper control over the vast number of new transactions which had come within the scope of Government's duties owing to the outbreak of war. The position is that in addition to all the other forms of financial control which it was necessary to exercise before it has now become necessary to exercise control over a huge number of business transactions. In fact, Government have become one of the largest, in fact the very largest business concern in the country.

Dr. Sir Ziauddin Ahmad: The very largest purchasing authority.

The Honourable Sir Jeremy Raisman: . . . the very largest purchasing authority. We have had business interests in the past. After all, we run the Railways, we run the Post Office and we run various other lesser commercial concerns, but for those a regular form of financial advice and control had already been created in times of peace and no special problem arose; and I am free to admit to the House that we were not very well equipped to do this sort of thing. As I pointed out last Session, a very great strain indeed was placed on my Department and on all the reserves of officers who possessed any kind of financial and accounting experience. It became necessary to allot men to this Branch and men to that Branch and thus a very large proportion of my qualified officers had to be taken off their ordinary duties and placed in these new positions in order to control these new activities on the financial side. Now, Sir, it

[Sir Jeremy Raisman.]

is suggested by the Mover of this Resolution and by some of the Members who supported him that that control may not be as effective as it should have been. On the other hand, it is now strongly advocated on behalf of the business community with whom the Supply Department has to deal that there is far too much control, that there is what they call "red tape" and that it is impossible to get anything done in reasonable time

Mr. Muhammad Nauman: May I say that the complaint is that it is late payment, not that it is one rupee instead of four rupees.

The Honourable Sir Jeremy Raisman: My friend knows that the stage at which Government endeavour to exercise control is before the money is paid out: and, therefore, whereas the executive officers may complete transactions and bills may be presented to Government, it is precisely at that stage that delay is liable to occur, because it is before the money goes out that we have to be satisfied that everything is in order and that the money is really due. I was merely pointing out that you have these two entirely opposite and conflicting points of view. On the one hand, it is complained that there is extravagance, lack of control, that excessive prices are paid, and so on. On the other hand, there is a growing feeling and it has been voiced in authoritative circles that the purchasing machinery of Government is tied hand and foot by financial control and financial regulations and that it is impossible to get anything done in reasonable time and in a business-like way.

Dr. Sir Ziauddin Ahmad: You might consult the Finance Committee. Have you done that?

The Honourable Sir Jeremy Raisman: My Honourable friend, Sir Ziauddin Ahmad, suggests that his Committee might be able to solve all those difficulties. Well, Sir, I have very great respect for the mathematical and other attainments of my Honourable friend, but I do suggest that the problems which arise in this sphere are much more difficult than he imagines.

Now, I will give the Assembly an example of the sort of thing that occurs. Government desire some entirely new article which has never been made in India to be made. They approach certain firms who are making something which is similar to that or at any rate who possess machinery which is capable of being used for this new product. You have this curious position that Government approach the firm,—not that the firm comes to Government. Now the representative of the Government says, "can you make a thousand of these articles?", and the firm says, "well, we will try, we have never made anything like that, but we will try". Then they say, "what will you pay?". "Well," the Government official points out, "we are making it in our Ordnance factories at Rs. 2-8-0 I suppose" but the business man says, "Well, I am not interested". Then the Government say to him, "How much do you think you would make it for?" The business man might say, "I calculate it would cost me Rs. 20 to make this thing". Now this is the type of problem you have got. It is entirely different from anything which is ever encountered in ordinary purchasing. You have a demand and no supply, you have a demand which has to be met and it is essentially, obviously, in the interest of the tax-payer

Mr. Muhammad Nauman: Such occasions must be rare?

The Honourable Sir Jeremy Raisman: On the contrary, the purchase of ordinary merchandise in the country is a thing which can be done by anybody and there financial control merely consists in verifying what is the market price, and that is simple, but the problem is different when you ask people who have never made or supplied a kind of article to supply it now and possibly to supply it in large quantities. I merely give that as an instance. The Honourable Member is entirely wrong in thinking that it is an uncommon type of case; on the contrary, it is a common type and one which is becoming increasingly common; in our efforts to explore and expand the productive resources of this country, we are constantly up against that particular type of problem—how much we should pay for this new type of product, and what is the method by which we can ascertain what is a fair price to pay the purchaser. Now in England and I understand in some of the Dominions they have very large numbers of professional men known as "Cost accountants". Cost accounting is a highly specialized form of accountancy; it is not like the usual accountancy with which we are familiar in this country. We have a few cost accountants and Government employs a few, but in order to complete this kind of transaction on a really scientific basis you may have to set a man down to do cost accountancy in that particular concern for weeks on end. It may be a very difficult calculation and until the thing has been done in that scientific way, neither Government nor the producer knows what the price should be or what it would cost him, and of course, obviously the price varies with the outturn or the output; it depends on the number of units which has to be purchased and there again a difficulty arises because until the producer can be assured of a certain quantity, it is not worth his while to organize his factory and his plant in order to produce the thing at all. Well, Sir that is merely by way of illustration.

Dr. Sir Ziauddin Ahmad: May I just interrupt the Honourable Member? My Honourable friend is confusing between the development of new industries and ordinary purchases. Whenever a thing is entirely new and it was never manufactured before and he wants it to be manufactured, that comes under the category of the development of new industries for which we are prepared to pay the money. But it is quite different from ordinary purchases.

The Honourable Sir Jeremy Raisman: I do not know what are the difficulties which the Honourable Member has in mind in relation to the purchase of ordinary commercial commodities which are regularly bought and sold in this country.

Dr. Sir Ziauddin Ahmad: I mean commodities which are not already manufactured in this country.

Mr. Muhammad Nauman: May I also interrupt the Honourable Member?

The Honourable Sir Jeremy Raisman: The Honourable Member will have a chance of making his own speech.

I have been on the look-out for concrete suggestions as to how a Committee of this Legislature could help with the kind of difficulties with

[Sir Jeremy Raisman.]

which I am familiar because, after all, I sit inside this machine and cases come up to me and I realise the sort of difficulty which my officers are encountering. I find it very difficult myself to give the answer. I have been trying to visualise in what concrete way a Committee of this Legislature could assist in controlling war expenditure of this kind and in ensuring economy in the interests of the tax-payer. Now, one of the suggestions which the Honourable Member made was that open tenders should be insisted on in all cases. Well, Sir, in the conditions of war and in dealing with the kind of problem with which the Supply Department is often faced, it may happen that the open-tender system may be a very bad one. If you know that an article which you require is only produced by A or by A and B or by A, B and C and you know that they have already got together on this matter, then what is the use of your issuing an open tender? You will get a price which you may not be prepared to accept. The open tender can obviously be useful or desirable only in conditions of effective competition, and in purchasing or in obtaining the requirements of war you cannot always be sure that you will have effective competition. Now, again, the Mover of this Resolution said that all Chambers and commercial organisations would be prepared to send reports to the Supply Department. Well, Sir, I realise that there may be some value in a suggestion of that kind. As regards the market prices of ordinary goods in commercial use, I do not think that there is any difficulty either, on the one hand, in the Executive officer finding out what the price should be or, on the other, in the audit or financial control verifying what the price should have been on that day. But the difficulty arises in deciding on the prices at which large contracts should be made. There, it is often exceedingly difficult to get expert financial advice or business experience without going to the very people who are interested in what you are doing. The question is: how are we to get objective and disinterested advice? It has been suggested that these large contracts should be split up and when you want 100,000 tons, you should put it out in lots of a thousand tons a time. Well, Sir, that may on occasions be possible but it may also have the effect that you derive the worst bargain you could because obviously a supplier of 100,000 tons ought to be able to quote you a better price than a supplier of 1,000 tons. Although it may be desirable on other grounds that the economic advantage of contracts should be widely spread, it certainly is not in the best interests of the tax-payer, because from his point of view what you want is to get the goods at the lowest possible price.

Well, Sir, I have merely tried to indicate some of the difficulties with which we are faced in controlling this type of activity from the financial point of view. But there is one thing which has been bandied about very freely and on which I myself feel quite strongly. That is the question of appointments in the Supply Department. Now, Sir, I said in this House the other day that these appointments had been made with the concurrence of the Finance Department and I entirely deny that there are any such monstrous scandals as are regularly alluded to and darkly hinted at by everybody who speaks on this subject. I am prepared to lay before the Standing Finance Committee the details of the pay and the previous pay and the status of all the officers who have been appointed to the Supply Department. I am prepared to sit round the table with the Standing Finance Committee and go through all these cases with them and

explain why these salaries were fixed. I am prepared to invite the comment of the Standing Finance Committee on the principles on which the salaries of these appointments were fixed and I should welcome their observations and their recommendations as to how these matters should be regulated in future. I am confident that I shall be able to dispose of the greater part of these ill-founded rumours and misapprehensions which have taken root in the minds of Members. I entirely agree with my Honourable friend, Mr. Aney, that it is highly desirable that this should be done both from the point of view of Government and from the point of view of Members of this House. I do not believe it is desirable or possible to call into existence another Committee in order to deal with this particular matter. But there does remain the other question which was touched on by my Honourable friend, Mr. Aney. That does not concern me directly: it is the concern of the Supply Department. But I understand from my Honourable Colleague, the Leader of the House, that he already has under consideration the question of associating a Standing Committee with the Supply Department. His object is that it should be an elected Committee of the Legislature. This Committee would advise in the same way as the other Advisory Committees of this House have been appointed to advise regular Departments of the Government.

Sir, I think that these two offers should cover the whole ground which the Honourable Member has in mind and should enable this House without setting up machinery which would actually interfere with the executive processes of Government in relation to which, as the Honourable speaker from the European Group rightly pointed out, speed is of the utmost importance. We cannot possibly set up anything which will delay the work of Departments which are concerned with the day-to-day prosecution of the war. I say leaving aside that possibility as quite impracticable, the two offers which the Government now make, namely, the question of appointments made and the salaries paid shall be laid before the Standing Finance Committee and that an Advisory Committee shall be set up to advise the Department of Supply—these two offers, it seems to me cover everything which this House can legitimately expect the Government to do. In view of these proposals, I trust the Honourable Member will withdraw his Resolution.

Dr. Sir Ziauddin Ahmad: Sir, in view of the fact that things are moving very fast now-a-days on account of the war, that the Finance Committee holds its sittings once or twice a year, will the Honourable the Finance Member consider the advisability of convening the meeting of the Finance Committee oftener to deal with this question so that we may discuss all matters expeditiously and the objection of delay raised by my Honourable friend will be avoided.

The Honourable Sir Jeremy Raisman: I shall take as early an opportunity as I can to put the matters which I have mentioned before the Standing Finance Committee.

Dr. Sir Ziauddin Ahmad: When will this Advisory Committee for the Supply Department be formed?

The Honourable Sir Muhammad Zafrullah Khan: I shall be able to inform the House either tomorrow or on Monday with regard to the setting up of the Advisory Committee for the Supply Department.

Mr. Muhammad Nauman: Sir, I have heard the Honourable the Finance Member with all possible attention, and, as regards the remarks which he made regarding the Resolution, I wish to express my thanks to him that he has been giving this matter his attention, and I am thankful for the definite statement which he made that an Advisory Committee would be set up for the Supply Department. We are satisfied with that.

I would just make one personal explanation to the Honourable the Finance Member. What I meant was this. In the matter of purchase, the articles of daily use were probably of much larger volume than those articles which are not of daily use. I gathered that impression. I do not know the real state of affairs. For instance, the purchase of *ghae*, grain, wool, tents, and so on, are probably much more in volume, probably 80 per cent. of all the purchases made by the Supply Department, whereas those things to which the Honourable the Finance Member referred in which he finds difficulties, and there are certainly difficulties because of the new arrangements being made in this country, probably those commodities are less. We have got to evolve certain formulae as regards these industrial enterprises where the volume is certainly less. I may be wrong. I hope the Honourable Member will correct me if I am wrong. With these words, I beg leave of the House to withdraw my Resolution.

The Resolution was, by leave of the Assembly, withdrawn.

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO EXAMINE THE CONDITIONS OF DETENUS UNDER THE DEFENCE OF INDIA ACT.

Mr. N. M. Joshi (Nominated: Non-Official): Sir, I beg to move:

"That this Assembly recommends to the Governor General in Council that he should take immediate steps to appoint a committee to examine and report without delay:

- (a) whether conditions under which the detenues under the Defence of India Act have to live in prisons are suitable and adequate; and sufficient privileges are granted to them for communication outside by way of letters and interviews; and, if not, what improvements should be made therein;
- (b) whether their families are provided with suitable maintenance or not; and, if not, what assistance Government should give them;
- (c) whether those who are interned or externed under the Defence of India Act have difficulty in maintaining themselves or their families, and whether it is necessary to give them any assistance from Government; and in case, it is necessary, what should be the amount of such assistance."

Mr. Deputy President, the recommendation which my Resolution makes is a very modest one. As the House is aware, immediately after the declaration of the war, the Government of India passed the Defence of India Act. During the discussion on that legislation, I had stated as my view that legislation was unnecessary and too drastic. But, Sir, on this occasion, I do not wish to discuss that point. I do not even wish to discuss the question whether the legislation has been applied fairly and justly. In my view, the application has been too severe, if the legislation itself was too drastic. But I do not wish to discuss that question. The only question which I want to discuss on this occasion is whether the detenues or the people to whom the Defence of India Act has been applied and their movements restricted were getting fair, just and humane treatment. Sir, it is difficult to make an estimate of the number of people whose movements have been restricted, to whom the Defence of India Act has been

applied in one way or another. In my view the movements of more than 3,000 people perhaps more, and many more have been restricted under the Defence of India Act. If the Honourable Member has got figures, I am sure he will correct me.

Sir, there are various kinds of restrictions placed upon the movements of persons who come under the Defence of India Act. Some people are sent to jail with trial and in their case they have at least an indication as to the reason for which the Government of India have applied the Defence of India Act. But there are people whose movements are restricted and who are sent to jail without trial. Then there are certain other people who are not sent to jail, but who are what I may call externed and not permitted to go to certain places.

[At this stage Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

There are some people who are, I may say interned and whose movements are restricted within certain area. Even with the restriction of living in a certain area, the movements of some of these are still further restricted by being asked not to take part in certain movements.

Then there are certain classes of people who hold certain political opinions and who are described as communists whom the Government have practically declared as outlaws. The Government have declared it as their policy to restrict the movements of people who are regarded as communists as well as of those whom the Government suspect to be communists.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Are you one of them?

Mr. N. M. Joshi: This is not the occasion to discuss that question. I have already said, Mr. President, that I do not wish to discuss whether these restrictions are justifiable or not justifiable. But in order to avoid any misunderstanding I must state that I do not admit that the application of this Act has been fair and just.

Now, Sir, coming to the treatment given to the detenues, the first point which I should like to make is that in the case of those people who have been detained without giving them any reason and without any trial Government have no right to deprive them of their means of livelihood. If Government put certain people in jail without trial they feed them when they are in jail, but they do not take the responsibility upon themselves to feed and maintain their families when they deprive the breadwinner of the family by his detention in jail. Similarly, when people are externed or interned they very often lose their jobs in those circumstances. I think it is the duty of Government to maintain them and maintain their families. The Government of India and the Local Governments do not take this responsibility which I think is very unfair and unjust. Sir, before the Defence of India Act was passed there were some movements during which the Government of India resorted to some emergency powers in order to detain people without trial. And on former occasions, when people were detained, the Government of India in many cases took upon themselves the responsibility of maintaining these people and also their families. But the Government of India have now changed their policy. I should like the Government of India

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[Mr. N. M. Joshi.]

to consider this question very seriously, whether they should detain people without trial and not leave them the means of livelihood and maintain their families.

Then, Sir, there is the question of people who are already in jail. The Government of India feed them in some way and I have not heard many complaints about the food. Perhaps these people are too shy to complain about their food; but I have heard very many complaints from some of the detenus whom I know, that the Government do not give them some very ordinary and reasonable comforts. For instance, people are not supplied at Government expense with soap and they are not supplied with material for shaving. In some jails the detenus are allowed to purchase these articles at their own cost but I do not know why they should do so, and in many cases the detenus have not got money. I know of some cases of people who are put in jail under the Defence of India Act and who had asked me to send them some money for soap and such other small comforts. Then, Sir, they are not allowed to smoke. Smoking is a very ordinary comfort and if you detain people in jails without trial you should at least give them the ordinary comfort of a smoke. Then there are other matters also. Take for instance the question of newspapers and books. The Government of India, in the case of those who are given "B" class, give some newspapers but they give them newspapers conducted by European publishers. In Bombay, they give the *Times of India*. I do not know what papers they give in other provinces; but if they ask for the *Bombay Chronicle* they will not get it. And if they give it at all they will ask the detenus to pay for it. I think the Government of India should leave it to the detenus to say which paper they would like to have. Then, Sir, there is the question of communication with their friends by interviews and by letters. In this matter also I have heard several complaints. In the first place the detenus, at least in Bombay, are allowed to have only one interview in a month if they are given "B" class. If they are given "C" class, I think they get an interview once in three months. Similarly, they are allowed to have two letters in a month. I think, Sir, this facility should be extended. In the case of letters they have got other complaints, that when any letter is sent to them, it must of course be sent through the Superintendent of the prison; but the Superintendent of the prison is not trusted by Government. The letter is first sent to the C. I. D. and if they permit then only can the letter be sent to the Superintendent. This causes delay and I have heard complaints from the detenus that many times they did not receive their letters at all. I should like the Government of India to have this question examined.

Then, Sir, there is the question of detenus in jail communicating with each other. In some cases the detenus are allowed to stay together in one block, but in some cases they are not allowed to live together. I think if Government detain people in jail there is no harm in putting them in one ward so that they can live together and have the company of one another. Then there is the complaint that they do not get medical treatment free. I have got a letter here from one gentleman who writes to me that four of his teeth were aching and he wanted to have them extracted, and Government told him that he must find the money for it. He had no money and so the poor man was permitted to suffer from

toothache. This is not only not fair but it is not even humane. Then, Sir, they have a complaint that they are not allowed any means of recreation in the jail. The detenus are generally given simple imprisonment they are allowed some books but they also want some kind of recreation. I have got complaints in letters from detenus that in many prisons they are not allowed to have any kind of recreation. Sir, the detenus are people who do not complain about being detained if they have done something for which they deserve to be detained. But as regards their treatment the Government of India themselves should consider the question of giving them fair and just treatment very seriously. Many of the letters that I have received from the detenus complain about one point. They say that the Government of India are looking after the German and Italian detenus with greater care than they give to Indian detenus. These Italians and Germans are fighting them with guns and other weapons while these poor Indian boys may have made speeches at the most. I cannot understand why the Government of India should give greater comforts and facilities to the Germans and Italians detained in India than they are giving to Indian detenus. I think, Sir, this is a point which will appeal to the House. Sir, I have pointed out some of the complaints which I have received from the detenus and I myself feel that the Government of India should investigate into those complaints and effect improvements.

My Resolution is a very modest one, as I have said, I have asked the Government of India to appoint a committee. I do not want a very large committee: a large committee will delay matters. I shall be quite content with a small committee of three persons: let one of them be an officer and two non-officials who would have some sympathy with these people.

Mr. M. S. Aney (Berar, Non-Muhammaḍan): Including the Mover.

Mr. N. M. Joshi: If the Mover is asked to help the committee, he will be very glad to do so. But I would like the Government of India to appoint a committee because I have heard these complaints from many detenus. I have got here so many letters from them and I am quite sure in my mind—they are most of them people ordinarily who would not complain about treatment in jails. A few of them are accustomed to stay in jails and I am quite sure ordinarily they will not make complaints; but they feel that in some matters the treatment given to them is not humane. I would therefore like the Government of India to accept my suggestion to appoint a small committee of three persons who should visit the prisons in which these people are detained: they should also interview some of the externees and internees and find out what their grievances are and also find out and report to the Government how the treatment given to the detenus of all kinds should be improved. I hope that this modest request of mine will be accepted by the House and also will be accepted by the Government.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council that he should take immediate steps to appoint a committee to examine and report without delay:

- (a) whether conditions under which the detenus under the Defence of India Act have to live in prisons are suitable and adequate; and sufficient privileges

[Mr. President.]

are granted to them for communication outside by way of letters and interviews; and, if not, what improvements should be made therein;

(b) whether their families are provided with suitable maintenance or not; and, if not, what assistance Government should give them;

(c) whether those who are interned or externed under the Defence of India Act have difficulty in maintaining themselves or their families, and whether it is necessary to give them any assistance from Government; and in case, it is necessary, what should be the amount of such assistance."

There is an amendment to this Resolution of which notice has been given by Dr. Banerjee. It seems to the Chair that it extends the scope of the Resolution and, in fact, deals with a different subject.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): May I make a submission? My amendment relates to the Defence of India Act and the rules framed thereunder.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Joshi's Resolution relates purely to jail administration. There is nothing in it about the merits of the Defence of India Act and its effects. I rule the amendment out of order.

Dr. P. N. Banerjee: May I speak on the main Resolution?

Mr. President (The Honourable Sir Abdur Rahim): Certainly.

Dr. P. N. Banerjee: Sir, I rise to support the Resolution moved by my Honourable friend, Mr. Joshi. When the Defence of India Act was passed, some of us expressed the view that its provisions were in many respects very stringent; and it is the belief of many persons, including myself, that the rules which have been framed under that Act have made the provisions still more stringent. But I shall not discuss this question just at the present moment, because I may be ruled out of order. Mr. Joshi's Resolution is a very modest one and it is divided into three parts. I will deal with these three parts *seriatim*.

The first part deals with detenus. Detention without trial has been in vogue, particularly in Bengal, for a long time past,—for over thirty years. But in recent years, specially since the commencement of the present war, the number of detenus has been very large. Now, coming to the treatment of these detenus, it is the general opinion that that treatment has never been wholly satisfactory. But in recent times the treatment has been too severe and extremely unjust. I confine my remarks mainly to Bengal because I am not acquainted with the details of treatment in other provinces. In Bengal, formerly the daily diet allowance of detenus used to be at least 14 annas.

Mr. N. M. Joshi: In Bombay there is no allowance.

Dr. P. N. Banerjee: "Used to be", I say; and rupees ten a month was given as an allowance for clothing, books, papers, etc. In addition, an initial allowance of Rs. 60 was given for bedding, etc. Now, at the present moment, things have changed very drastically. No initial allowance is made; any monthly allowance for clothing, books and papers is not made in all cases, and the daily diet allowance is much less—it is

only 9 as. 6 p. per day. Each detenu is supplied with a few pieces of cloth and a few shirts; he is not allowed any allowance for washing, but he has to do his own washing with a few pieces of soap supplied to him. Besides these, there are many other discomforts and when these matters are placed before the authorities, these complaints almost always go unheeded.

The medical aid that is supplied to these detenus is generally very deficient. Doctors are not always available, with the result that the health of many of these detenus breaks down while they are under detention. I can cite many instances where this has happened. I can cite the instance of one gentleman—Mr. Satya Ranjan Bakshi—who is a highly educated man and was connected with several newspapers as editor. This gentleman has now been released, but he is in a very bad state of health, even at the present moment and it is not known whether he will survive the ordeal.

Then, again, interviews are not allowed regularly; they are granted very infrequently. It sometimes happens that even when these detenus become ill, their nearest relations and friends are not allowed to visit them. Again, when visits are allowed, the interviews take place in the presence of police officers. The detenus would not have complained if the interviews took place in the presence of the Superintendent; and the result is that they are prevented from acquainting their relations or friends with their actual needs, their physical condition, their inconveniences, their discomforts, and their grievances.

So the treatment meted out to these detenus is very harsh. The time has come when these complaints should be regularly considered and proper remedies applied. There is no reason why these detenus should be subjected to various sorts of pin-pricks, humiliation, and harsh treatment by the jail authorities. They are, as a rule, respectable men; they are not convicted prisoners, and they have been detained only on suspicion. When that is so, it is not at all desirable to adopt a vindictive attitude towards them and treat them badly.

Sir, I come next to the question of family allowances. In most cases the families of these detenus do not get any allowances. The detenus are in some cases the sole bread-winners of their families, and if no provision is made for the maintenance of their families, you can easily imagine to what straits their families would be reduced. I have received here numerous complaints from the relations and friends of many of the detenus, but time will not permit me to go into all these complaints. But I would request the Government to consider this matter with that amount of fairness and sympathy with which the question should be discussed and looked at.

Coming to the third part, the internees and externees, their position is much worse than that of the detenus, because the detenus, while they are detained in jail, have their food supplied to them, while the internees and the externees do not get their food. It becomes practically impossible for them to earn their livelihood. When a person, for instance, from Bengal, is externed to Bihar or the United Provinces, it is very difficult for him to maintain himself. Besides, when no maintenance allowance is given, his family suffers untold hardship.

[Dr. P. N. Banerjee.]

28 Sir, these are cases which should be sympathetically considered. On principle, detention without trial is bad, but it becomes necessary for the State to put persons in detention in abnormal circumstances, the detenus, the externees, and interneers should be given fair, just and humane treatment.

My friend, Mr. Joshi, has asked for a committee. It would be a very good thing for the Government to accede to the request. If that is done, a great deal of misapprehension will disappear, and it will be possible to remedy the grievances—if grievances are real. If these grievances are not real, Government will be able to say 'we have a committee here, the committee has gone into the grievances, and our conduct is irreproachable'.

Sir, repeated representations, I find, have been made to the Provincial Government, but the Provincial Government have not listened to them, they have not even acknowledged these representations. This is very wrong, and if such treatment is continued, then what will be the result? Many people will be driven to desperation. Would that be a desirable thing from the Government's own point of view? I say 'no'. I think, therefore, if a Committee of this kind is appointed, it can go into all these matters thoroughly, it can do justice to the detenus by remedying their grievances and lessening their sufferings.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, I only want to say just two words in support of the Resolution that has just been moved by my friend, Mr. Joshi. The Treasury Benches seem to be today in an accommodating mood and the very modest Resolution of my friend, Mr. Joshi, should have a claim on their acceptance, and I do think that it will be accepted without demur. Sir, there were times when jail life was very hard,—I am speaking of the past when I was also a prisoner about 20 years ago. In those days the ordinary criminals who had committed offences involving moral turpitude were treated better than the political prisoners. Any man who made a speech against the Government was clapped into jail, and the Government officials in charge of the Jail Department were so vindictive that they used to put him into all sorts of trouble and inflict upon him the greatest of punishments that they could possibly conceive of. Well, since then conditions have changed and certain reforms have been brought about in the working of the jail department, but the same ideology of the upper ten among the officials remains unchanged. Under the Defence of India Act the Government officials are empowered to pounce upon any man against whom they have any suspicion whatsoever on the plea that he is a man who belongs to the Fifth Column such a man is at once clapped into jail. Now, there are many cases in which a person who is the sole bread-winner of the family is sent to jail. His wife, his mother and his children are all left unprovided for. It is manifestly the solemn duty of the Government which places a restraint upon the freedom of such a man to provide for his family, but the Government don't care. Then certain people who have not committed any offence whatsoever are suddenly arrested, and no information is conveyed even to their relatives to tell them that they have been arrested. They are interned or externed, and kept under conditions which are not favourable to their health, nor to the growth of their moral and intellectual needs. Such people are kept out of the

world; they are not allowed newspapers, and you know how very agonising it is for a man who has been accustomed to have his morning newspaper to go without it for a year altogether. Then again interviews are not granted, and if they are granted at all, they are granted at long intervals. Food is not provided of the sort to which these people were accustomed while living in their own homes. In the case of Europeans, of course, an exception is made as I pointed out the other day. Take the case of Mr. Abdul Sattar Khairi. The only charge against him is that he had gone to Germany, that he could read and write the German language as well as any German could do and that he married a German lady. Under the Defence of India Act one fine morning we came to know that the police had come overnight and raided his house, caught hold of him and conveyed him to the Jhansi Jail. He has many children and they are all left unprovided for. His wife of course, because she is a German lady, has been provided for,—while the daughters and children—because the texture of their skin is brownish, because they are darkies, are not provided for. The mother of the children, because she happens to be German although belonging to a race of scientific savages and barbarians, is sent to Dehra Dun where all her European needs are supplied. She lives according to the status of a European, but poor Abdus Sattar Khairi is in Jhansi jail and his children are unprovided for.

An Honourable Member: He is now in Dehra Dun.

Maulana Zafar Ali Khan: After we raised a hue and cry. Then there was another gentleman, by name, Sharaf Athar Ali. He is a young man, nobody knew anything about his whereabouts, even his father did not know anything. He was shut up in Nainital. He did not make a speech and for aught we know he was quite innocent, but the Defence of India Act was all powerful, all embracing. When the conditions are such, I think, Mr. Joshi's Resolution asking the Government to appoint a committee to go into each case, find out what sort of treatment is being meted out to the externee or the interneer or the prisoner as the case may be, to look after his material welfare, after his intellectual needs, grant him interviews with his relatives, give him newspapers to read, to let him have his letters. These are the ordinary amenities of life to which every man is entitled, and especially political prisoners who have committed no other offence except that occasionally they have given vent to the sentiments that were nurtured in their heart of hearts. The country has bowed down its head before the Defence of India Act although occasionally when the conditions have become very unbearable it raises its head. So, I think I am justified in appealing to the good sense of the Treasury Benches to accept Mr. Joshi's Resolution and give us some satisfaction. With these words I support the Resolution.

Mr. M. S. Aney: The Resolution which Mr. Joshi has moved ought to appeal to everybody who has some sense of fairness and justice left in him. Here the Resolution deals with the cases of persons against whom the Government are not prepared to make any definite charges and whom they are not prepared to bring up for trial before a tribunal to prove the charges against them. Government may have very good reasons for entertaining suspicions and for proceeding under the powers

[Mr. M. S. Aney.]

conferred upon them by the Defence of India Act to keep the person out of the way for the time being. It becomes a matter of administrative necessity. Whether they are justified in doing that or not is a point into which it is needless to go when we are considering the particular Resolution before the House. But it can be conceded that in times of emergency even the civilised Governments claim certain powers of that kind and they have to use those powers against persons about whom they have got certain misgiving or suspicions. That may be necessary in the interests of the State in general, but this Resolution wants to point out that in the discharge of their duties towards the State the Government ought not to forget their obligations towards their subjects or the individuals with whom they deal. And what are the obligations on which this Resolution particularly lays emphasis? The obligation is this. A man who is dealt with under the Defence of India Act is not a solitary individual living in this world isolated from the whole world and with whom nobody has anything to do at all. He is a member of a certain family and many times he is the only member of the family on whom the family depends for its maintenance, and therefore the proposition on which Mr. Joshi lays on a good deal of emphasis in paragraphs (b) and (c) of his Resolution is that Government must assume the responsibility of providing for those who are mainly dependent upon the person whom they have to remove owing to the exigencies of the State and for their own reasons. They must step into the place of the person whom they remove from the scene; that is, in fact, the principle which Mr. Joshi lays down. And it is not a new principle at all. In the case of persons dealt with under the old Regulations of 1837 and 1818 which were not worse than the Defence of India Act, so far as I know there was a statutory obligation put upon the Government to provide for those persons and their families left behind, suitable allowances had to be given to them, and until recently Government adhered to that practice. But when drastic laws, no less drastic than the Regulations to which I have just referred, were made, the Government took jolly good care to absolve themselves of any such responsibility. Why? The practice that was in vogue, the method that existed in India some time before the Defence of India Act was passed, was more humane in its operation and in its outlook than the one which the Government wants to pursue in the year of grace 1940. Are we marching towards progress and evolution, or are we going back? What are we doing? In fact, it is a retrograde step that the Government have taken, and I believe that Mr. Joshi has really done a great service to the Government itself by drawing pointed attention to the fact that the present administration of the Defence of India Act lacks in one essential feature to make it an administration a bit amenable to civilised people. That when you for your own interests, for your own reasons, which you are not prepared to disclose to the world and which you cannot probably disclose to the world, have to remove a man from his family, you must at the same time assume responsibility for seeing that the family is not unnecessarily inconvenienced by his absence or by your arbitrary removal of that man from them. You must take that responsibility.

After doing that, there is another responsibility also which Mr. Joshi wants to throw upon the Government and that is contained in para. (a) of his Resolution. When you take a man inside a jail and detain him

and call him a detenu, you think that all your responsibility is at an end and the man should remain there for such indefinite period as the Government may seem proper in his case. Mr. Joshi says as there is responsibility on the Government to provide for the members of the family who are made helpless on account of the removal of this man, there is also the responsibility of seeing that he can live the life of a man and not be reduced to the life of a beast inside the jail. That is another thing which Mr. Joshi wants to urge on this House and what are the amenities which he is asking for. Any ordinary man who wants to call himself a decent man of society requires all these things. He must have suitable opportunities for communication with his own men living outside. He must live comfortably inside the jail, not a life of luxury but he must get at least the bare necessities of life. Provisions have to be made for these. Those who have been in jail know how at times the jail authorities themselves become callous. The rules do not make any generous provision at all and when there is no provision at all under the rules, then the position becomes still worse. One or two letters I have received from detenus show that ordinary comforts are denied to them. For example, a man has to live without a shave for months together. Why should that happen. Where is the difficulty for the Government to provide a little apparatus for shaving. If they think it is dangerous to provide the man with a razor, you can arrange for your own barber to shave and enable the man to live a clean life.

An Honourable Member: It is five o'clock now.

Mr. M. S. Aney: If it is 5, then I shall have to stop at this stage. But I need not look at the clock. The Honourable the President is doing it for me. My point is this. There are certain matters which it is necessary that a man should have, to which the Government must give due attention, if the person concerned has to live a decent life. Now, take the question of the provision of papers to read. I do not make any reference to personal matters. I have taken a vow not to refer to my own case or make any complaint about it. So, I shall not refer to it but I am told that generally the demand for some kind of paper to read goes unheeded. For months together the man makes a demand. He sends chits to the Superintendent and nobody takes any notice. When notice is taken, he is asked to produce a list of what papers he wants. Then the Government shows him the approved list of papers. Those are papers which he would not like to read. That is the trouble. If the matter is left to the discretion of the Superintendent or the Inspector General of Prisons then the man will only get such papers as the *Fauji Akhbar* and papers of that kind. Some people are supposed to read nothing else but that in the world. If they are supplied with this kind of paper, then it is as good as not supplying any paper at all. That is a matter in which the taste of the man ought to be consulted. I do not mean to suggest that Government should supply him with revolutionary papers but short of that, you should allow him to read papers which any gentleman will be allowed to read without censorship outside jail. Why should there be unnecessary restriction in this matter? Why should there be one law of censorship for a man outside the jail and another for a man inside the jail, where the discretion of the jail authorities will dominate more? That is another matter which the Government have to take into consideration. I do not want to say more. I will only say

[Mr. M. S. Aney.]

that Mr. Joshi has put down a Resolution which is not to my taste. do not think it is a satisfactory one. Where is the need for an inquiry. These are grievances which exist and I would ask him to make a recommendation to the Governor General in Council to proceed at once to remove all these disabilities. If you ask for an inquiry, you only postpone action to a distant day and as there is going to be no non-official day this Session, this will be postponed to the next Session. I do not want to prolong the agonies of this House by making a long speech. My friend wants the appointment of a committee. The disabilities of which he has made a complaint are real but if the Government has any doubt this Resolution gives them a chance of looking into the matter for themselves through the accredited representatives who will sit on the committee to be appointed. Sir, I commend the Resolution for the acceptance of Government.

Mr. N. M. Joshi: May I suggest, Sir, that the House may sit a little longer and finish this Resolution?

Mr. President (The Honourable Sir Abdur Rahim): Is that the general desire of the House?

(There was no response.)

As there is no such general desire, I shall adjourn the House.

The Assembly then adjourned till Eleven of the Clock on Saturday the 16th November, 1940.

LEGISLATIVE ASSEMBLY

Saturday, 16th November, 1940.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

RECRUITMENT OF INDIAN CHRISTIANS TO THE SUBORDINATE AND SUPERIOR SERVICES OF THE STATE AND COMPANY-MANAGED RAILWAYS.

80. **Dr. F. X. Desouza:** Will the Honourable the Railway Member please place on the table a statement showing:

- the percentage of Indian Christians in the Subordinate Services in the State and Company-managed Railways to the total strength as it stood on the 31st March, 1938, the 31st March, 1939 and the 31st March, 1940 respectively;
- the total number of direct recruits to the Subordinate Railway Services during the period 1st April, 1938 to 31st March, 1939 and the percentage of Indian Christian recruits to the total number so recruited;
- the percentage of Indian Christians in the Superior Railway Services to the total strength as it stood on the 31st March, 1938, the 31st March, 1939 and the 31st March, 1940 in the State-managed and Company-managed Railways, respectively; and
- the total number of direct recruits to the Superior Railway Services and the percentage of Indian Christians so recruited during the period 1st April, 1938 to 31st March, 1939 in the State and Company-managed Railways, respectively?

The Honourable Sir Andrew Clow: (a) and (c). I lay on the table a statement giving the particulars required.

(b) The numbers are 6,419 on the State-managed Railways and 8,692 on the Company-managed Railways. The percentages of Indian Christians are 2.01 and 5.88 respectively.

(d) The numbers are 14 on the State-managed Railways and 29 on the Company-managed Railways and the percentages of Indian Christians are 7.14 and nil respectively.

Statement showing the percentage of Indian Christians in the service of State and Company-managed Railways on the 31st March, 1938, 1939 and 1940.

Year.	Superior Services.		Subordinate Services.	
	State-managed Railways.	Company-managed Railways.	State-managed Railways.	Company-managed Railways.
1938	1.75	2.00	2.48	4.14
1939	1.93	2.13	2.42	4.38
1940	2.24	2.05*	2.39	4.44*

* Excluding Rohilkund and Kumaon Figures.

Mr. K. Santhanam: May I know if Anglo-Indians are included in the term "Christians"?

The Honourable Sir Andrew Olow: No, Sir, not in this connection.

Mr. K. Santhanam: May I know what sort of Christians they are?

The Honourable Sir Andrew Olow: Indian Christians.

Mr. K. Santhanam: Are the Anglo-Indians also not Indian Christians?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not discuss that; they are not so included.

RECRUITMENT OF INDIAN CHRISTIANS TO THE SUBORDINATE AND SUPERIOR SERVICES OF THE STATE AND COMPANY-MANAGED RAILWAYS.

81. *Dr. F. X. DeSouza: Will the Honourable the Railway Member be pleased to state whether in fixing the unreserved posts, selection is made by competition or by nomination, and, if the latter, what is the constitution of the Selection Board and whether there is any Indian Christian on the Board?

The Honourable Sir Andrew Olow: Unreserved vacancies in subordinate services are filled by Selection Boards which make use of examinations or other methods of selection. This work is not entrusted to a single Board but to a large number. There are no fixed rules for their constitution, but efforts are made to nominate officers belonging to minority communities to all Boards. This, however, is not always possible in practice and it is impossible in any case to include officers of all communities in every Board.

Dr. F. X. DeSouza: Is it not a fact, then, that Indian Christians, if they are not represented on the Selection Board, have very little chance of getting in if there is no examination held?

The Honourable Sir Andrew Olow: No, Sir. I think that would be an aspersion on officers; they are not supposed to be swayed by communal considerations.

Mr. N. M. Joshi: Why then in that case do they try to make the Board representative of the various communities?

The Honourable Sir Andrew Olow: Because a Board consisting of various communities is on the whole better able to judge than a Board confined to men of one community.

Mr. Lalchand Navalrai: Who constitutes this Selection Board,—whether it is the Railway Board, or if not, then, who?

The Honourable Sir Andrew Olow: It is not a question of a single Selection Board; as I have said, there is a large number of these Boards.

Mr. Lalchand Navalrai: How constituted?—by different Departments?

The Honourable Sir Andrew Olow: Yes, Sir, by different authorities.

Mr. Lalchand Navalrai: Of the Railway Administration?

The Honourable Sir Andrew Olow: Normally.

Mr. Lalchand Navalrai: By the Railway Board?

The Honourable Sir Andrew Olow: Not as a rule.

Mr. Lalchand Navalrai: Then, who constitute them?

The Honourable Sir Andrew Olow: They are constituted within the Administration.

DISTANCES OF INDO-CHINA FROM BENGAL AND ASSAM.

82. *Maulvi Abdur Rasheed Chaudhury: (a) Will the Foreign Secretary please state the distance of eastern borders of Bengal and Assam from the western borders of Indo-China?

(b) Is the border of Indo-China contiguous to that of Burma?

Mr. O. K. Garoe: (a) The Honourable Member can obtain the information from any map of India and adjacent countries.

(b) Yes.

Maulvi Abdur Rasheed Chaudhury: May I know if Burma is within the bombing range of Japanese aeroplanes?

(No answer.)

Maulvi Abdur Rasheed Chaudhury: May I know whether Calcutta is within the bombing range of Japanese aeroplanes?

(No answer.)

Mr. Kuladhar Chaliha: May I know if there are anti-aircraft guns on the Eastern Frontier?

Mr. President (The Honourable Sir Abdur Rahim): All that does not arise.

Mr. Kuladhar Chaliha: There are anti-aircraft guns in Peshawar, and

Mr. President (The Honourable Sir Abdur Rahim): That question does not arise.

AVERTED ACCIDENT AT SALAP RAILWAY STATION.

83. *Maulvi Abdur Rasheed Chaudhury: (a) Will the Honourable the Railway Member please state whether his attention has been drawn to the report that a railway accident was averted near Salap, as published in the *Amritabazar Patrika* of the 19th September, 1940?

(b) By what time was 27 Up Calcutta-Serajganj passenger train detained at Salap?

(c) Has any enquiry been made as to who removed nuts and bolts from rails, as reported by one intending passenger? Has the culprit been punished and has any reward been given to the informant?

The Honourable Sir Andrew Olow: (a) I have seen a copy of the report.

(b) Ten minutes.

(c) I am informed that preliminary police investigations indicate that this was not a genuine case of attempted derailment and that the police enquiry is being continued.

RE-CLASSIFICATION OF WORKS MISTRIES AS "LABOURERS" ON THE NORTH WESTERN RAILWAY.

84. *Mr. Lalchand Navarai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that prior to 1934, Works Mistries employed on the North Western Railway were classed as members of 'subordinate staff' and used to sign an agreement with the railway administration, as is done by other members of subordinate staff?

(b) What were the circumstances brought to light in 1935 which necessitated their re-classification as 'Labourers'?

(c) Is it a fact that the works mistries are entitled to Provident Fund benefits and till 1934-35, were entitled to leave privileges admissible to members of the subordinate staff?

(d) Is there any of the conditions besides those mentioned in part (c) above, which determine classification of staff as 'subordinate' or 'labour' service employees?

(e) Is it a fact that several other classes of inferior and labour service employees, such as Block Maintainers, Journeymen, Electricians and Firemen, have lately been classed as members of subordinate staff by the Railway Board?

(f) Is it a fact that the work mistries are not manual workers under the definition laid down in rule 2 (24) of the State Railway Establishment Code? If so, why are they classed as 'labourers'?

(g) Is it a fact that the power to classify staff as members of subordinate inferior or labour services, is vested in the Railway Board? If so, was the case of Works Mistries ever referred to the Railway Board by the North Western Railway administration, either on their relegation as labourers in 1934-35, or when they memorialized the local railway authorities? If not, why not?

(h) Is it proposed to reconsider their case? If not, why not?

The Honourable Sir Andrew Olow: (a) The answer to the first part is in the negative and to the latter part in the affirmative.

(b) Does not arise.

(c) The reply to the first part is in the affirmative and the latter in the negative.

(d) Yes.

(e) Yes, literate Journeymen, Block Maintainers and Electricians (grades I and II), but not Firemen.

(f) The reply to the first part is in the negative; the latter part does not arise.

(g) As General Managers are also empowered to classify staff on the Railways, the case of Works Mistries was not referred to the Railway Board; the latter part does not arise.

(h) Their re-classification has been considered on more than one occasion, but has been held to be unjustifiable.

Mr. Lalchand Navarai: May I know from the Honourable Member if these Works Mistries do manual work?

The Honourable Sir Andrew Olow: They certainly supervise manual work.

Mr. Lalchand Navarai: May I know if it is the criterion that the inferior services are those the members of which work with their own hands and do manual work, and that clerks and the others are subordinates?

The Honourable Sir Andrew Olow: It is not possible to draw any hard and fast line, but the division does correspond roughly with what the Honourable Member suggests.

Mr. Lalchand Navarai: May I know from the Honourable Member that other inferior services also—those who only supervise—are considered to be only labourers?

The Honourable Sir Andrew Olow: I am not prepared to say that these men only supervise.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether or not it is a fact that these Works Mistries were at one time considered as upper subordinates?

The Honourable Sir Andrew Olow: I do not think they were ever considered to be upper subordinates.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member please inquire into the records of the Railways concerned, where I believe they will find that they were treated as subordinates as compared with inferior servants?

The Honourable Sir Andrew Clow: The Honourable Member's first question related to "upper" subordinates.

Lieut.-Colonel Sir Henry Gidney: That was a mistake, and I withdraw it, Sir.

The Honourable Sir Andrew Clow: The Honourable Member will have to table a question about that. I have no information with me now about it.

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

SINKING OF THE STEAMER *KEMENDINE*.

85. *Mr. Lalchand Navalrai: (a) Will the Secretary for External Affairs be pleased to state if the steamer *Kemendine* was sunk? If so, where and how?

(b) Is it a fact that the Government of India issued a notification by about 80th August, 1940, giving the names of some of the Sindhis who were on board the vessel, having got on from Gibraltar?

(c) Have Government since then got further information about this steamer and the casualties, and will the Honourable Member be pleased to place a statement on the table giving the names of all Indians, including Sindhis, who were on board and who were saved, also giving their present whereabouts?

Mr. O. K. Caroe: The question should have been addressed to the Honourable the Home Member.

PROMOTION OF TRAFFIC "PUPILS" AS TRAFFIC INSPECTORS ON THE NORTH WESTERN RAILWAY.

86. *Mr. Lalchand Navalrai: (a) Will the Honourable the Railway Member please refer to the answer to starred question No. 181, asked by Dewan Chaman Lal in this House on the 5th September, 1929, in which it was admitted that the Traffic "Pupils" working in the North Western Railway, "were recruited with a view to eventual advancement to the posts of Traffic Inspectors if qualified", and state how many of them have been promoted as Traffic Inspectors during the last fourteen years?

(b) Is it a fact that these Traffic "Pupils" had received satisfactory reports from the officers under whom they worked?

(c) Is it a fact that these men possess educational and departmental qualifications equivalent to those recruited for the superior service of Transportation and Commercial branches?

(d) Is it a fact that some of them have been recommended by their Divisional Officers for the posts of Assistant Officers?

(e) Is it a fact that only the Muhammadan Traffic "Pupils" have been promoted as Traffic Inspectors, although the work of others was stated to be "Uniformly satisfactory" by the Agent?

(f) If the answer to part (e) above be in the affirmative, will Government be pleased to state the reasons for this discrimination which is against their policy that promotions are not to be effected on a communal basis?

(g) Will Government be pleased to state the number of Traffic Inspectors in the North Western Railway, community-wise?

(h) Is it a fact that certain communities are very much under-represented as compared to the Anglo-Indians and the Europeans?

(i) What steps do Government propose to take in the matter in order to redress communal inequalities?

The Honourable Sir Andrew Clow: (a) Two—one permanent and one officiating.

(b) and (d). I regret I cannot give any information regarding reports about individual members of the staff but I would refer the Honourable Member to paragraph 118 of Mr. D'Souza's report.

(c) Four of the staff concerned are graduates and the fifth has undergone training in England on the London, Midland and Scottish Railway for two years and a half. The departmental qualifications required of Superior Service Officers and Senior Subordinates are not comparable.

(e) The two Muslims among the candidates have been promoted as Traffic Inspectors, one permanent and the other officiating. Promotions to posts of Traffic Inspectors are made by selection of the most suitable staff and not on communal considerations.

(f) Does not arise.

(g) Europeans 28, Anglo-Indians five, Hindus four, Muslims six, Sikh one, Parsee one.

(h) Yes.

(i) None; promotion is not regulated by communal considerations.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether when these two appointments were made, they superseded the others?

The Honourable Sir Andrew Clow: They may have, Sir; promotion is by selection, and not by seniority.

Mr. Lalchand Navalrai: May I know if any of them has risen to assistant officer's place?

The Honourable Sir Andrew Clow: No, I do not know their subsequent career.

Dr. Sir Ziauddin Ahmad: With reference to part (h) of the question, certain communities are mentioned there. What are the communities?

The Honourable Sir Andrew Clow: That surely is a matter for the Honourable Member asking the question, and not for me to explain.

Dr. Sir Ziauddin Ahmad: The Honourable Member has replied to this question, and he must have understood what the question is, and what did he understand by "certain communities"?

The Honourable Sir Andrew GLOW: I assumed that my Honourable friend was disturbed about the small proportion of Muslims!

Dr. Sir Ziauddin Ahmad: I know the mentality of Mr. Lalchand Navalrai very well: I ask, what did you understand by that?

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

PERMISSION TO BOY MESSENGERS ACTING AS PACKERS IN THE SIND AND BALUCHISTAN POSTAL CIRCLE TO APPEAR FOR CLERICAL EXAMINATIONS.

87. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Communications be pleased to state whether it is a fact that some Boy Messengers, acting as Packers in the Sind and Baluchistan Circle of the Posts and Telegraphs Department, were permitted to sit for a clerical examination? If so, what are the rules regarding admission of such low-paid employees for recruitment or promotion as clerks?

(b) Is it a fact that, in the first result, they were declared to have failed?

(c) Is it a fact that a supplementary result was declared for these men and they were passed? If so, why?

(d) What is the provision in the rules for declaring a supplementary result? If there is no provision in the rules, do Government propose to declare the supplementary results as null and void? If not, is it proposed to take action for wrong declaration of the results in the first instance? If not, why not?

Sir Gurunath Bewoor: (a) One Boy-messenger was permitted to sit for the examination held on the 3rd December, 1939. The rules regarding admission to the examination provide that departmental employees with five years' substantive and unblemished service may appear at the examination.

(b) The departmental employee referred to above was in the first instance not declared to have passed.

(c) On a review of the results of the examination held on the 3rd December, 1939, Government came to the conclusion that the question papers were of a somewhat stiffer character and the standard for marking adopted was stricter than usual and they, therefore, decided to lower for this particular examination the percentage of marks required for passing. Consequently, a supplementary result was declared and a number of candidates including the departmental employee mentioned in part (a) of the question, who in the first instance had not been declared to have been successful, were declared to have passed.

(d) The reply to the first three parts of the question is in the negative; regards the last part I refer the Honourable Member to the reply I have given to part (c) of his question.

Mr. Lalchand Navalrai: May I know if these supplementary examinations are held as a general rule, or it was only done in this particular case?

Sir Gurunath Bewoor: It was not a supplementary examination: it was a supplementary result.

Mr. Lalchand Navalrai: But the result must have been arrived at by holding another examination, or was the result declared without any further examination?

Sir Gurunath Bewoor: The result was declared without any further examination. As I have explained, the percentage of marks required for passing was reduced in this particular case as an exception for the reasons which I have mentioned in the reply.

APPOINTMENT OF UNQUALIFIED PERSONS IN THE SIND AND BALUCHISTAN POSTAL CIRCLE.

88. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Communications be pleased to state whether it is a fact that some unqualified persons not having passed the requisite departmental examination, have been appointed in the Sind and Baluchistan Circle of the Posts and Telegraphs since 1937? If so, will the Honourable Member please place a complete list of such persons on the table of the House?

(b) Is it a fact that some of them have also been confirmed in their appointments? If so, will the Honourable Member please state the circumstances under which they were confirmed?

(c) Is it a fact that some candidates who passed the Departmental examination for recruitment in 1937 and 1938, are still awaiting appointments? If so, will the Honourable Member please refer to the office memorandum No. B-29, dated the 23rd July, 1940, issued by the Postmaster, Karachi, with the approval of the Director, Sind and Baluchistan Circle, and the Director-General, New Delhi, and state why candidates who qualified themselves before 15th September, 1939, have been ignored in the matter of appointment and new recruits given preference, in spite of definite orders to the contrary in the Post Master, Karachi's memorandum referred to above?

(d) Do Government propose that the orders mentioned in part (c) be carried out? If not, why not?

Sir Gurunath Bewoor: (a) Yes. Their names are (1) Fida Hussain, (2) Ali Ashgar, (3) Habib A. Rahman, (4) Ashgar Hussein Sherwani, (5) Jiaand Lalbux and (6) S. C. Alridge.

(b) Yes; three of these officials have been provided permanently. Orders were issued last year that permanent provision should be made for all these six unqualified candidates, as a special case, in vacancies reserved for the communities to which they belong in consideration of the fact that they had been acting in the appointments allotted to them before the examination system was introduced.

(c) All candidates who passed the departmental examinations for recruitment held in 1937 and 1938 are now employed but some are still on a temporary basis. Candidates who qualified prior to the 15th of September, 1939, remain without permanent appointments only in the Karachi General Post Office and in the Circle Office. The reason is that in certain recruiting units candidates of minority communities who qualified in the examination held after the 15th of September, 1939, were appointed prior

to those who had qualified before that date in vacancies reserved for those communities. Orders were, however, issued in July last to ensure that all candidates who qualified in the 1937 and 1938 examinations should receive appointments before those who qualified in the 1939 examination. The letter of the Postmaster, Karachi, dated the 28rd of July, 1940, was issued in pursuance of those orders and since their issue no candidate approved after the 15th of September, 1939, has been given preference over those who qualified earlier, whether for a permanent or a temporary vacancy.

(d) The reply to the first part is in the affirmative and the latter part does not arise.

Mr. Lalchand Navalrai: When these six unqualified persons were given appointments, may I ask whether at that time there was a rule or not that only qualified candidates will be taken?

Sir Gurunath Bewoor: There was such a rule at that time, but this is an exception, and I have given the reasons for it.

Mr. Lalchand Navalrai: Was there any exception made in the case of the Hindus also? Practically, all the names mentioned by the Honourable Member are of Muhammadans.

Sir Gurunath Bewoor: As I have mentioned in the reply, these men were provided in the vacancies reserved for these communities.

OFFICERS AND MINISTERIAL STAFF OF THE EXTERNAL AFFAIRS DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

89. ***Sardar Sant Singh:** (a) Will the Secretary for External Affairs please state:

- (i) the number of Superintendents, Assistants and clerks of his Department who moved up to Simla with the Government of India camp offices in April 1940;
- (ii) the number of officers who accompanied the camp office to Simla;
- (iii) the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- (iv) the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- (v) the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - (1) travelling allowance, etc.;
 - (2) house-rent allowance;
 - (3) daily allowance; and
 - (4) all other expenditure in this connection?
- (b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

Mr. O. K. Caroe: (a) (i). The following number of Superintendents, Assistants and clerks of the External Affairs Department moved to Simla with the Government of India camp offices in April 1940:

Superintendents	3
Assistants	20
Clerks	19

These figures included the Central Cypher Bureau, 17 strong, which works day and night and caters for eleven Departments of the Government of India. It cannot be split up, as telegrams have to be encoded and decoded at headquarters.

The following Superintendent, Assistants and clerks were also ordered to move to Simla during July 1940 with the concurrence of the Governor General in Council:

Superintendent	1
Assistants	2
Clerks	3

(ii) Five officers of the External Affairs Department accompanied the camp office to Simla.

(iii) On two occasions two Assistants were called up during last summer to Simla for a period of 16 and eight days only. An Assistant who was dealing with the Tibet heading was called up when the Political Officer in Sikkim visited Simla. An Assistant was sent to Simla to attend to ceremonial work in connection with the Thailand Goodwill Mission's visit to Simla.

(iv) The Cashier of this Department was sent to Simla on duty on three occasions viz., August, September and October in order to disburse pay to the staff in the Camp office.

(v) The total cost on account of the last move from and to New Delhi of the External Affairs Department is as given below:

- (1) Rs. 16,840.
- (2) Rs. 18,100.
- (3) Rs. 250.
- (4) Rs. 3,200.

(b) The expenditure incurred by the External Affairs Department is within the limits of the orders of the Government of India in the Home Department who deal with the curtailment of the exodus to Simla. The staff sent to Simla for the Summer Season, 1940, was the barest possible minimum required for the efficient performance of work in the camp office. No further reduction will, therefore, be possible on the occasion of the next move.

Sardar Sant Singh: May I know what was the saving of the move in April, 1940, as compared to that of April, 1939?

Mr. O. K. Caroe: I am afraid I have not got the figures in my head. If the Honourable Member will table a question, I will give him the answer; or I will ascertain the facts and speak to him in the lobby.

Mr. Lalchand Navalrai: Can the Honourable Member say approximately if a substantial saving has been made, or was it only a nominal saving?

Mr. O. K. Caroe: A substantial saving has certainly been made.

Mr. T. S. Avinashilingam Chettiar: What is the amount of the saving?

Mr. O. K. Caroe: I am afraid I have not got the figures in my head.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE EXTERNAL AFFAIRS DEPARTMENT.

90. *Sardar Sant Singh: Will the Secretary for External Affairs please state:

- the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- the name of the chairman or presidents of each of such committees, etc.;
- the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

Mr. O. K. Caroe: (a) No conference, committees, or sub-committees were held at Simla during the last summer season under the control of the External Affairs Department.

(b) to (h). Do not, therefore, arise.

OFFICERS AND MINISTERIAL STAFF OF THE RAILWAY DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

91. *Sardar Sant Singh: (a) Will the Honourable Member for Railways please state:

- the number of Superintendents, Assistants and clerks of his Department who moved up to Simla with the Government of India camp offices in April 1940;

- the number of officers who accompanied the camp office to Simla;
- the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - travelling allowance, etc.;
 - house-rent allowance;
 - daily allowance; and
 - all other expenditure in this connection?

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Sir Andrew Clow: (a), (i)–(v). I lay on the table of the House a statement giving the information required by the Honourable Member.

(b) The expenditure will continue to be restricted to the minimum necessary for the efficient performance of the work of the Board.

Statement.

(i) Railway Board—	
Superintendents	Nil.
Assistants	8
Clerks	6
Stenographers	18
Central Standards Office for Railways—	
Superintendents	Nil.
Assistants	Nil.
Clerks	2
Stenographers	3
Drawing Office Staff	20
(ii) Railway Board	
Central Standards Office for Railways	17
	5

(iii) Railway Board—

Month.	No.	Designation.	Period.	Reason.
			Day(s).	
May 1940	1	Assistant	20	To prepare Rolling Stock programme.
June 1940	1	Ditto	26	Ditto.
	1	Clerk	4	Checking of Office furniture.
July 1940	1	Superintendent	9	Discussion of cases with the Director of establishment.
	1	Assistant	10	In connection with war work.
	1	Senior Accountant	7	Discussion of cases with Deputy Director of Finance.
	1	Cashier	3	Discussion of case regarding reorganisation in the Railway Board's office with Secretary.
	1	Clerk	4	Payment of bills.
	1	Ditto	2	With urgent papers.
	1	Ditto	2	Ditto.
August 1940	1	Stenographer	1	With confidential papers.
	1	Superintendent	1	Discussion of cases with Director of Traffic.
	1	Assistant	5	Discussion of recruitment rules with Director of Establishment.
	1	Ditto	3	To obtain urgent information from Army Headquarters.
	1	Ditto	7	Discussion of cases with Deputy Director of Finance.
	1	Clerk	4	Payment of bills.
	1	Ditto	2	With immediate papers.
	1	Ditto	10	Work in connection with the Public Accounts Committee meeting.
September 1940	1	Superintendent	3	To discuss Revised Establishment Code with Officer on Special Duty.
	1	Assistant	5	Discussion of cases with the Director of Establishment.
	1	Clerk	3	Payment of bills.
	1	Stenographer	2	To attend departmental enquiry.
October 1940	1	Clerk	4	Arrangements for move of office.
Central Standards Office for Railways.				
June 1940	1	Inspector	1	Discussion of cases.
September 1940	1	Assistant	4	In connection with the meeting of Indian Railway Conference Association.

(iv) Railway Board—

Simla . . . 17 officers and 32 members of the staff.

New Delhi . . . 4 officers and 122 members of the staff.

Central standard office for Railways—

Simla . . . 5 officers and 25 members of the staff.

New Delhi . . . 4 officers and 43 members of the staff.

With regard to non-gazetted staff, the Honourable Member is referred to the reply given to part (a) (iii) above. The information regarding gazetted officers is as follows:

Railway Board—

One officer thrice for 5, 2 and 4 days respectively.

One officer once for 2 days.

One officer twice for 2 days and 1 day respectively.

One officer once for 1 day.

Central Standards Office for Railways—

One officer four times for 4, 3, 5 and 3 days respectively.

One officer eight times for 10, 12, 10, 6, 21, 2, 7 and 3 days respectively.

One officer four times for 1, 5, 1 and 7 days respectively.

One officer twice for 7 days and 1 day respectively.

(v)

	Railway Board.	Central Standards Office for Railways.
	Rs.	Rs.
(1) Travelling allowance	13,485	8,057
(2) House Rent allowance	9,486	8,250
(3) Daily allowance	824	650
(4) Carriage of Records	1,966	1,107
* (5) Transit charges of daily dak	5,154	1,400
(6) Rent of telephones	3,292	810
* (7) Telephone Trunk calls	2,958	420
* (8) Rent of office accommodation	12,000	7,000
Total	49,165	27,694

*Amounts shown against these items are approximate, as final bills have not yet been received.

Sardar Sant Singh: May I ask whether there was any saving in the new departure from the old practice of moving the whole staff to Simla?

The Honourable Sir Andrew Olow: Yes, Sir.

Sardar Sant Singh: What was the saving as compared to the previous year?

The Honourable Sir Andrew Olow: I am afraid the Honourable Member will have to table a question. I cannot give him reliable figures.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE RAILWAY DEPARTMENT.

92. *Sardar Sant Singh: Will the Honourable Member for Railways please state:

- the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- the name of the chairman or presidents of each of such committees, etc.;
- the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Sir Andrew Olow: (a) to (g). I place a statement on the table giving the information required by the Honourable Member.

(h) No. The Government servants concerned with such meetings have other duties also to attend to, and in the absence of special reasons to the contrary in connection with any particular meeting, it is in the public interest that such meeting should ordinarily be held at the headquarters of Government.

Statement.

(a) Names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of the Railway Department.	(b) Names of the chairman or presidents of each of such committees, etc.	(c) Names of Government Members stationed at Simla and who were required to attend such conferences, etc.	(d) Number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government.	(e) Number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges.	(f) The savings in each case if the meetings of these conferences, etc., had been held at New Delhi.	(g) Reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside.
Standing Finance Committee for Railways.	Mr. B. M. Stalg, C.S.I., I.C.S., Financial Commissioner, Railways.	There are no Government members except the Chairman, but the Secretary was the Officer-in-Charge of the Railway Board, and three other Government servants, Mr. L. H. Swain, Director, Civil Engineering, Mr. J. Munphrie, Director, Mechanical Engineering, and Mr. S. E. I. West, Director, Traffic, in the Railway Board, were present for at least part of the time.	Rs. 6,028 15 0	None	None	The meeting was held at Simla as the headquarters of the Railway Board.
A meeting of the Chief Commissioner and Financial Commissioner, Railways, with Chief Mechanical Engineer, Mr. E. E. B. N. Railway, in connection with the building of the new line in India.	Mr. B. M. Stalg, C.S.I., I.C.S., Financial Commissioner, Railways.	There are no Government members except the Chairman, but the Secretary was the Officer-in-Charge of the Railway Board, and three other Government servants, Mr. L. H. Swain, Director, Civil Engineering, Mr. J. Munphrie, Director, Mechanical Engineering, and Mr. S. E. I. West, Director, Traffic, in the Railway Board, were present for at least part of the time.	Rs. 6,028 15 0	None	None	The meeting was held at Simla as the headquarters of the Railway Board.

Mr. T. S. Avinashilingam Chettiar: May I ask if the answer to clause (a) is very long, and, therefore, it cannot be read?

The Honourable Sir Andrew Olow: It is rather complicated and has too many columns.

Mr. T. S. Avinashilingam Chettiar: How many columns are there? How many Conferences were held?

The Honourable Sir Andrew Olow: Two Conferences were held. One was the meeting of the Standing Finance Committee for Railways, and the other was a meeting of certain Engineers.

OFFICERS AND MINISTERIAL STAFF OF THE DEPARTMENT OF COMMUNICATIONS AND ITS ATTACHED AND SUBORDINATE OFFICES WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

93. *Sardar Sant Singh: (a) Will the Honourable Member for Communications please state:

- (i) the number of Superintendents, Assistants and clerks of his Department and attached or subordinate offices who moved up to Simla with the Government of India camp offices in April 1940;
- (ii) the number of officers who accompanied the camp office to Simla;
- (iii) the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- (iv) the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- (v) the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - (1) travelling allowance, etc.;
 - (2) house-rent allowance;
 - (3) daily allowance; and
 - (4) all other expenditure in this connection?
- (b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Sir Andrew Olow: (a) (i) Two Superintendents, seven Assistants, 16 clerks and 11 stenographers.

(ii) Ten.

(iii), (iv) and (v). Information is being collected and will be laid on the table shortly.

(b) The expenditure will continue to be restricted to the minimum necessary for the efficient performance of the work of the department.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE DEPARTMENT OF COMMUNICATIONS.

94. *Sardar Sant Singh: Will the Honourable Member for Communications please state:

- (a) the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- (b) the name of the chairman or presidents of each of such committees, etc.;
- (c) the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- (d) the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- (e) the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- (f) the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- (g) the reasons for holding each on these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- (h) whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Sir Andrew Olow: (a) One, for considering wartime meteorological facilities.

(b) and (c). The Conference was conducted by the Secretary, Department of Communications and was attended by the Financial Adviser and Assistant Financial Adviser, Communications, the Director of Civil Aviation, the Under Secretary, Department of Communications, and four officers from Air Headquarters.

(d) Two officers whose headquarters are at Poona. The expenditure on account of their travelling allowance was approximately Rs. 650.

(e) Nil.

(f) and (g). There would have been no saving but additional expenditure if the Conference had been held at New Delhi at the time it was required.

(h) Does not arise.

PROVISION OF A CHANNEL FOR PROMOTION OF MARKERS TO SUBORDINATE SERVICE POSTS ON THE NORTH WESTERN RAILWAY.

95. *Khan Bahadur Mian Ghulam Kadir Muhammad Shahban: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that a channel for promotion is provided for inferior and labour

† Answer to this question laid on the table, the questioner having exhausted his quota.

‡ Answer to this question laid on the table, the questioner being absent.

staff on the North Western Railway in the categories of Shed Cleaners, Works Mistries and other Mistries to subordinate service posts as Firemen, Sub-Inspectors of Works and Journeymen, respectively?

(b) Is it a fact that direct recruitment is also made in subordinate service posts referred to in part (a) above?

(c) Is it a fact that no channel for direct promotion is provided for Markers as Goods Clerks to which posts direct recruitment is made? If so, what is the reason for this differential treatment for categories of staff referred to in part (a) and the Markers?

(d) Is it a fact that in the matter of promotion of Markers as Goods Clerks, etc., 60 per cent. of such promotions would go to Muslims?

(e) What steps do Government propose to take to provide some channel for promotion of Markers to subordinate service posts? If not, why not?

The Honourable Sir Andrew Olow: (a) Yes.

(b) Yes, in most of them.

(c) The reply to the first part is in the affirmative, as regards the latter part, I would refer the Honourable Member to the reply given to part (b) of Kunwar Hajee Ismael Ali Khan's question No. 106 on the 15th February, 1940.

(d) Not necessarily.

(e) None. I would refer the Honourable Member to the latter part of part (c) of the question.

STEPS FOR RELIEVING THE HARDSHIPS DUE TO BLOCK ON GRADE I ON THE NORTH WESTERN RAILWAY.

†96. *Khan Bahadur Mian Ghulam Kadir Muhammad Shahban: (a) With reference to the Honourable Member's assurance given in his speeches on the 24th and 26th February, 1940, to take steps to relieve hardship due to block on grade I, on the North Western Railway, will the Honourable Member for Railways be pleased to state what steps have since been taken to achieve this?

(b) If some orders were issued by the Railway Board, will the Honourable Member please lay a copy of the same on the table of the House?

(c) If no orders have been issued, what steps are being taken to expedite their issue? If none, why not?

The Honourable Sir Andrew Olow: (a) I assume that the question relates to clerks in Divisional and other offices. If so, the answer is that the matter is still under examination.

(b) and (c). Do not arise.

MUSLIMS SELECTED FOR DIRECT RECRUITMENT TO CERTAIN CATEGORIES OF APPOINTMENTS ON THE NORTH WESTERN RAILWAY.

†97. *Khan Bahadur Mian Ghulam Kadir Muhammad Shahban: (a) Will the Honourable Member for Railways be pleased to state the number

† Answer to this question laid on the table, the questioner being absent.

of Muslims selected on the North Western Railway in 1940, by direct recruitment in the following categories:

- (i) Permanent Way Inspectors,
- (ii) Inspectors of Works,
- (iii) Sub-Inspectors of Works,
- (iv) Assistant Way Inspectors,
- (v) Station Masters' Group Students, and
- (vi) Commercial Group students?

(b) How many of the candidates so selected were Sindhis? If the number was insignificant, what steps do Government propose to take to ensure recruitment of Sindhi Muslims to railway service? If none, why not?

The Honourable Sir Andrew Olow: (a) A statement is laid on the table giving the required information.

(b) Government have no particulars of the province of origin of these men. Recruitment is not made on a territorial basis, and Government do not contemplate the introduction of such a system as they do not believe it would be in the public interest.

Statement showing the number of Muslim employees recruited direct on the North Western Railway in the various categories shown below during 1940.

Serial No.	Category of Staff.	No. of Muslim employees recruited.
1	Permanent Way Inspectors	Nil.
2	Inspectors of Works	2
3	* Assistant Inspectors of Works	Nil.
4	Assistant Way Inspectors	4
5	Station Masters Group Students	130
6	Commercial Group Students	79

* The correct designation is Assistant Inspectors of Works and not Sub-Inspectors of Works.

MUSLIMS IN CERTAIN CATEGORIES OF APPOINTMENTS OFFICIATING AGAINST PERMANENT VACANCIES ON THE NORTH WESTERN RAILWAY.

†98. *Khan Bahadur Mian Ghulam Kadir Muhammad Shahban: (a) Will the Honourable Member for Railways be pleased to state how many (i) Assistant Station Masters, grade IV or V, (ii) Assistant Controllers, and (iii) Loco. Inspectors, are officiating against permanent vacancies on the North Western Railway, and how many of them in each category are Muslims?

(b) Why are they not being confirmed?

† Answer to this question laid on the table, the questioner being absent.

(c) Is it a fact that officiating service, if continuous in the grade, counts towards probationary period of twelve months? If so, will the persons referred to in part (a), who have put in twelve months' continuous officiating service, be confirmed? If not, why not?

The Honourable Sir Andrew Olow: (a) Five men in each of the categories of Assistant Station Master, Grade IV, Assistant Controller and Loco. Inspector are at present officiating against permanent vacancies. One of these, an Assistant Station Master, is a Muslim.

(b) The confirmation of these Assistant Station Masters, Grade IV and Assistant Controller is under consideration. It is not proposed to fill the five vacancies of Loco. Inspectors permanently for the present.

(c) The reply to the first part is in the affirmative. As regards the second part, I would refer the Honourable Member to my reply to part (b). The last part does not arise.

MUSLIM OFFICERS EMPLOYED BY THE CALCUTTA PORT TRUST.

99. ***Dr. Sir Ziauddin Ahmad** (on behalf of Mr. H. A. Sathar H. Essak Sait): (a) Will the Honourable Member for Communications be pleased to state the number of officers employed by the Calcutta Port Trust? How many of them are Mussalmans?

(b) How many recruitments were made in the officers' grade from 1924? How many of them were Muslims?

(c) Did Government fix any quota for Muslims? If not, why not?

(d) What percentage have Government fixed for Bengal where the Muslim population is about 54 per cent.?

The Honourable Sir Andrew Olow: (a) and (b). The information is being collected and will be laid on the table in due course.

(c) No. The power to fill appointments under the Calcutta Port Commissioners, except in the case of a small number of high posts, vests by law in the Commissioners themselves, their Chairman or Deputy Chairman.

(d) The percentages fixed for the central services in Bengal which are under the control of the Government of India are not uniform but differ for the different services.

Dr. Sir Ziauddin Ahmad: With reference to part (a), since the appointments are very few, it should not take a long time to collect the information?

The Honourable Sir Andrew Olow: I have not yet received the information from the Calcutta Port Trust. I am getting it. I have got to refer to Calcutta for this; the other answers could be collected here.

SCHOLARSHIPS FOR SPECIAL TRAINING GIVEN BY THE GOVERNMENT OF INDIA OR THE CALCUTTA PORT TRUST.

100. ***Dr. Sir Ziauddin Ahmad** (on behalf of Mr. H. A. Sathar H. Essak Sait): (a) Will the Honourable Member for Communications please state

whether it is a fact that the Government of India or the Calcutta Port Trust help some candidates for a special training by giving them scholarships?

(b) Was any scholarship ever given to a Muslim? If not, why not?

The Honourable Sir Andrew Olow: (a) and (b). The information asked for by the Honourable Member so far as it relates to the Calcutta Port Commissioners has been called for and will be laid on the table when received. As far as the Government of India are concerned, the latter part of the question should have been addressed to the Secretary in the Department of Education, Health and Lands, but I believe that the answer to both parts is in the affirmative.

Dr. Sir Ziauddin Ahmad: With reference to part (b), the Honourable Member says he believes the answer is in the affirmative. But I can assure him, it is in the negative.

The Honourable Sir Andrew Olow: The Honourable Member had better table a question directly to the Secretary of the Department of Education, Health and Lands.

Dr. Sir Ziauddin Ahmad: He believes that it is in the affirmative, but I am sure it is in the negative.

The Honourable Sir Andrew Olow: I have given this reply after a reference to the Secretary of the Department of Education, Health and Lands. If the Honourable Member wants a more detailed reply, he must table a question.

ALLEGED RUDE BEHAVIOUR OF THE QUETTA RAILWAY STATION OFFICIALS AT THE WELCOME TO THE PRESIDENT-ELECT OF THE BALUCHISTAN MUSLIM LEAGUE SESSION.

101. ***Dr. Sir Ziauddin Ahmad** (on behalf of Mr. H. A. Sathar H. Essak Sait): (a) Will the Honourable Member for Railways be pleased to state whether he received a resolution passed by the annual session of the Baluchistan Muslim League held at Quetta on 26th/28th July, 1940?

(b) Has the Honourable Member made enquiries in regard to the complaint made therein that the Railway officials behaved very rudely towards the gentlemen gathered at the Quetta Railway station to welcome the President-elect, Nawabzada Liyaqat Ali Khan?

(c) Is it a fact that on the previous day, i.e., the 25th July, there was a big gathering at the Quetta Station to welcome Lala Khusalchand, an Arya Samajist leader, when thousands of persons were allowed to enter the platform without platform-tickets, and that even volunteers with ~~in this~~ were freely allowed on the platform, while the very next day, i.e., the 26th, not only were no such facilities given to the Muslim Leaguers but they were actually insulted by Railway officials and by Police officials to such an extent that they had to retire from the platform and, when the President-elect arrived at the station, there was none to receive him?

(d) What action did the Honourable Member take in this matter?

The Honourable Sir Andrew Olow: (a) Yes.

(b) Yes.

(c) I am informed that no limitation was placed on the sale of platform tickets to a large number of people admitted to the platform on the 25th July. It is not a fact that thousands of persons were allowed to enter without platform tickets.

On the 26th, at the request of the Police, the sale of platform tickets to the Reception Committee was limited to 80 and, when informed of this, the Committee decided that no one should go to the platform.

(d) The General Manager, North Western Railway, has been asked to issue instructions to Divisions to give Reception Committees prior notice of any intention to limit the sale of platform tickets.

Dr. Sir Ziauddin Ahmad: Why was this differentiation made as mentioned in parts (b) and (c), that no persons were allowed to receive the President of the Muslim League, whereas nobody was prevented from entering the platform to receive Lala Khusalchand?

The Honourable Sir Andrew GLOW: It is not the case that no one was allowed to receive the President of the Muslim League. A limited number of persons was allowed. A change was made at the request of the Police, possibly as a result of the experience gained on the first occasion.

Maulvi Muhammad Abdul Ghanj: May I know the number of platform tickets that were sold on the first occasion when Lala Khusalchand was received at the station?

The Honourable Sir Andrew GLOW: I have not got the figures here.

DESIRABILITY OF UNIFORMITY AS TO THE INDIAN CATERING SYSTEM ON ALL INDIAN RAILWAYS.

102. ***Shaikh Rafiuddin Ahmad Siddique:** (a) Will the Honourable Member for Railways please state if the Indian catering system and the rules in respect of it are uniform on all the Indian Railways, including the Company-managed ones?

(b) If the answer to part (a) above be in the negative, will the Honourable Member please state whether Government are prepared to take steps to make the Indian catering system uniform on all the Indian Railways, including the Assam Bengal Railway?

The Honourable Sir Andrew GLOW: (a) No.

(b) No. Apart from the fact that it is very doubtful whether one uniform catering system is desirable throughout India, Government are not in a position to issue instructions to Company-managed Railways regarding their catering systems.

Mr. Kunalchar Ghosh: Is it a fact that one has to deposit the price of the bottle with the stall vendor before one can get an aerated water bottle?

The Honourable Sir Andrew GLOW: I am not aware of that, but I am willing to take it from the Honourable Member.

Mr. T. S. Avinashilingam Chettiar: Does the Honourable Member mean that the rules in respect of catering arrangements are not uniform on all the Indian Railways?

The Honourable Sir Andrew GLOW: Yes, Sir. One railway, for example, does its own catering arrangements.

Mr. T. S. Avinashilingam Chettiar: In cases in which contracts are given for catering, may I know if the catering rules are uniform for all the railways?

The Honourable Sir Andrew GLOW: I do not think they are uniform.

Mr. T. S. Avinashilingam Chettiar: Will Government consider the advisability of putting catering and other things on a uniform basis over all the railways?

The Honourable Sir Andrew GLOW: If the Honourable Member had listened to the reply I gave to part (b) of the question, he would have found an answer to that.

Pandit Lakshmi Kanta Maitra: May I know if the Railway Board does not exercise any control over the Company-managed Railways in respect of catering?

The Honourable Sir Andrew GLOW: No, Sir.

Pandit Lakshmi Kanta Maitra: What, no control?

The Honourable Sir Andrew GLOW: That is a matter for the railway administration concerned.

Mr. T. S. Avinashilingam Chettiar: May I know why uniformity is not advisable?

The Honourable Sir Andrew GLOW: I do not think in a great country like India, in this and many other matters, uniformity is at all desirable. By having certain varieties, you gain experience and thus meet the differing needs of different parts of the country.

Mr. T. S. Avinashilingam Chettiar: I want uniformity of rules of catering, that is rules and regulations should be uniform, I do not mean uniformity of food.

The Honourable Sir Andrew GLOW: I do not think uniformity of any system is desirable. One company manages its own catering.

Dr. Sir Ziauddin Ahmad: Is it not a fact that the rules framed by the Central Advisory Committee are binding on the State Railways as also on the Company-managed Railways?

The Honourable Sir Andrew GLOW: It is the other way about. The recommendations made by that Committee were embodied in the instructions issued by the Railway Board, which have to be followed by the State Railways. The Company-managed railways are not obliged to.

RENT RECEIVED FROM INDIAN STALLS BY THE ASSAM BENGAL RAILWAY.

103. ***Shaikh Rafiuddin Ahmad Siddiquee**: Will the Honourable the Railway Member be pleased to lay on the table of this House a statement showing the amounts received by the Assam Bengal Railway Company as rent from the Indian stalls from the year 1930 up to 31st March, 1940?

The Honourable Sir Andrew Olow: Contracts for vending at stations on the Assam Bengal Railway do not specify the amount of rent separately. But as I assume that the Honourable Member desires to know the total receipts from the vending contracts for stalls, I shall endeavour to secure this information for the three years ending the 31st March, 1940.

INDIAN CATERING MADE A SOURCE OF INCOME ON THE ASSAM BENGAL RAILWAY.

104. ***Shaikh Rafiuddin Ahmad Siddiquee**: (a) Will the Honourable the Railway Member be pleased to state the object or objects for which Indian catering is maintained by the Assam Bengal Railway Company?

(b) Is the Indian catering on the Assam Bengal Railway looked upon and treated as a source of income to the Assam Bengal Railway Company?

(c) If the answer to part (b) above be in the affirmative, will the Honourable Member please state whether Government are prepared to take necessary steps in the interest of the travelling public to allow the Indian catering system on the Assam Bengal Railway the same privileges and advantages as are enjoyed by the European refreshment rooms?

The Honourable Sir Andrew Olow: (a) The main object of providing Indian catering is to meet needs of Indian passengers.

(b) I understand that some income is derived from it.

(c) This is a matter within the competence of the Company; it is not always possible to secure suitable contractors for the two types of catering on identical terms.

Mr. Lalchand Navalrai: Is the Honourable Member aware that on the Company-managed Railways there is a licence fee and there is also a stall fee?

The Honourable Sir Andrew Olow: I am not familiar with the details of the contract for catering on Company-managed Railways.

IMPROVEMENT IN THE INDIAN CATERING SYSTEM OF THE ASSAM BENGAL RAILWAY.

105. ***Shaikh Rafiuddin Ahmad Siddiquee**: (a) Will the Honourable the Railway Member please state whether the Assam Bengal Railway Company has effected any change or improvement in the Indian catering system of that Railway according to the advice of the Central Advisory Council for Railways or otherwise after the meeting of this Assembly in April, 1939?

(b) If the answer to part (a) above be in the affirmative, will the Honourable Member please state what those changes and improvements are?

The Honourable Sir Andrew Olow: I have called for the information and will lay a reply on the table of the House.

UNSTARRED QUESTIONS AND ANSWERS.

EXCLUSION OF NON-MUSLIMS FROM PROMOTIONS AS JOURNEYMEN LATELY MADE ON THE NORTH WESTERN RAILWAY.

43. **Mr. Lalchand Navalrai**: (a) Will the Honourable Member for Railways, be pleased to state whether some promotions were lately made on the North Western Railway to the Journeymen's posts?

(b) Is it a fact that the North Western Railway Headquarters office asked Divisions to recommend only Muslims? If so, why were other communities excluded from promotion to these posts?

(c) What is the total number of promotions made to journeymen from 1st January, 1939, to date and how many belonged to each community?

(d) What steps does the Honourable Member propose to take to ensure that members of communities other than the Muslim community are not debarred from promotion in the manner referred to in part (b) above? If none, why not?

The Honourable Sir Andrew Olow: (a) Yes.

(b) Yes, but this was done in order to make up the Muslim quota; the other communities have not been excluded.

(c) 16; nine Muslims, two Hindus, three Anglo-Indians and Domiciled Europeans, two Indian Christians.

(d) As no community is debarred from recruitment this does not arise.

FILLING UP OF CERTAIN VACANCIES OF CLERKS RECENTLY OCCURRING IN THE KARACHI DIVISIONAL OFFICE OF THE NORTH WESTERN RAILWAY.

44. **Mr. Lalchand Navalrai**: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that a Division on the North Western Railway forms an independent circle or unit for recruitment of clerical staff in the Divisional offices, especially in grade I, for which no second or final Selection Board is held at the North Western Railway Headquarters office, Lahore?

(b) Is it a fact that recently certain vacancies of clerks in the Karachi Divisional office were advertised and applications from suitable candidates of the community for which the vacancies were reserved were not received?

(c) Is it a fact that some persons belonging to the unreserved communities were appointed to these posts, but they were soon discharged and candidates selected by other Divisions and also the North Western Railway Headquarters office, were appointed to these posts? If so, why?

(d) Why were the provisions of the Government of India, Home Department Office Memorandum bearing No. 14/13/38-Ests.(S), dated 15th July, 1938, not applied in this case?

(e) Have the provisions of the order referred to in part (d) ever been applied on the North Western Railway? If so, when and in which cases?

(f) Is it a fact that candidates are taken from anywhere to a circle? If so, why? Is the Honourable Member prepared to take steps to stop importations and to ensure the strict observance of the Office Memorandum referred to in part (d)? If not, why not?

The Honourable Sir Andrew Olow: (a) Yes, ordinarily. There is, however, no prohibition against a vacancy being filled up by a Divisional Superintendent by taking a clerk from another division or the Headquarters Office if available.

(b) I understand that this is not the case.

(c) I am informed that the answer to the first part is in the negative; the second part does not arise.

(d) Does not arise.

(e) Yes, in cases such as Journeymen, Station Masters, Commercial Group Students, Guards, Sub-Assistant Surgeons, etc. I have no particulars of the dates.

(f) Yes, if the circumstances so warrant. Recruitment is not conducted on a territorial basis, and there is nothing in the orders to which the Honourable Member has referred which requires that it should be so conducted.

EDUCATIONAL ASSISTANCE TO THE CHILDREN OF EMPLOYEES ON THE NORTH WESTERN RAILWAY.

45. Mr. Lalchand Navalrai: (a) With reference to the Honourable the Railway Member's answer to parts (c) and (e) of starred question No. 54, asked on 9th February, 1940, stating that in the matter of grant of educational assistance to children of railway employees, there was no question of distance but convenience, will the Honourable Member be pleased to state whether orders have been issued on the subject of interpretation of the relevant rule regarding conditions of distance and convenience? If so, from which date do they come in force?

(b) Is it a fact that some of the railways propose to apply this amplified interpretation to cases of educational assistance, occurring after 16th February, 1940? If so, why?

(c) Is it a fact that several employees were told on the North Western Railway that the matter referred to in part (b) was under correspondence and their bills would be pending till the disposal of the reference? Do Government propose to give relief in regard to their pending claims? If not, why not?

The Honourable Sir Andrew Olow: (a) and (b). Orders on the subject were issued on the 16th February, 1940. These orders did not involve a mere interpretation of the previous orders on the point, but their revision. They, therefore, came into force from the date of issue in accordance with para. 2045 (2) of State Railway General Code, a copy of which is in the Library of the House.

(c) Government have no information but the claims of staff will be dealt with in accordance with the answer to parts (a) and (b) of the question.

PUBLICATION OF A CLASSIFIED LIST OF A CERTAIN CLASS OF SUBORDINATE STAFF OF ALL BRANCHES OF RAILWAY SERVICES ON THE NORTH WESTERN RAILWAY.

46. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether a classified list of the subordinate staff of all branches of railway service on the North Western Railway in receipt of Rs. 250 and over or in the scale of pay rising to Rs. 250 and over, is published annually?

(b) If the reply to part (a) above be in the affirmative, is the book on sale? If so, what is its price and from where is it obtainable?

(c) If the classified list is not on sale, do Government propose to issue instructions that these books should be put on sale to the employees at least? If not, why not?

(d) Is the seniority of each category of staff whose names and particulars of service are published in the classified list of the subordinate staff given therein? If not, why not?

(e) Do Government propose to issue instructions that the information referred to in part (d) above be given in the classified list? If not, why not?

The Honourable Sir Andrew Olow: (a) Yes.

(b) The answer to the first part is in the negative, the latter part does not arise.

(c) The question of discontinuing the printing of these lists is under examination; if they continue to be printed, the question of permitting the staff to purchase copies will be considered.

(d) and (e). No; because the list is not drawn up for the purpose of exhibiting seniority and seniority lists are separately maintained.

DISCHARGE OF CERTAIN WORKS MISTRIES IN THE RAWALPINDI DIVISION OF THE NORTH WESTERN RAILWAY ON COMMUNAL GROUNDS.

47. Mr. Nalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether Works Mistries are appointed on the North Western Railway in officiating capacity or against temporary vacancies or on special works?

(b) Is it a fact that for the purpose of reckoning seniority for confirmation, the total officiating service is the determining factor?

(c) Is it a fact that some Works Mistries appointed in 1932 and after in the Rawalpindi division, in capacities mentioned in part (a) have now been discharged, on the ground that communal reservation had to be applied to their posts?

(d) Since the Government of India, Home Department Resolution, dated 4th July, 1934, on the reservation of appointments for minority communities was issued after the appointment of the Works Mistries referred to in part (c), can it have retrospective effect? If so, will the Honourable Member please refer to specific provision on the point in the Resolution? If there is no specific provision to give it retrospective effect, why have the Works Mistries with long terms of service been discharged on communal grounds to make room for short-term employees?

(e) Does the Honourable Member propose to review such cases? If not, why not?

The Honourable Sir Andrew Olow: (a) This depends on the nature of the vacancy against which the appointment is made.

(b) No.

(c) No person holding any such permanent appointment was discharged on this ground.

(d) The answer to the first part is in the negative; the latter part does not arise.

(e) Does not arise.

TRANSFERS OF NON-GAZETTED RAILWAY SERVANTS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY AND THE DELHI DIVISION OF THE NORTH WESTERN RAILWAY.

48. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to Rule 125 of the State Railway Establishment Code and lay on the table of this House a statement showing:

- the number of non-gazetted railway servants transferred since 1st January, 1938, from one post to another otherwise than on account of inefficiency, misbehaviour or on a written request on Moradabad Division of the East Indian Railway and the Delhi Division of the North Western Railway, separately;
- designation of the officer who has exercised the powers of the Railway Board delegated to heads of departments (Appendix XXXIII of the said Code) in respect of those transfers;
- non-gazetted railway servants transferred since 1st January, 1938, from one post to another on account of inefficiency, misbehaviour and on a written request separately on those Divisions; and
- the rule and procedure adopted in respect of transfers made under part (c) of the question and the authority who ordered the said transfers?

The Honourable Sir Andrew Clow: (a), (b), (c) and (d). I regret that I cannot undertake the research necessary to secure these particulars. Transfers are matters of day to day administration of which statistics are not maintained. It should be pointed out, however, that paragraph 125 of the Code did not correctly represent the position, and was to some extent inconsistent with paragraph 721. This inconsistency is being removed in the revised Code, which will make it clear that the power to transfer officials can be re-delegated.

PRIOR SANCTIONS BY THE RAILWAY BOARD TO REVISIONS OF SCALES OF PAY AFFECTING A WHOLE CLASS OR GRADE OF EMPLOYEES ON CERTAIN STATE RAILWAYS.

49. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to Rule 168 (2) (a) of the State Railway Establishment Code and lay on the table of this House a statement of the prior sanctions given by the Railway Board on the revisions in the scales of pay which have affected a whole class or grade of employees, since 1st January, 1938, on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways?

The Honourable Sir Andrew Clow: No revisions of scales of pay affecting a whole class or grade of non-gazetted employees on State-managed Railways have been sanctioned by the Railway Board since the 1st January, 1938.

DOCUMENTS FOR VERIFICATION OF LEAVE ACCOUNTS MAINTAINED ON STATE RAILWAYS.

50. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to Rule 422 of the State Railway Establishment Code and state the documents from which the accuracy of the leave account is verified and also the duration for which those documents are maintained?

The Honourable Sir Andrew Clow: The accuracy of a leave account maintained under rule 422 of the State Railway Establishment Code can be verified from the records of service prescribed in Chapter XIX of the State Railway General Code, a copy of which is in the Library of the House. Where in any case a record of leave is not maintained in the service record the leave account itself constitutes an authoritative record of leave as the entries are duly attested by an officer and test checked by Accounts and/or Audit staff with the initial documents.

Service records and leave accounts are preserved as long as a person remains in service, the period for which they may be preserved thereafter has been left to the discretion of General Managers.

RULES IN RESPECT OF PAY AND ALLOWANCES, PROVIDENT FUND, ETC., ON THE OUDH AND ROHILKHAND RAILWAY BEFORE AND AFTER AMALGAMATION.

51. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state the rules (Oudh and Rohilkhand State Railway or East Indian Company Railways) in respect of (i) pay and allowances (scales or grades); (ii) Provident Fund and Gratuity; (iii) Leave; (iv) House rent; (v) Transfer; (vi) Medical attendance; (vii) Clothing; (viii) School fees, applicable to the staff appointed (a) between 1st January, 1925 and 30th June, 1925; and (b) on and after 1st July, 1925 but before 1st April, 1931, on the old Oudh and Rohilkhand Railway and on the amalgamated East Indian Railway?

The Honourable Sir Andrew Clow: I have called for information and a reply will be laid on the table in due course.

CIVIL SUIT BY AN EMPLOYEE DECREED AGAINST THE NORTH WESTERN RAILWAY.

52. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to column 6 of page 8 of the *Hindustan Times*, Delhi Edition, dated Saturday, September 28, 1940, under the Caption "Employees suit against North Western Railway—Claim Decreed by Court" and to state;

- whether the North Western Railway Administration preferred an appeal against the Decree; if not, why not; and
- whether Government propose in terms of Rule 29 (iv) of Appendix 1 of State Railway Establishment Code to recover the decretal amount from the pay of the Gazetted Railway servants who neglected in observing the rules and whose order is held by Court as *ultra vires*; if no recovery from the pay is to be made, the reasons therefor?

The Honourable Sir Andrew Olow: (a) I have called for the information and a reply will be laid on the table in due course.

(b) Government have no such step in contemplation as the case was not reported to them, but a copy of this question and the answer will be forwarded to the General Manager for such action as he considers necessary.

ALLEGED SALE OF USED RAILWAY TICKETS:

53. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to column 2 of page 4 of the *Hindustan Times*, dated May 8, 1940, under the Caption "Used Tickets—Charge of selling false" and state:

- (a) the officer of the Railway Administration who inquired into the alleged selling of used Tickets;
- (b) whether the enquiring Railway officer was ignorant of the fact that "The tickets produced in the court were such as were already clipped and checked";
- (c) who conducted the case in the Court on behalf of the Railway Administration; and
- (d) who was in possession of the tickets between the recovery from the accused persons and the production in Court?

The Honourable Sir Andrew Olow: I have called for information and a reply will be laid on the table in due course.

REPORT OF THE RAILWAY ENQUIRY COMMITTEE ON CORRUPTION IN RAILWAYS.

54. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to column 6 of page 4 of the *Hindustan Times*, dated August 21, 1940, under the Caption "Alleged corruption—Railway Inquiry concludes" and lay on the table of this House the report of Railway Inquiry Committee together with the actions taken thereon; if no action has been taken, the reasons therefor?

The Honourable Sir Andrew Olow: A departmental inquiry committee which met at Multan has submitted several reports on serious irregularities in connection with the execution of work in that division. As these reports are confidential ones relating to individual cases, I am unable to comply with the request to lay them on the table of the House. The action taken by Government so far has involved the discharge of three officers. The cases of two more officers are under consideration and I understand that action was taken by the administration against certain subordinates.

NORTH WESTERN RAILWAY BAN ON HATS AGAINST CERTAIN EMPLOYEES.

55. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to column 4, page 2 of the *Hindustan Times* of November 21, 1939, under the Caption "North Western Railway Ban—Hat not for those drawing less than 150" and state:

- (a) whether Government are aware that educated Indians are using European Head dress in daily life even with *Dhotis* and *Salwars*; and

- (b) whether Government propose to remove the racial distinction, if not, why not?

The Honourable Sir Andrew Olow: (a) I am prepared to take the Honourable Member's word that some do, but it is not usual.

- (b) Necessary action has been taken.

PROCEEDINGS OF THE SELECTION BOARD HELD AT THE DIVISIONAL OFFICE, HOWRAH, EAST INDIAN RAILWAY FOR FILLING VACANCIES OF LUGGAGE AND PARCEL SUPERVISORS.

56. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to the proceedings of the Selection Board held at Divisional office, Howrah, East Indian Railway in April and May 1940, on the vacancies in the cadre of Luggage and Parcel Supervisors, and state:

- (a) if it is a fact that the Selection Board on the 29th April, 1940, interviewed seven persons out of eleven called for those vacancies;
- (b) if it is a fact that the Selection Board submitted its result on the 3rd May, 1940;
- (c) if it is a fact that that result was subsequently modified on 9th May, 1940; and
- (d) if it is a fact that the remainder four were presented to the Selection Board on the 11th May, 1940?

The Honourable Sir Andrew Olow: These proceedings are not submitted to Government so that I have been unable to refer to them, and cannot furnish particulars of the procedure followed. I have, however, no reason for supposing that the dates and numbers mentioned by the Honourable Member are incorrect.

QUARTERS COMMITTEE, MORADABAD DIVISION, EAST INDIAN RAILWAY.

57. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please lay on the table of this House a copy of the:

- (a) order constituting the Quarters Committee, Moradabad Division, East Indian Railway;
- (b) rule or regulation made by the Governor General for the constitution of that committee; and
- (c) constitution rules, regulations or bye-laws of that committee for allotment of quarters, for vacation of quarters, for shifting from one quarter to another in the same station, for transfer in quarters of the same type or in the same unit and for appeals against the committees' orders, resolutions, findings, rules, etc.?

The Honourable Sir Andrew Olow: (a) and (c). Government do not get information on these matters of detailed administration which are within the competence of local railway authorities.

- (b) The Governor General has not made any rules or regulations for this purpose.

ALLOTMENT OF QUARTERS TO CERTAIN CLASSES OF NON-GAZETTED RAILWAY SERVANTS ON STATE RAILWAYS.

58. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state the order of priority amongst the Non-Gazetted Railway servants of the following classes, and the criterion required for allotment of quarters with the minimum and maximum distances from the sphere of work required for occupation of a quarter on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways:

- (a) Signallers, Assistant Station Masters, Assistant Yard Masters or Foremen, Station Masters, Yard Masters or Firemen, Ticket Collectors, Gunners, Shunting Porters, Number Takers, Booking and Goods clerks, Station Masters' clerks, Cabin Signalmen and Pointsmen;
- (b) Guards, Cleaners, Shunters, Drivers, Running Shed Foremen, Travelling Ticket Examiners, Electricians, and Train Examiners; and
- (c) Assistant or Section Controllers, Controllers, Transportation Inspectors (Traffic, Commercial, Tickets and power)?

The Honourable Sir Andrew Clow: With your permission, Sir, I shall reply to questions Nos. 58 and 60 together.

The allotment of quarters to non-gazetted railway servants is a matter which is left to individual railway administrations. It may safely be presumed that in making it, the primary consideration is administrative requirements. Government have no detailed information regarding it. The collection of the information the Honourable Member desires would involve much labour and expense which I do not consider would be justified. I regret, therefore, I am unable to undertake it.

DETENTION OF VEHICLES AT STATIONS IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.

59. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please lay on the table a comparative statement of the total detentions of vehicles at Moradabad and at stations on the Moradabad Division, East Indian Railway, during the period from 1st October to 31st October, 1939 and 1940?

The Honourable Sir Andrew Clow: Particulars of detentions to goods stock are not compiled for each individual station and I regret that I cannot supply these. In the marshalling yard at Moradabad the average detention to through loaded wagons in October, 1939 was 11.7 hours. Figures for October, 1940 are not yet available, but the figures for September, 1940 was 8.6 hours against 11.5 hours in September, 1939. The reduction in delay, which appears in every month of this year up to September, is due partly to improvement in the facilities available and partly to improved operating conditions and methods.

RAILWAY QUARTERS AT MORADABAD AND STAFF OCCUPYING THEM.

60. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please lay a statement on the table of this House in respect of

the positions of the quarters at Moradabad in the Moradabad Division on the East Indian Railway on 31st October, 1940, showing:

- (a) number in each type of quarters along with the description of types;
- (b) number of units of each type and how the units are formed;
- (c) number of staff entitled to railway quarters (to be divided according to types and units, respectively);
- (d) number of staff in occupation of railway quarters (to be shown, as free of rent, or on payment of rent against each type and unit respectively, along with the total amount of rent recovered for quarters allotted against payment of rent);
- (e) number of staff occupying quarters of a higher type and unit, respectively, than entitled to;
- (f) number of staff disbursed with amount of rent in lieu of rent-free quarters along with the total amount of such disbursement; and
- (g) the reasons for allotting quarters to staff on payment of rent against the staff entitled to rent free quarters?

PREVALENCE OF TUBERCULOSIS AMONGST THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

61. Mr. Muhammad Azhar Ali: (a) With reference to the reply to starred question No. 475 given on the 20th March, 1940, will the Honourable the Railway Member kindly state whether medical authorities have been consulted regarding the question of the desirability of having a medical examination of the staff of the Railway Clearing Office employed in the Clive Building? If so, what conclusions have been arrived at?

(b) Have Government examined the question of the prevalence of tuberculosis amongst the staff not from the point of view of deaths alone, but from the incidence thereof amongst the staff?

(c) Are Government aware that the disease is carried by tubercular bacilli through the medium of air?

(d) Are Government aware that the patients attending the tuberculosis clinic next door to the Clive Building furnish a cause for the prevalence of the disease amongst the staff?

(e) Is there any legislation to the effect that patients attending the clinic must not spit in the surrounding area outside the Clinic? If not, how such spitting is checked?

(f) Are Government aware that vendors who sell sweets, etc., to the staff, are in close proximity to the clinic?

(g) Are Government aware that such sweets, etc., are susceptible to infection from the spittings in the surroundings?

(h) With reference to the answer to part (c) of the above mentioned question, will Government state what steps are actually taken by the clinic to educate the public, apart from the patients who attended the clinic, in the methods of prevention of tuberculosis, or the steps the clinic has taken to educate the staff of the office or the public so far?

(i) Have Government considered whether the activities of the clinic cannot be carried out by its location in a place just outside the town, say, at a distance of 1,000 yards or more from the nearest habitation?

(j) If not, do Government propose to do so now? If not, are Government prepared to remove the Railway Clearing Accounts Office from the Clive Building?

The Honourable Sir Andrew Olow: (a) Yes. I understand that the medical authority has been consulted and considers that the incidence of tuberculosis of all kinds among the staff is not so great as to call for a general medical examination of all the staff employed in the building.

(b) This was considered by the medical officer.

(d) No.

(f) No; but I am willing to take this from the Honourable Member.

(c), (e), (g), (h), (i). These questions and the first part of (j) should have been addressed to the Honourable Member representing the Department of Education, Health and Lands. The latter part of (j) does not at present arise.

RAILWAY PROSECUTION CASE IN THE COURT OF THE RESIDENT MAGISTRATE, DELHI.

62. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please refer to the proceedings at serial No. 166 of Register of Mr. K. L. Kapur, P.C.S., Resident Magistrate, First Class, exercising summary powers in Delhi Province announced on 28th November, 1939, in Criminal Case No. 864-A./3 of 1939, viz.:

"Before I close this judgment I deem it my duty to point out that this case does not appear to have been properly investigated before a complaint was filed in Court. It was obviously the duty of the prosecution to thoroughly satisfy themselves regarding the identity of the offender before prosecuting against a gentleman of the position and respectability of"

and state if it is a fact that the complainant has styled himself as Ticket Court Inspector in a petition, dated 18th May, 1939?

(b) If the reply to part (a) be in the affirmative, what action has been taken against him against the information given on 6th February, 1940 to unstarred question No. 8 asked on the 22nd September, 1939? If no action has been taken, why not?

(c) Who investigated the case, and have rules 1 and 18 of Part II of General Rules for Railways been observed and followed? If not, why not?

(d) Will the Honourable Member please state the steps taken against the Ticket Court Inspector and for safeguarding the position and respectability of travelling public? If no steps have been taken, why not?

The Honourable Sir Andrew Olow: (a) The complainant in this case was the Crown and the Crown was represented by the Divisional Inspector of Special Ticket Examiners who used the designation "Ticket Court Inspector".

(b) None; as it was not considered necessary.

(c) The case was investigated by the Divisional Inspector, Special Ticket Examiners under instructions from a Divisional Commercial Officer, now deceased. The answer to the second part is in the negative; an authority higher than the Station Master directed the investigation.

(d) No action has been taken against the Railway official concerned as it was considered that there were no sufficient grounds for doing so.

CONTRACT FOR BOOK STALLS GIVEN TO MESSRS. WHEELER AND COMPANY BY THE GENERAL MANAGER, NORTH WESTERN RAILWAY.

63. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to the reply given to starred question No. 522, asked on the 19th September, 1935, viz. "Contracts on State-managed Railways have been given for a period of five years and were placed after calling for tenders. The dates on which the existing contracts expire vary, but Agents will no doubt call for fresh tenders in due course"; and state why the General Manager, North Western Railway, has not called for tenders for book stalls and has given contract to Messrs. Wheeler and Company at his own option?

The Honourable Sir Andrew Olow: Because the General Manager, who was under no obligation to call for tenders, did not consider it necessary to test the market on this occasion.

RECRUITMENT OF TEMPORARY CLERKS IN THE OFFICE OF THE CHIEF OPERATING SUPERINTENDENT, EAST INDIAN RAILWAY.

64. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways be pleased to state whether he has seen the advertisement published in the *Statesman* for the recruitment of temporary clerks in the office of the Chief Operating Superintendent, East Indian Railway?

(b) Is it a fact that candidates are required to be graduates in Mathematics?

(c) Is this restriction newly imposed or was it in existence previously?

(d) If newly imposed, was the sanction of Railway Board necessary? If so, was it obtained?

(e) What are the duties of the clerks for which Higher Mathematics is necessary?

The Honourable Sir Andrew Olow: (a) Yes.

(b) Candidates were required to be graduates with Mathematics as one of the subjects in the Degree Examination.

(c) I have been unable to trace previous occasions on which this qualification was demanded from clerks.

(d) The answer to the first part is in the negative, and the latter part does not arise.

(e) The clerks in question were required for the time-table and goods sections of the Chief Operating Superintendent's Office.

OFFICERS AND CLERKS IN THE RAILWAY BOARD GRADUATED IN MATHEMATICS.

65. Mr. Muhammad Azhar Ali: (a) Will the Honourable the Railway Member please state whether there is any clerk in the Railway Board who is a graduate in Mathematics?

(b) How many officers in the Railway Board have taken degrees in Mathematics?

The Honourable Sir Andrew Olow: It is presumed that in both parts of this question the Honourable Member is referring to degrees in which mathematics was one of the subjects taken. If so, the replies are:

(a) Yes.

(b) Ten.

COLLECTIVE ASSESSMENT OF WATER RATES ON POSTAL AND TELEGRAPH OFFICIALS OCCUPYING GOVERNMENT QUARTERS IN SIMLA.

66. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Communications please state whether the various classes of Postal and Telegraph officials in Simla, quartered separately and independently of each other, have to pay collective assessment for their water rates? If so, is this due to lack of independent metering facilities?

(b) Are the Telegraph officials in the said quarters usually debited with excess water charges that exceed in a single month the assessed water rate for the whole twelve months? If so, how are the charges computed?

(c) What is the assessed value of the Posts and Telegraphs estate and on what actual figure is the free allowance of water made?

(d) What is the composition of the said estate and what classes of officials are housed thereon?

(e) Is it a fact that the Posts and Telegraphs authorities act as agents for the Simla Municipality in the matter of assessing and collecting their water rates? If so, on whose authority?

(f) Is it true that the said estate is assessed collectively, whereas, if separately assessed in independent, block units, the tenants would be eligible to a far greater allowance of free water? If so, why is this privilege denied to the staff?

The Honourable Sir Andrew Olow: (a) The facts are not exactly as stated by the Honourable Member. A number of blocks of buildings occupied by offices as well as by various classes of postal and telegraph officials in Simla are assessed to water tax by the Municipality as units. The amount on each such unit is paid by the Department and the due share of each occupant of the quarters is recovered from him. Separate water meters are not provided for each quarter.

(b) The Honourable Member has not indicated which block he has in view and Government have not got particulars of the sums paid as excess water charges; but particulars are being collected for the Central Telegraph Office and these will be laid on the table of the House. The water tax is assessed by the Municipality at 2½ per cent. on the rental value of the building and against this tax the Municipality allows a certain quantity of water per day. Any water consumed in a month in excess

of the free allowance for that month is charged for and this amount is distributed among the different occupants of the quarters in proportion to the floor area occupied by each of them.

(c) The rental value of the Post and Telegraph Buildings in Simla, as assessed by the Municipality, is Rs. 70,465. The free allowance of water is based on this rental value.

(d) The Post and Telegraph estate in Simla is composed of Post and Telegraph Offices and quarters for the following classes of officials:

Superintendent of the Central Telegraph Office.

Deputy Assistant Engineer, Telephones.

Head Postmaster.

Telegraph Masters.

Engineering Supervisors.

Telegraphists, bachelor and married.

Sub-postmasters.

Linemen.

Postmen.

Delivery Peons.

Mail Peons.

Other inferior servants.

(e) As a large portion of the Post and Telegraph estate is utilised for office purposes for which the Department has to pay water tax and as the Municipality assesses water tax on whole blocks occupied by offices as well as by a number of officials, the tax is paid by the Department in the first instance and thereafter the due shares of officials are recovered from them as provided by departmental rules.

(f) The reply to the first part of the question is in the negative; the latter part does not arise.

EXTENSION OF MESSRS. WHEELER AND COMPANY'S CONTRACT FOR BOOK STALLS ON THE NORTH WESTERN RAILWAY.

67. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways kindly state whether it is a fact that Messrs. A. H. Wheeler and Company were given the contract for bookstalls on the North Western Railway for five years from the 30th June, 1930, with the option of renewal for a further five years?

(b) Is it a fact that this contract was given to Messrs. A. H. Wheeler and Company after tenders had been called for, and though their tender was far less than Rs. 8,000 and the tenders of other were for over Rs. 20,000, their tender was accepted?

(c) Is it a fact that without calling for tenders, the North Western Railway administration have extended Messrs. A. H. Wheeler and Company's contract for a further period?

(d) If the answers to parts (a), (b) and (c) be in the affirmative, will Government be pleased to state the reasons (i) for the consideration shown to Messrs. A. H. Wheeler and Company, (ii) for accepting less than Rs. 8,000 instead of over Rs. 20,000, and (iii) for extending the period of contract without calling for tenders?

(e) Is it a fact that the contract with Messrs. A. H. Wheeler and Company can be terminated by giving three or six months' notice on either side? If so, are Government prepared to serve the required notice on Messrs. A. H. Wheeler and Company and instruct the North Western Railway administration to call for tenders?

The Honourable Sir Andrew Olow: (a), (b) and (c). Yes.

(d) The action taken in 1930 had regard to the considerable experience and past good service of Messrs. A. H. Wheeler and Company. It was considered that those who had tendered for over Rs. 20,000 could have little or no realisation of their obligations under the contract, and enquiries showed that other tenderers had had no experience in this particular line.

(e) No. The contract can only be terminated at the end of the first period of three years by either party giving six months' prior notice. The second part of the question does not arise at present but the Railway Board have asked the General Manager to call for tenders in 1942.

WITHHOLDING OF APPLICATIONS OF MUSLIM CLERKS OF THE RAILWAY CLEARING ACCOUNTS OFFICE FOR POSTS OF GUARDS ON THE NORTH WESTERN RAILWAY.

68. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state:

- whether it is a fact that some Muslim clerks of Goods 'B' Section of the Railway Clearing Accounts Office, Delhi, applied for posts of Guards on the North Western Railway last month;
- whether it is a fact that their applications were not forwarded;
- whether it is a fact that sometime back an application of a more experienced Hindu clerk was forwarded to the Divisional Superintendent's Office, Delhi, with recommendations; and
- if so, what are the reasons for this discrimination?

The Honourable Sir Andrew Olow: (a) As this question was originally tabled in March I presume that by "last month" the Honourable Member means February. If so, the answer is that only one Muslim clerk in this section applied for such a post during that month.

(b) His application, along with others received from Hindu clerks about the same time for transfer to other offices, was withheld.

(c) Yes, along with five others (one from a Hindu, two from Muslims, one from an Anglo-Indian and one from a Sikh).

(d) There has been no discrimination.

EXPENDITURE INCURRED BY THE GOVERNMENT ON THE INDIAN LISTENER.

69. Mr. Muhammad Azhar Ali: (a) Will the Honourable the Communications Member please state whether it is a fact that the *Indian Listener* is the property of Government?

(b) How much have Government spent on its upkeep annually?

(c) Have Government considered whether it will not be better for Government to utilise the ordinary press to fulfil the object which this paper is supposed to serve?

The Honourable Sir Andrew Olow: (a) Yes.

(b) The annual expenditure during the financial years 1936-37, 1937-38, 1938-39 and 1939-40 was Rs. 1,12,517, Rs. 1,39,116, Rs. 2,00,173 and Rs. 1,76,696 respectively, the net loss for these years being Rs. 12,958, Rs. 33,489, Rs. 91,287 and Rs. 6,045.

(c) Yes. The publication of programme journals is part of the normal activities of a broadcasting organisation and cannot be adequately performed by newspapers.

NAMES SUBMITTED BY THE DIVISIONAL SUPERINTENDENT, MORADABAD DIVISION, FOR PROMOTION OF NON-GAZETTED RAILWAY SERVANTS TO THE LOWER GAZETTED SERVICE.

70. Bhai Parma Nand: (a) Will the Honourable Member for Railways please state if it is a fact that a Selection Board was held to select non-gazetted railway servants for vacancies in the lower gazetted services in May and June, 1940, on the East Indian Railway?

(b) Is it a fact that the following classes of the non-gazetted services are eligible for vacancies in the lower gazetted services (i) Office Superintendents (ii) Transportation Inspectors (Traffic, Commercial, Power, Tickets) (iii) Mechanics in supervisory grades; and (iv) Controllers other than Deputy, Section or Assistant Controllers?

(c) Is it a fact that the Divisional Superintendent, Moradabad Division, submitted names of the staff other than belonging to said classes; if so, why; and will Government lay on the table of the House the authority in writing of the General Manager provided in rule 64 of Appendix XXII of the State Railway Establishment Code, modifying or deviating from the principle of normal channel of promotion?

The Honourable Sir Andrew Olow: (a) Government do not receive reports of the meetings of these Boards, but I am willing to take it from the Honourable Member.

(b) Yes, among others.

(c) I have not seen the recommendations of the Divisional Superintendent, but there is nothing in the rule cited by the Honourable Member which requires the General Manager to give written authority regarding the character of recommendations that can be made.

HOLDERS OF THE APPOINTMENTS OF TRANSPORTATION INSPECTORS IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.

71. Bhai Parma Nand: (a) Will the Honourable Member for Railways please state if it is a fact that the following classes of the non-gazetted services are eligible for vacancies in the Transportation Inspectors (Traffic and Commercial); (i) Controllers other than Deputy, Section or Assistant Controllers, (ii) Station Masters (Higher Grades); (iii) Yard Masters or Firemen; and (iv) Chief Goods and Coaching Clerks?

(b) Will the Honourable Member please lay on the table of the House a statement of the holders of the appointments of Transportation Inspectors (Traffic and Commercial, separately) in Moradabad Division, East Indian Railway, in any capacity (permanent, substantive, officiating, temporary or otherwise, separately) on the 31st October, 1940, showing the class

(permanent substantive) from which he or they have been appointed to the vacancy in the Transportation Inspector?

The Honourable Sir Andrew Clow: (a) These categories are all eligible.

(b) Government are not in possession of these particulars, but a list of the persons holding appointments of Transportation Inspectors with their distribution by Divisions on 31st March of this year will be found in the Classified List of Senior Subordinates for the East Indian Railway, a copy of which is in the Library of the House.

SANCTIONED STRENGTH OF THE TRANSPORTATION INSPECTORS IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.

72. Bhai Parma Nand: Will the Honourable Member for Railways please state:

- the sanctioned strength of Transportation Inspectors (Traffic and Commercial, separately) for the Moradabad Division, East Indian Railway;
- the actual strength on the 31st October, 1940, of those Transportation Inspectors;
- the duties distributed amongst those Transportation Inspectors; and
- the difference between the sanctioned and the actual strength, of those Transportation Inspectors on 30th April, 1939, and on 31st October, 1940, separately, together with the reasons for that difference, if any?

The Honourable Sir Andrew Clow: Information has been called for and a reply will be laid on the table in due course.

EXPENDITURE ON THE APPOINTMENTS OF NON-GAZETTED RAILWAY SERVANTS IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.

73. Bhai Parma Nand: Will the Honourable Member for Railways please lay a comparative statement on the table of the House, showing expenditure on the 31st October, 1940, on the appointments of non-gazetted railway servants in Moradabad Division, East Indian Railway, made through the normal channel of promotion and otherwise?

The Honourable Sir Andrew Clow: I am not entirely clear as to the meaning of the question. If the Honourable Member wishes to know how much aggregate pay was drawn on the dates specified by all the non-gazetted staff in the division who have secured their promotion in one way and by all those promoted in another way, I regret that I cannot undertake the extensive research which would be involved.

INTRODUCTION OF SENIOR REFRESHER COURSE FOR ASSISTANT STATION MASTERS ON THE EAST INDIAN RAILWAY.

74. Bhai Parma Nand: Will the Honourable Member for Railways please state:

- the date of introduction of the senior refresher course for Assistant Station Masters, East Indian Railway, in Howrah, Asansol, Dinapore, Allahabad, Lucknow and Moradabad Divisions, separately;

- the date and the place of holding the said senior refresher course since the introduction;
- the books, rules and regulations taught in the said senior refresher course;
- the academic and railway qualifications of the instructors in the said senior refresher course;
- the category of the non-gazetted railway servants required to undergo the said senior refresher course; and
- whether non-gazetted railway servants after the age of 45 are required to undergo the said senior refresher course?

The Honourable Sir Andrew Clow: (a) to (e). Such information as is readily available will be laid on the table in due course.

(f) They can be.

DISQUALIFYING NON-GAZETTED RAILWAY SERVANTS FOR PROMOTION ON FAILURE TO PASS THE SENIOR REFRESHER COURSE.

75. Bhai Parma Nand: Will the Honourable Member for Railways please state the intention of the rules (Appendix XXII of State Railway Establishment Code) to disqualify or to debar a non-gazetted railway servant from promotion in the normal channel on failure to pass this kind of refresher course after the age of 45 though a non-gazetted railway servant was successful in a refresher course just previous to attaining the age of 45?

The Honourable Sir Andrew Clow: There is nothing in the rules to prevent the administration from allowing a man to be promoted despite failure to pass, if they consider that there are circumstances justifying that step.

PREFERENCE GIVEN TO NON-ELIGIBLE MUSLIMS FOR PROMOTION TO THE LOWER GAZETTED SERVICES ON THE EAST INDIAN RAILWAY.

76. Bhai Parma Nand: Will the Honourable Member for Railways please state:

- if it is a fact that during the preceding two years or so the Railway Board instructed the General Manager, East Indian Railway, to select Muslims amongst those non-eligible for vacancies in the lower gazetted services in preference to those non-Muslims who are eligible and qualified for those vacancies;
- if it is a fact that appointments to lower gazetted services are made by the promotion of specially selected subordinates and there is no reservation on a communal basis; and
- if the reply to part (a) be in the negative, whether Government are prepared to lay on the table of the House a statement of Muslims appointed to the lower gazetted services during the preceding two years?

The Honourable Sir Andrew Clow: (a) No.

(b) Yes.

(c) Such information as is available with Government will be found at page 48 of Mr. D'Souza's Report.

SCALES OF PAY OF CERTAIN NON-GAZETTED RAILWAY SERVANTS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

77. Bhai Parma Nand: Will the Honourable Member for Railways please refer to Divisional Superintendent, East Indian Railway, Moradabad, communications, No. E. T.-6/81 Sigr., dated 18th May, 1931, No. El./31-T.T.E., dated 5th December, 1931, and El./82-T.C., dated 12th November, 1934, and state the scales of pay admissible to non-gazetted railway servants appointed under those communications which do not state that revised scales of pay shall be applicable on introduction to those railway servants appointed in 1931 or indicate any term that their pay shall be subject to revision?

The Honourable Sir Andrew Olow: As I have not seen the circulars mentioned, I have been unable to refer to them, but I would observe that the question whether employees come under the old or new scales of pay depends on the orders of Government and not on any circulars issued by any Divisional Superintendent. A warning was issued on 14th July, 1931 that the scales of pay were under revision.

CADRES OF GUARDS ON CERTAIN STATE RAILWAYS.

78. Bhai Parma Nand: Will the Honourable Member for Railways please lay on the table of the House a comparative statement of the cadre of guards on the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, showing:

- (a) the number of posts in each grade or scale of pay (sanctioned and actual on 31st October, 1940, may be shown separately, officiating or temporary should not be included);
- (b) scales of pay (old and revised) in each grade, separately;
- (c) conditions or terms of promotion from grade to grade; and
- (d) minimum and maximum hours of work in a week?

The Honourable Sir Andrew Olow: I have called for information and a reply will be laid on the table in due course.

EXTRA EXPENDITURE INCURRED BY NOT APPOINTING AN ASSISTANT TRAIN EXAMINER TO OFFICIATE AS HEAD TRAIN EXAMINER, BAREILLY.

79. Bhai Parma Nand: Will the Honourable Member for Railways please refer to the Divisional Superintendent, East Indian Railway, Moradabad, order No. E.R.S./2/40, dated the 28th May, 1940, and state the amount of the extra expenditure incurred in appointing the Transportation Inspector, Stock, to officiate as Head Train Examiner, Bareilly, (a post in lower grade) and in appointing the Head Train Examiner, Moradabad, to officiate as Transportation Inspector, Stock, Moradabad, against the amount permissible through normal channel of promotion in an officiating capacity of an Assistant Train Examiner vice Head Train Examiner, Bareilly, and the reasons therefor?

The Honourable Sir Andrew Olow: Government have not received a copy of the order in question or particulars of the appointments made. But it may be pointed out that the selection of officials to fill officiating vacancies is not regulated by considerations of cost but by the desirability of securing the best men available for the sanctioned pay, and that the selection of one official rather than another does not normally involve much difference in cost when consequent appointments are taken into consideration in each case.

OPTION TO STATE RAILWAY EMPLOYEES TO ELECT OLD OR REVISED RENT RULES.

80. Bhai Parma Nand: (a) Will the Honourable Member for Railways please state if it is a fact that, before the introduction of the revised rent rules for State-managed Railways, the quarters were allotted according to the category of employees and pay was not taken into consideration?

(b) Is it a fact that after the introduction of those rules the quarters are allotted on the consideration of pay and not of position?

(c) Have the staff been asked to give their option to elect the old or the new rules in accordance with Resolution, No. 1483, dated the 4th December, 1891; of the Government of India, which provides a statutory protection to the staff for any disadvantage arising out of the new rules; if not, why not?

The Honourable Sir Andrew Olow: (a) and (b). Except in regard to the scope of the rent-free concession which they substantially curtailed, the revised rent rules did not deal with the basis of allotment of quarters, and I am not aware of any change of practice in consequence of their introduction.

(c) I presume the Honourable Member is referring to the Government of India Resolution No. 4863, dated the 4th December, 1891, reproduced in Article 4 of the Civil Service Regulations. No option was given to the staff but on this point, the attention of the Honourable Member is invited to paragraph 1904 of the State Railway Code for the Engineering Department which indicates the measures taken to avoid hardship to persons who had already enjoyed the concession of rent-free quarters or an allowance in lieu thereof.

POLICY OBSERVED BY THE GENERAL MANAGER, EAST INDIAN RAILWAY, IN THE MATTER OF CATERING CONTRACTS.

81. Bhai Parma Nand: Will the Honourable Member for Railways please refer to the principles laid down by the Central Advisory Council for Railways in March 1940, in the matter of granting catering contracts, viz., "(i) Further contracts for Indian catering should not be given to any firm which holds area contracts extending over two divisions on the same railway of an equivalent area; (ii) where new contractors or vending licences have to be selected, a preference should be shown to those resident within the area to which the contract relates"; and to state:

- (a) if it is a fact that the General Manager, East Indian Railway, distributed a note regarding those principles amongst the members of the Local Advisory Committee and in that note said "he feels it difficult to accept a policy against his

- judgment largely dictated by outside influence; and proposes to consolidate the contracts at certain stations by combining refreshment rooms, tea stalls, sweet-meat, etc.'';
- (b) if it is a fact that the contract to sell *jhatka* meat at Lucknow Railway Station accordingly was given to Messrs. Ballabdas Ishwardass; if so, what are the reasons for not giving that contract to a Sikh;
- (c) whether Government are prepared to lay on the table a list of contracts given to Messrs. Ballabdas Ishwardass on the East Indian Railway since March 1940, stating the reasons therefor; and
- (d) if it is a fact that the catering of Hindu students at Railway School of Transportation, Chandausi, is performed by a Muslim contractor; if so, why?

The Honourable Sir Andrew Olow: I have called for the information and a reply will be laid on the table of the House in due course.

FRUIT VENDING CONTRACT AT AMRITSAR RAILWAY STATION.

82. Bhai Parma Nand: (a) Will the Honourable Member for Railways please state if it is a fact that the fruit vending contract at Amritsar railway station, North Western Railway, is held by Muhammad Salim?

(b) Is it a fact that the contract was divided at this station against the assurances given in reply to questions Nos. 58 and 354 asked in this House on the 27th February, 1940, and 12th March, 1940, respectively?

(c) Do Government propose to stop such division of contracts; if not, why not?

The Honourable Sir Andrew Olow: (a) No. The fruit vending contracts are held by (i) Mehta Bishen Dass and Sons and (ii) Mr. Mohammad Salim.

(b) As the answers to the questions quoted by the Honourable Member did not contain any assurances, the question does not arise.

(c) State-managed Railways have been advised that, as far as practicable, they should refrain from sub-dividing existing contracts of satisfactory contractors on a communal basis.

TELEGRAPH OFFICES IN THE DELHI PROVINCE MAKING DELIVERIES OF MESSAGES.

83. Bhai Parma Nand: Will the Honourable Member for Communications please state:

- (a) the Telegraph offices within Delhi Province from which messages are delivered;
- (b) the minimum and maximum distances from those offices for delivery of messages;
- (c) the working hours of those offices; and
- (d) the reasons for the delay in delivering messages from Shahdara, North Western Railway?

Sir Gurnath Bewoor: (a) The names of Government Telegraph offices within Delhi Province from which telegrams are delivered are:

- (i) New Delhi (Central Telegraph Office).
 (ii) Delhi (General Post Office).
 (iii) Delhi Cantonment.
 (iv) Delhi Agricultural Research Institute.
 (v) Mahrauli.

(b) There is no minimum. The maximum distance for delivery is five miles, except in the case of Delhi Cantonment which is four miles and Delhi Agricultural Research Institute which is one mile.

(c) The working hours of the offices named in (a) above are as follows:

Name of Office	Working hours.	
	Ordinary days.	Sundays and Holidays.
New Delhi (Central Telegraph Office)	0 to 24	0 to 24.
Delhi (General Post Office)	0 to 24	0 to 11 and 16 to 19.
Delhi Cantonment	7 to 8 and 11 to 18	8.30 to 9.30 and 16.30 to 17.30.
Delhi Agricultural Research Institute	10 to 17	Closed.
Mahrauli	7 to 8 and 12 to 17	8.30 to 9.30.

(d) Messages from Delhi-Shahdara, North Western Railway office, are delivered by hand within station limits only. They are delivered through the post beyond those limits. In this connection, the attention of the Honourable Member is invited to clause 401 of the Post and Telegraph Guide, current edition.

SCALES OF PAY AND SENIORITY OF SENIOR SUBORDINATES IN NON-GAZETTED SERVICES OF THE OLD EAST INDIAN RAILWAY AND THE OLD OUDH AND ROHILKHAND RAILWAY.

84. Bhai Parma Nand: Will the Honourable Member for Railways please state:

- (a) the posts with scales of pay of senior subordinates in Non-Gazetted services on the old East Indian Railway and the old Oudh and Rohilkhand Railway systems separately on the 1st January, 1925, on the 1st July, 1925, and on 31st October, 1940;
- (b) how the seniority of those subordinates on those systems was reckoned on those dates;
- (c) the principles for reckoning a combined seniority of those subordinates after amalgamation of those two systems; and
- (d) whether pay or length of service in a grade or scales of pay was taken into consideration in fixing the seniority?

The Honourable Sir Andrew Olow: Government have no information regarding the remuneration and the determination of seniority of subordinate officials 15 years ago and regret that they cannot undertake to institute the investigation necessary to secure it.

As regards scales of pay now the Honourable Member is referred to the classified list for the East Indian Railway, a copy of which is in the Library of the House.

RELIEVING GUARDS IN CERTAIN DIVISIONS OF THE EAST INDIAN RAILWAY.

85. **Bhai Parma Nand**: Will the Honourable Member for Railways please state:

- (a) the number of posts (sanctioned) of Relieving Guards in Howrah, Asansol, Dinapore, Allahabad, Lucknow and Moradabad Divisions on the East Indian Railway;
- (b) the number of posts (actual) of Relieving Guards on those Divisions on 31st October, 1940;
- (c) the nature of posts in which Relieving Guards ordinarily officiate; and
- (d) how the Relieving Guards are utilised when not officiating in any post?

The Honourable Sir Andrew Olow: I have called for information and a reply will be laid on the table in due course.

MOTION FOR ADJOURNMENT.

FALL IN PRICES OF GROUND-NUTS.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment from Mr. Sami Vencatachelam Chetty to this effect, that he wants to discuss a matter of urgent public importance, viz., the failure of the Government to take adequate steps to maintain a proper level of prices of chief agricultural commodities contrary to the assurances given by the Central Government and the consequent catastrophic fall in prices and immeasurable loss sustained with respect to ground-nuts from the commencement of this week.

When was this assurance given?

Mr. Sami Vencatachelam Chetty (Madras: Indian Commerce): About the 10th or 12th September last.

Mr. President (The Honourable Sir Abdur Rahim): We are now in November. Why could he not have brought this motion before?

Mr. Sami Vencatachelam Chetty: The prices came down only at the beginning of this week.

Mr. President (The Honourable Sir Abdur Rahim): They gave the assurance in September that it would obtain proper level of price?

Mr. Sami Vencatachelam Chetty: We thought that the assurance held good till about the beginning of this week, now we see they have failed in giving effect to their assurance.

Mr. President (The Honourable Sir Abdur Rahim): If prices began to fall from the beginning of this week, even then the Honourable Member could have brought it up earlier.

Mr. Sami Vencatachelam Chetty: It is only just now that we have got specific information that the prices have fallen. It is not a temporary weakening of the market.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I submit this is not a specific matter of recent occurrence. The question of falling prices has been before Government for the last six months, and from time to time various statements have been made in connection with that. The Honourable Member referred to an assurance given by me on the 12th September. The assurance was merely to this effect that His Majesty's Government would buy ground-nuts

Mr. Sami Vencatachelam Chetty: Sir, is not the Honourable Member going into the merits of the question?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am only saying that there was no assurance given by Government that prices would be kept at any particular level at all. There was no such assurance. The assurance that was given was that His Majesty's Government would purchase, whenever they wanted, ground-nuts at £10 per ton F. O. B. The Honourable Member referred to the fall in prices since the beginning of this week. I have got here the latest Bombay market report of November 13, with regard to ground-nuts. The heading is "Ground-nuts Up". It says:

"It is reported that the Ministry of Food have purchased about 4,000 tons although offers have been submitted by shippers for a very large quantity and shipments are to be made from Marmagao, Calicut, Cochin and Madras coast. The local market opened today at Rs. 27/2 but it declined to Rs. 27/1. The market however improved" etc.

I have no information at all so far that it has fallen.

Mr. Sami Vencatachelam Chetty: I submit, Sir, that as against the information which the Honourable Member has

Mr. President (The Honourable Sir Abdur Rahim): Anyway, the matter is not urgent, and no assurance was given of the kind stated by the Honourable Member. The motion is, therefore, disallowed.

PRESENTATION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I beg to present the Report of the Public Accounts Committee on the accounts of 1938-39—Volume I—Report.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, will the Honourable Member give an opportunity to this House to discuss this report this Session?

The Honourable Sir Jeremy Raisman: Yes, Sir; that is my intention.

Dr. Sir Ziauddin Ahmad: But shall we have time to discuss it this Session?

The Honourable Sir Jeremy Raisman: That I cannot say.

THE INDIAN FINANCE (No. 2) BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the following motion moved by the Honourable Sir Jeremy Raisman:

"That the Bill to alter the maximum rates of postage under the Indian Post Office Act, 1898, to increase the rates of the taxes on income imposed by the Indian Finance Act, 1940, by a surcharge for the purposes of the Central Government, and to increase the rate of super-tax payable by companies, be taken into consideration."

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Sir, last Wednesday afternoon I was discussing why the Honourable Members opposite oppose this Supplementary Finance Bill. My Honourable friends represent the Congress, and they say that the Congress wants freedom.

Mr. Badri Dutt Pande (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): You want slavery.

Sir Abdul Halim Ghuznavi: The Congress wants freedom, as if we do not want freedom, as if the Muslim League does not want freedom and the Hindu Mahasabha does not want freedom. It is not their monopoly; we all want freedom.

Mr. Badri Dutt Pande: What a beautiful idea of freedom you have!

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member proceed without interruption.

Sir Abdul Halim Ghuznavi: We have in a certain measure obtained the largest amount of freedom. And from whom are we to get this freedom for India? Not from Germany, but from Britain and the Britishers.

Mr. Badri Dutt Pande: From the Supply Department.

Sir Abdul Halim Ghuznavi: Sir, I appeal to you against these unnecessary interruptions.

Mr. President (The Honourable Sir Abdur Rahim): Really, the Honourable Member must exercise some self-restraint. If he has anything to say, he can rise in his seat afterwards, and if he is called, then he can speak.

Sir Abdul Halim Ghuznavi: From whom do we want to get this freedom? From Britain and the British. My Congress friends say that they will, by non-co-operation, force them to give this freedom, while we on this side say that we will get this freedom by co-operation. So we all

want this freedom, but the process is different; they, by non-co-operation,—we, by co-operation. It is also agreed that we want it from Great Britain and the Britishers. Now, this war is going on, and my friends there say that they will not co-operate to win this war until they give us freedom. What is the result? Supposing the British go in consequence of this non-co-operation, from whom are you going to get independence?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not repeat all that. This sort of thing has been said very often in this House.

Sir Abdul Halim Ghuznavi: Take the Hindu-Muslim question. They have not yet come to any agreement and have hitherto failed to bring about a settlement. I am giving one specific instance. The Muslims in the minority provinces say that Congress has not given them freedom, and that is a fact. Now, suppose Japan invades Madras or Orissa, and suppose the Muslims say to the Congress or the Hindus: "Give us our freedom first, and then only we will help you against the invader." If anybody says: "I am not going to help you against the invader till you have given me freedom," he will be a traitor to his country. Equally are those traitors to India who say "We shall not lend any help till Britain gives us our freedom." I will give another illustration, a simple one. Two brothers are quarrelling over their shares in a house: the elder wants a larger share while the younger wants his half share. Some dacoits come near the house and want to set fire to the house when the dispute is going on. Are the brothers going to say—the elder to the younger, or the younger to the elder—"Agree to give me my share and then I shall help you in stopping the dacoits from setting fire to the house," or should they say "Let us save the house first, and we shall settle our dispute afterwards." I say, save India first; realise the danger which is at the door of India; and settle your disputes amongst yourselves later.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not go on repeating himself so often.

Mr. Badri Dutt Pande: He is provoking us, Sir.

Sir Abdul Halim Ghuznavi: Do they not realise it that a great free country like the United States of America has come to the assistance of England? What is the reason? They are one of the biggest powers in the world,—a free country. Why are they resolved to help another free country? They realised the danger of Nazi domination, that if they withheld help, as all the countries, which have fallen, did, by remaining neutral, it would be a menace which it would be impossible afterwards to overcome. The Congress, if I may say so, has become a menace to the peace, prosperity and progress of India, and it has, by its action, convinced many of us that democracy is unsuitable to India. May I request Mahatma Gandhi to read over and over again the great message of that great saint, Shri Aurobindo, and then lead the Congress?

I raised certain points on the last occasion—about the tests that I want to be satisfied before I give my vote for this Supplementary Finance Bill. I specified five tests the other day.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member has mentioned them already, he need not repeat them.

Sir Abdul Halim Ghuznavi: I am not repeating a word of what I said the other day. In the *Hindustan Times* I have seen a criticism of the ex-Finance Minister of Bengal, Mr. Nalini Ranjan Sarkar. He says:

"The Finance Member owes it to the public to explain the unusual procedure which he has adopted on the present occasion for the Supplementary Finance Bill. In any case, the Finance Member has yet to make out a case for the imperative urgency of the present taxation proposals."

I am sure, he never read the speech of the Honourable the Finance Member when he presented the Supplementary Finance Bill before this House. With your permission, I will read one extract from *Capital*.

Mr. President (The Honourable Sir Abdur Rahim): Provided it is not a long one.

Sir Abdul Halim Ghuznavi: It is a very short one—giving what the Honourable the Finance Member stated in presenting his Finance Bill on the last occasion. These are his words:

"The war has been in progress now for fairly six months, and no man can say what the coming year has in store for us. It has no doubt been possible at this particular juncture of time to base a fairly encouraging view of our actual recent experience, but the plain fact which we have to recognise is that all changes in our position are more likely to be for the worse than for the better."

Mr. Sarkar says that there has been a precedent in bringing Supplementary Finance Bills, and he refers to Sir George Schuster when he brought the Supplementary Finance Bill in September, 1931 and he says:

"Sir George Schuster presented it as a full-fledged Budget. All the data and information necessary before the tax-payers can agree to any taxation can be disclosed only in the shape of a full Budget. In the absence of such a data, the Legislature is placed in an awkward position."

But, Sir, today the situation is different. The Supplementary Budget which was presented then was due to economic depression throughout the world. The Finance Member then knew that things could not be restored to normal condition in the course of a year or two. Could the Honourable the Finance Member, when he presented his Finance Bill in February, 1940, visualise that France would fall in ten days' time?

An Honourable Member: Don't shout.

Sir Abdul Halim Ghuznavi: Because you are deaf.

Mr. President (The Honourable Sir Abdur Rahim): I don't think the Honourable Member need raise his voice to that pitch. I don't think he will be heard any better by shouting so much.

Sir Abdul Halim Ghuznavi: Could he then visualise the treachery of King Leopold of Belgium? That is why he was not in a position to give us a full picture. And, after all, what does he want the money for? That is the test which Honourable Members sitting opposite have been asking for day in and day out. Why does the Finance Member want all this money for? To provide for what? I will give the House a few instances? Money is wanted for the training of Indian pilots and mechanics, the equipment for training centres, purchase of aeroplanes to defend what? To defend India; calling up of volunteers,—by the end of the next year 15,000 Indians

will have been trained or will be under training,—grants-in-aid for air raid precaution amounting to 25 lakhs, maintaining additional police force in the provinces, the cost of training civic guards, purchase of quinine, and so on and so forth. Sir, we agree that the Finance Member will have to spend money for the above purposes. At the same time, as my friend, Mr. Buss, has sounded a word of caution, I will also give him certain facts in that connection. We are supporting you,—I am addressing the Honourable the Finance Member

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not address others. He must address the Chair.

Sir Abdul Halim Ghuznavi: Sir, we support the Finance Member in the Finance Bill he has presented. But we want him to take note of the fact that there shall be no extravagance in the Departments concerned

Sardar Sant Singh (West Punjab: Sikh): Who is to judge that?

Sir Abdul Halim Ghuznavi: You yourself.

Sardar Sant Singh: Very kind of you.

Sir Abdul Halim Ghuznavi: Mr. Buss said: "If in the sphere of all war activities we should not be prepared to acquiesce in the excess of expenditure which could be avoided,—and I particularly refer to the expansion of the establishment and the creation of highly paid posts to which criticism has frequently been directed

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not repeat Mr. Buss's speech. It was heard by the whole House the other day.

Sir Abdul Halim Ghuznavi: I only quoted one paragraph.

Now, what is the position? We have the Indian Stores Department which has been in existence for some time now. In the last war, a Department, called the Indian Munitions Board, was created, and, after the war was over, that Munitions Board was converted into the Indian Stores Department. That was the origin of the Indian Stores Department. Recently another Department, called the Defence Co-ordination Department, has been created. When war began in September, 1939, the first mentioned two Departments were considered sufficient to meet the supplies of war materials. What was the necessity, I ask, of having another huge Supply Department? I will give an illustration to show how the Supply Department is working. I am speaking of what has passed, because public criticism has rectified matters to some extent. A huge Department is created and the staff from beginning to end is composed of non-Indians, except in the case of one or two who are Indians. What did they do first? The doors were closed against everybody who wanted to enter its sacred precincts; nobody is allowed to enter it

Mr. Badri Dutt Pande: Not even you?

Sir Abdul Halim Ghaznavi: True, it is correct, not even myself, because this is a secret Department for War Supplies. But what is the public opinion? What is the hush hush business? Why all this secrecy is observed? The Department has been created to buy goods, and we are here to sell them. But why all the secrecy? The secrecy is because they have not much to do. There are too many men, and too little work. Not being contented with that, one of the Departments, the Munitions Manufacture and the Munitions Supply, was transferred bodily from Delhi and Simla to Calcutta. Hundreds of houses had to be rented to give accommodation to thousands of men who have gone there. May I ask, what was the necessity to have that huge office with a complete secretariat at Calcutta with complete freedom and severed from the Centre? They want complete independence to do just as they like, with the board at the door: "No admission without previous engagement". That makes people suspicious, and that is where criticism comes in. There was no necessity for it. Everything was going on smoothly in Delhi and Simla. But there was some difficulty. The check of the Government of India was unsuitable, was not liked. The check was too critical, so they wanted a move, a complete move of the Secretariat with its auditors and accountants, a complete Government in itself of a particular Department of Supply. Sir, if a business man went and asked, what is the thing that you want, the answer would be, that is not your business. A secret! When Sir Alexander Roger went to Calcutta, that was the first time that the commercial business men in Calcutta knew that 8,000 different kinds of goods were required, of which 4,000 could be made in India, and of which 400 were principal goods. Sir Alexander Roger told us so when we met him there. That was the first time that we knew about this, and that was in October last. I will come to that later on.

The Honourable Sir Muhammad Zafrullah Khan: (Leader of the House): Why not finish at one stretch?

Sir Abdul Halim Ghaznavi: Because I want to attack my Honourable friend first. That I want to finish first. My Honourable friend, Dr. Sir Ziauddin, while making his speech—the first statement that he made was that all businessmen were dishonest. Then, he said that he protested against the Controllers, liaison officers and the advisers of the Government who were not chosen from Indians or Indian businessmen and so on and so forth. But he has not been able to develop his point. He himself could not understand what he was talking. (Interruption.) The Honourable Supply Member replied to him that he had repeatedly stated on the floor of the House that they had appointed every liaison officer, every controller, after consulting the particular trade and industry concerned and the associations concerned.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): If it is so, it is adding insult to injury.

Sir Abdul Halim Ghaznavi: Will you allow me to give him an answer? My Honourable friend, the Supply Member, said the other day that they had appointed the liaison officers for the particular trade after consulting the association which deals with that particular trade, they had appointed controllers on the same basis also, after consulting the particular trade

and the particular association. I will give him my reply. Take, for instance, Jute. There is the Indian Jute Mill Association. The Chairman of that Association is a European gentleman. Naturally because there are so many European-managed jute mills. If the Government write to that Association, "will you please let us know who should be the controller of jute", will the answer be, not the Chairman, but somebody else? The members who are there,—do they not know, that if they raised any objection now, what would be their fate when he will be appointed controller and when he will exercise restrictions which will perhaps injure their business? Even assuming that that is not so, what has happened in Calcutta I want to state here on the floor of the House. I do not say that that particular gentleman has done anything wrong himself, but, after all, we are all human. There arises a suspicion in one's mind. The Supply Member says: "Oh, no." The Controllers do not buy. It is we who buy from here." But who is their buyer? The Department here acts only as a post office. They get the buying orders from His Majesty's Government which they pass on to the controller to buy. They do not buy themselves. Take, for instance, an order is received in India, a huge order for, say, hessian. That order is communicated to the controller who owns Jute mills in India—that His Majesty's Government require 500 million yards of hessian. What is there to prevent that gentleman before placing that information before the Jute Mills Association, from taking up his telephone and asking his broker to buy five crores hessian for himself. After that he goes with the telegram to the Association and says: "Gentlemen, we have got an order from His Majesty's Government for 50 crores yards of hessian. Any Member willing to supply at this price? It will be distributed to them according to the capacity of their looms." Fair distribution! "If you don't want, say so. If you want to supply, it will be distributed on the basis of—loomage." Sir, what is the position? By that time the market has flared up. The result is that businessmen lose their profit except those who knew the information first. Why could not this business of informing the Jute Mill Association have been done by an I. C. S. officer in Calcutta? He could have himself taken the telegram which was sent from Delhi and informed the members of the Association at their meeting, so that the information would have been simultaneously disclosed to all.

Mr. J. D. Boyle (Bombay: European): Has that been done?

Sir Abdul Halim Ghaznavi: It has not been done.

Mr. J. D. Boyle: Then, how is it that you say it has been done.

Sir Abdul Halim Ghaznavi: I am saying that after all we are all human. Is it fair that one in the trade should have the privilege of knowing it first?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must know how to address the Chair.

Mr. Sri Prakasa (Allahabad and Jhansi: Divisions: Non-Muhammadan Rural): He has learnt nothing all these days.

Dr. Sir Ziauddin Ahmad: Is that man a liaison officer or adviser?

Sir Abdul Halim Ghuznavi: Controller I make no insinuation whatsoever. As my Congress friends say, we do not attack the Honourable members personally. I am attacking the system. I am only showing to the House that it is the system which is wrong and it has been condemned in England as well. The Government have no business to appoint Controllers from the trade, and besides that the controller learns all about my business and he may turn it to profit after the war is over. That is the grievance—not only with Indians but with every one in the trade. Take for instance the Controller of Shipping. He is a very particular friend of mine but who was he? He was the head of Mackinnon Mackenzie and Co., the firm which is the great enemy of Scindia. Would he, as a Controller, do equal justice to Indian shipping with which he has been competing all the time? We may say that he will, but after all he is human. What will be the position of the Indian Shipping firm which has been fighting him all these years? My friend, the Honourable the Commerce Member, is not here. I believe he would have jumped up straight away and said 'Indian shipping has nothing to do with the foreign shipping'. It is not under Sir George Campbell. He has been appointed by the Board of Trade Ministry of Shipping in London. He has nothing to do with the shipping on Indian Register.

Mr. Sri Prakasa: Who is your Controller?

Sir Abdul Halim Ghuznavi: If he, Sir, makes that statement in reply to the statement that I have made, then I have got an answer which I shall not give now, but at a later stage when my Honourable friend makes his speech.

Then, I come to the Liaison Officers and Advisers. I know a specific instance of an Indian wool merchant, shipping wool—a very big merchant too. He shipped Tibetan wool. He sold it to Graham and Co., Calcutta—Tibetan wool, packed in Calcutta. Graham and Co. shipped it after it was passed by the Custom Officer. But unfortunately that boat was requisitioned. The whole of the consignments on that boat had to be unloaded. Thereafter, a charge was made by Customs that it contained mixture of Indian wool. They had passed that in the beginning as Tibetan wool. Graham and Co. receives a letter from the Customs Authorities saying that it contains Indian wool also—a mixture which cannot be exported. The result is that he goes to the seller and says: "Take back your goods and give us back the money. We do not want to get into this trouble". The seller had to do that and then samples were taken from this shipment and sent to the Adviser, who is his opponent in the trade, giving him the Shippers' name and address and stating that those samples were drawn for examination from the shippers two bales. The authorities ask the Adviser's opinion. Experienced Government custom official had already passed it. But no. It had to go back again to Cawnpore, and what happened. The Adviser finds his rival's goods and says 'In my opinion there may be a mixture of Indian wool'. The result is confiscation, fine and so on, on the advice of the adviser who is his opponent in the trade as the head of the Cawnpore Woollen Mills. That is so far as the adviser is concerned. Take the liaison officers. Take the leather trade. Honourable

Members are aware that it is entirely in the hands of the Mussalmans. I will correct myself—it is not the leather trade as a whole but all the hide trade. Who is the liaison officer? He is my rival in Cawnpore. What is the Supply Member's answer? He was approved by the Association. But could they not associate an Indian with him? Could there not be two liaison officers or one joint liaison officer or one assistant—an Indian, a Muslim who knew the trade? A very big non-Muslim leather merchant told me his grievances that he does not get orders. The liaison officer is in the trade—represents a big English firm—and he takes the lion's share of the order himself first before he distributes to others. If others dare say anything, against him, they will not get even what little they were getting. That is the position. I wanted to bring home these facts to the Honourable the Finance Member. Something has to be done to change the situation as it exists. Now, Sir, Sir Alexander Roger visited Calcutta. He honoured me by accepting a garden party. (An Honourable Member: 'Important information!'). When he went there, I was asked to get the different Indian Chambers to meet him and discuss with him informally how there could be co-ordination between the Supply Department and the commercial community. I arranged a meeting of the various Chambers and met him. I will not take much of the time of the House but I will read a few lines to inform the House what was the gist of the talk we had with Sir Alexander Roger. I said in my speech:

"Some industrialists and business men representing the various Indian Chambers of Commerce in this Province met you at an informal conference on Tuesday when you were pleased to explain to them the purpose of your Mission's visit. If I have understood you rightly, the purpose of your Mission's visit is to advise the Government of India and the British Government as to the best way of co-ordinating and utilising Indian industries in the production of munitions and war supplies."

Then, Sir, I said:

"At the conference to which I referred I hinted at certain difficulties experienced by Indian industrialists in the matter of munitions production. We hope that the points raised by us will receive your sympathetic consideration."

Certain points were raised and I will give the House his reply and then I will discuss them. He said:

"We know in England and you know here that the enemy is knocking at our gates and we have no time to spare and no time to lose. I therefore accept your assurance that in this war India stands along with Britain. Britain, too, stands along with India and we are going to fight this fight to a great victory. But only by co-operation, only by full co-operation between Indians and Europeans will we achieve the maximum production of munitions in India; and only by full co-operation and enthusiasm will you be able to make the dominions of the British Empire and of the British Commonwealth free from Nazi domination east of Suez. You hold the key of the Empire in your hands; it is safe in your hands and we want you to use that key."

Now, Sir, *The Hindustan Times* has made a caricature of that statement. "The key is in my hands and in the hands of my Honourable friend, Sir Homi Mody, but Sir Alexander Roger is going away with the unlocked box". The idea is that we are holding the key but the box is open and no key is necessary to unlock the box. There has been such a feeling in this country; it is not my feeling at all. What I say, is what the commercial magnates apprehend and I am here expressing the views

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of the commercial magnates. In their industrial number of *The Hindustan Times*. I gave a short statement about the apprehension that was in the mind of Indian businessmen. I shall read a few words therefrom. I said therein:

"Unfortunately, however, it is also too true that industrial magnates and leading business men in India are divided in their opinion regarding the results to be expected from the Conference. While the declared object of the Mission is to advise the Government of India and His Majesty's Government on the best way of co-ordinating and utilizing Indian industries in the production of munitions and war supplies, an important section of public and industrial opinion is frankly suspicious about it inasmuch as it feels that the net effect of the activities of the Mission will be simply to exploit India's raw materials and India's labour to the advantage of others."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is ranging over a wide field.

Sir Abdul Halim Ghuznavi: Even the Chetwood Committee—I will read only one line, and with that I shall finish—even the Chetwood Committee Report,—which revealed the deplorable condition of the Indian Army in the matter of the poverty of its mechanized arm—failed to bring about a new orientation in the attitude of Army Headquarters and the Government. The present war has brought about some change in this regrettable state of affairs but it is hardly commensurate with the gravity of the situation. Sir, the war is at our gate. What has been done to save India?

Mr. Badri Dutt Pande: What have you done?

Sir Abdul Halim Ghuznavi: His Excellency the Commander-in-Chief should have taken an early opportunity of giving effect to the Chetwood Report. Has he armed India to the extent that he should have done? Has he made India air-minded?

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): "Never-minded" and "air-blinded".

Sir Abdul Halim Ghuznavi: Sir, he has done nothing of the kind. We have been crying hoarse: "Give us arms, trust us, take us into your confidence. Arm India, trust India, and then give your ultimatum to the Nazi and the Axis Powers. Take us into your confidence. You will find that India stands by you as a whole." Sir, I conclude my speech by appealing to the Honourable the Defence Member to look into the matters I have brought in here. Sir, I support the motion.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I rise to oppose this motion. The question is this. Is it in the interest, or is it the duty of India to finance this war? Sir, conceivably there are two grounds upon which India can be asked to finance the war effort: duty and interest, or duty or interest. Now, so far as that is concerned, the real question, the real issue, is,—is it India's war? If it is India's war, we have got to support and to finance the war. That is, in fact, the fundamental issue over this Bill. That issue can be approached from different standpoints. There are several side-issues but they are all subordinate to this main issue, namely, whether it is India's

war? I shall examine this question and give my grounds in favour of my contention that it is not India's war. The first and foremost ground is that India was never a willing party to this war. The war has been imposed upon her. It is not a war of our own choice. My impression was that it was not necessary to labour this point. I thought it is an admitted fact that India was never consulted before the declaration of this war. But I find that attempts have been made, even during this Session, by two Honourable Members to support the view that, though not formally, India was virtually consulted. I refer to the speeches of the Honourable the Commerce Member and of the Honourable Mr. Griffiths. So far as the attempt of the Honourable the Commerce Member is concerned, I should think that his defence really amounted to a confession that India was never consulted. He said that if India was not consulted legally or actually, she was consulted virtually. And, according to his ideas of the Constitutional law, he said that it was a *pro forma* declaration by His Majesty's Government on behalf of India. So, he admits that India was not actually consulted. But he takes shelter under a supposed fiction of the Constitutional Law. His idea is that when a war is declared by His Majesty's Government, it binds all the Dominions. He further said that the Dominions never cared to go into the pros and cons of this declaration of war and they accepted, as a matter of course, that it was binding on them. India, however, is not prepared to take that view of the Constitutional Law from the Honourable the Commerce Member.

As regards the defence of the Honourable Mr. Griffiths, his main contention comes to this. It is true that India was not consulted and this Assembly was not consulted, but his answer is that the Congress Party was absent. Is that an answer at all? It is tantamount to a confession that Congress Party is India. Is that the position of the Honourable Mr. Griffiths? Does he admit it? In the same breath he said: "Oh, the Congress does not represent India."

Mr. J. D. Boyle: Mr. Griffiths is not here, but he did not make that statement.

Mr. Akhil Chandra Datta: If he did not make this statement on the present occasion, he certainly made it on a previous occasion. I have consulted the Debates and I can assure the Honourable Member on that point. Apart from that statement, does he admit that Congress is India? I am not discussing whether the Congress represents India or not but I am only examining the contention of the Honourable Mr. Griffiths that India was not consulted because the Congress Party was not in the Assembly. He said that as the Congress Party was absent, consultation was unnecessary. Is it an honest statement?

Mr. J. D. Boyle: What he said was that the Congress had forfeited their right to complain because they were not present in the House.

Mr. K. Santhanam (Tanjore cum Trichinopoly: Non-Muhammadan Rural): If he made that statement, then he made the reply also to that particular point.

Mr. Akhil Chandra Datta: It is no use making a statement and then trying to wriggle out of it. You ought to know your own mind. My answer

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to Mr. Griffiths is that his is not an honest plea. Does he mean to say that it was the intention of the Government to consult India but because the Congress Party was absent, they did not do so? Was that the position? Does the Honourable Mr. Griffiths sincerely believe this? We shall, therefore, conclude that India was never consulted. That is my first ground for my answer in the negative to the issue whether it is India's war or not.

My second ground is that as India was not consulted before the declaration of the war, so during the prosecution of the war India is also not being consulted. On that point, even the Europeans in this country have got a grievance. I hope there will be no contradiction on that point. I have heard the Leader of the European Group in this House complaining about this the other day. He said that the information given to us is not sufficient as to what is going on. We do not know how the war is being conducted and what steps are being taken. That is our grievance—that is also the grievance of the European Group in this House. Shall I place before the House the opinion of the *Statesman*? This is what it said:

"There is dissatisfaction with the antiquated Government departmental system of prosecuting the war."

So, the people have never been taken into the confidence of the Government with regard either to the policy or the details of the administration of this war.

Now, that the Honourable Mr. Griffiths has come, I would like to say this. His case was that on grounds both materialistic and spiritual, it is India's war and Indians ought to fight this war. I am glad he is now a humble student of the Gita.

Mr. P. J. Griffiths (Assam: European). I have always been.

Mr. Akhil Chandra Datta: He has had a chequered career. He has transferred his seat from the Treasury Benches to that other Bench which is nearest to the Treasury Bench. I congratulate him on that transformation. Now, that he has become a student of Gita, I hope some day he will embrace Hinduism also.

Now, Sir, I was going to say that my next ground for saying that it is not India's war is that there is no popular control over the expenditure of the money that is sought to be raised for the prosecution of the war. We have got no control whatsoever either in the raising of the money or in the spending of it. We have got no control over the spending department. Another very important ground on which I say that it is not India's war is that we do not know the aim and object of this war. What is the aim of this war? We are already familiar with the slogans that the war is being fought in the interests of self-determination, and for saving the small nations from the aggression of Germany and all that sort of thing. But the question is, does that apply to India? The question of freedom and democracy and self-determination, does it apply to India? That is the sole point so far as we are concerned. Is it necessary for England to fight Germany for obtaining the freedom of India? I ask that question. In order to win freedom for India, or in order to retain the freedom for India is it necessary for England to fight Germany? If you are really sincere in your professions, how does Germany stand in the way of the freedom of India? Has Germany destroyed the freedom of India? If you want to

talk of freedom and democracy and self-determination sincerely, then we have to fight not Germany for obtaining that freedom, but you have to fight Churchill and Amery, you have to fight the British capitalists, you have to fight Downing street you have to fight the Government of India and not Germany. It is all raising absolutely false issues when you speak of these things so far as India is concerned. Even in the matter of fighting the British Parliament, the British cabinet for the freedom of India, it is said that we cannot carry on this fight during the period of the war. Why not? Why can't we fight the British cabinet during the war? What is the trouble? England was prepared for the most revolutionary change, a radical change in her own constitution on the eve of the downfall of France. The Indian Constitution Act of 1919, when was that prepared? Was it not during the last War? Was not the Government of India Act amended on some matters even during the present war? So that there is no substance in that contention that nothing can be done during the pendency of the war. When there is peace, if you ask for freedom, you are told: "Oh! no, this is not the time, the time is not yet because there is Hindu-Muslim quarrel and all that". That is the reply during peace time. If you ask for it, during the war, it is said "Oh! this is war time". I do not know when to ask for the freedom of India. There is no other time. Either there is peace or there is war. So that is the position.

As the House is aware, nobody demanded in India that there should be an immediate change of constitution. No to speak of the other parties, even the Congress did not demand an immediate change of constitution. What does the Congress demand? An earnest declaration, and nothing else. That is wanted and something more because the history of British India is a history of broken pledges and, therefore, it is too late to have mere assurances. They want as an earnest some practical advance in that direction and they proposed a national Government. That proposal was turned down. That was a golden opportunity, as my Honourable friend, Maulana Zafar Ali Khan, said, for settlement and for obtaining the co-operation of the people of India for war efforts. On this question whether it is India's war, may I ask one question? Is it not a fact that during all the pronouncements made on this question of war aims in Europe, all responsible statements, including those of the Prime Minister no mention is made of India. Even the latest pronouncement of Mr. Churchill does not make any mention of India. We find mention made of all countries in Europe, but no reference is made to India. It is said that charity begins at home, and, therefore, no mention is made of India. There is talk of freedom of all other countries, except India.

There is still another ground urged for asking our support. It is said, never mind whether you get freedom or not after the war is over. Don't worry yourself about that. Now you have got to make your choice between Germany and England. If Germany comes, do you know what will happen to you? It would be a hellish thing and, therefore, between Germany and England, you must choose the latter. That is the doctrine of choosing the lesser of the two evils. That argument was elaborated by my Honourable friend, Mr. Griffiths. Germany is bad, but England may not be so bad as that, but England is also bad as you think, therefore, as between the two, you have to choose England and not Germany. I would ask my Honourable friend, Mr. Griffiths, this simple question. Supposing

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one gets 20 stripes from a certain magistrate; does one like it because he might get 25 stripes from another magistrate?

Mr. P. J. Griffiths: Does my Honourable friend want an answer. The difference is between 20 stripes from the one magistrate and *bakshish* from another magistrate.

Mr. Akhil Chandra Datta: I do not know what the Midnapore magistrate would have done. I think even Mr. Griffiths will not tolerate 20 stripes because somebody else would have given 25 stripes.

Mr. P. J. Griffiths: He must take the *bakshish* from the other magistrate and not take the stripes.

Mr. Akhil Chandra Datta: The real position, Sir, is this. We hate Nazism and we hate Fascism but does the hatred of Nazism generate love for imperialism? One point was made by the Commerce Member that when this war broke out the Congress people denounced Nazism and Fascism but now there is a change of attitude on that point. But has anybody sung Halleluja to Hitler and Nazism even today? Can the Honourable Member cite one single instance in which any Indian has said that Nazism is all right and is better than the imperialism of India? So the fact is that there has been no change in the attitude of India with regard to Nazism. We hate it now as we hated it when war broke out. It is not a question of choosing between two evils; it is not a question of weighing in the homoeopathic balance whether Nazism is good or it is as bad as imperialism. That is raising an altogether false issue. Mr. Griffiths raised a specious dictum of the instinct of self-control. The instinct of self-preservation is certainly the most important thing but so far as this question is concerned, whose instinct is it? Is it India's instinct of self-preservation that we should support this war or is the English instinct of self-preservation? What is the object? Survival. It is no longer the creed of self-determination; it has now come to the question of survival.

Then the Honourable the Commerce Member declared that the country as a whole is behind the war efforts of Government as against our assertion to the contrary. If there is a controversy on that question of fact, why did you not test it? Why did you not dissolve this House and have a general election on that particular issue? Does the Commerce Member sincerely believe that that attitude of not supporting the war efforts is confined to these gentlemen here and there is nobody outside this House who is against these efforts? Does he mean to say that these gentlemen have got no following in the country? I shall say, therefore, that this statement of the Commerce Member cannot be taken seriously. There is one special reason why his statement on this point cannot be taken seriously. He has said that whoever is against these war efforts is a traitor to India. I think that is too strong and too sweeping a remark for him to make, and the language of exaggeration cannot go further. I shall not follow him and say that that is an inspired statement or that it is a statement to order. I shall not say that it is a deliberate self-deception. But I do submit, Sir, that it only proves that he is absolutely out of touch with the currents of thought in this country. Remembering that Mahatma Gandhi is himself against these war efforts, remembering that so many of

our respected leaders are sailing in the same boat with Mahatma Gandhi, apart from the question of the merits of that opinion, I am really sorry that he made that statement. I am not angry with him but I am sorry because he wronged himself more than he wronged anybody else. I should say that he has been guilty of the grossest and blackest defamation and calumny that one can think of.

I shall now examine this question from another standpoint. Are these war efforts, so far as the industrial activities are concerned, really for the benefit of India? On this question I shall not give my own opinion but read just one small paragraph from a leader in the *Statesman* of yesterday which says thus:

"India must do three things which at present she cannot do. She must be able to produce motor engines for all purposes, to build aircraft and to build ocean-going ships. These three things are fundamental and inescapable. Britain holds the key to these things; and if for any reason,—inability to see beyond her own air battle, inability to put out of her mind considerations of post-war trade or the pressure of vested interest,—she fails, she will do so at her own peril."

I am anxious to draw the attention of this House to the three possible grounds on which England may not do her duty in this connection. These grounds are,—inability to see beyond her own air battle, considerations of post-war trade and the pressure of vested interests. Then the *Statesman* goes on to say;

"At present the Ministry of Aircraft Production is a stubborn obstacle to aircraft manufacture in India. It will neither help India in any way, nor, in so far as it lies in its power, will it allow America to do so."

Sir, I will not take up any more time of the House as there are many other Members desiring to speak but I shall conclude my short speech with a quotation from a book recently published by an eminent Member of Parliament. I read this because it exactly represents my views. In that book that M. P. says

Mr. M. S. Aney (Berar: Non-Muhammadian): What is the name of that M. P.?

Mr. Akhil Chandra Datta: The name of that book is *Unser Kampf* and I r.m. it is by Sir Richard Acland, M.P. He says:

"For what are we asked to make these sacrifices? What is the moral stimulus which is to drive our people on to bear these sacrifices? We are fighting against something which is hellish enough in all conscience and that will carry us a long way. To oppose this thing our people will suffer much, but is this enough? What after all are we fighting and sacrificing for? If we could be quite certain that all this suffering would bring us something which will be worth-while and if there was no other alternative but to endure it, then there is no doubt that as a people we should face it. Nobody has yet had given us any sort of assurance that all this suffering is going to lead to anything better than we know today."

He said all this, of course, with reference to England, but I find this still more appropriate from the point of view of India. Sir, I oppose this motion.

Mr. P. E. James (Madras: European): Sir, I do not propose in the course of my speech to refer to the Bhagavad Gita. After Mr. Griffiths' speech the other day, I went into the Library for a copy, but found there had been a run on the book and a copy was not available; the librarian also told me that he had received a large number of questions from Honourable Members as to number of chapters in that book. But I want

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first of all to make one or two references to the speech of the Honourable the Finance Member.

May I say at once that I agree with the Leader of my Party, Mr. Buss, that this speech was most welcome, in that it was some departure from previous speeches and announcements to which we have listened in this House and elsewhere? The Honourable Member said that he was quite willing, subject of course to the over-riding interests of public security, to lift the veil. We are accustomed to seeing the Honourable the Defence Secretary present in this House dressed in a *burqa*. I do hope that the fact that the Honourable the Finance Member has lifted the veil a little bit means that the Defence Secretary and the Finance Member and all the Members of the Treasury Benches have decided to come out of *purdah*. We have during the recess, since the last Session—and I would remind the Leader of the House and his colleagues . . .

An Honourable Member: He is not here.

Mr. F. E. James: . . . that that recess was a particularly long one—during the recess we suffered a great deal of uneasiness and distress in our own community. After all, there were the dark days of summer and there was a strong feeling, which here and there threatened to break out into active revolt, that in the conduct of affairs in the Central Government there was lack of drive, there was lack of co-ordination, there was certainly lack of information, and most tragic of all there was lack of unity in the country. I may say here that I welcome the broadcasts which have been given in recent months by Brigadier Molesworth: that is an example which I think might be duplicated and followed in other departments. Therefore it is not surprising that the Finance Member's speech, in which he lifted the veil to a very small extent, should strike us as a welcome departure from the comparative silence of past months . . .

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): A great boon!

Mr. F. E. James: I am quite prepared to accept my Honourable friend's correction and call it a great boon, and I hope it will be the forerunner of similar boons. The Finance Member's speech also gave us a great deal of encouragement in a positive sense. He told us that there were to be within a measurable time half a million men of all arms, properly trained, properly equipped and properly led, available for the defence of this country: independent, I suppose, of the troops which have been sent overseas. He told us also . . .

Mr. M. S. Aney: What do you understand by "measurable time"?

Mr. F. E. James: There is of course no indication in the speech as to when that extension will be completed, nor can there be. But reading between the lines in that speech, it is perfectly clear to any one who has not made up his mind beforehand that we are within sight of the achievement of that programme? Honourable Members must remember that although in the last war the expansion of the army did not begin

until 1917, and although it may have expanded much more rapidly than it appears to be expanding now, the organisation and equipment of a modern mechanised force is a far different thing from the organisation and equipment of a force even in the years 1916 and 1917. Surely, my Honourable friends remember also the course of events during the summer and the difficulties with which even the United Kingdom was faced in regard to the supplying and equipping and training of its forces. I am quite prepared to admit that they may then turn to me and say that all that should have been done before the war. That is a criticism which His Majesty's Government has to face at home and the answer to that is, in the words of the present Prime Minister, that it is no use wasting time over criticising the past, lest we should miss the opportunities of the present and lose the war in the future. I was then going to say that in addition to the army expansion there is the expansion of the Royal Indian Navy with the promise of almost immediate accession of strength in sloops, mine-sweepers and anti-submarine patrol boats. I would point out to the Honourable the Defence Secretary that there is still a great deal to be done, more especially with regard to the proper equipping of coastal defences at vital points and that is a matter in which my own community has taken a particular interest.

Then, as far as the Air Force is concerned, we are glad to note the expansion in the Flying Schools and the training of the necessary technical ground staff. That staff, even in the United Kingdom was short at the beginning of the war, and on its strength depends the expansion of any force. Here, may I say, that a word of tribute is due, to the work of the Flying Clubs in the various parts of the country who, with Government assistance, have been doing all they possibly can to accelerate the first stages of the training of suitable Indian pilots. Now, Sir, when I say that, I do not for a moment suggest that we are satisfied or that we do not realise that there is a great deal more yet to be accomplished. My friend, the Deputy President, drew attention to an article which appeared in the *Statesman*, of yesterday, in which the writer pointed out that although much had been done, three fundamental things were still lacking in the organization of India's war economy,—motor engines, tanks, construction of ocean going ships and air craft manufacture. It was probably unfair of the Deputy President to put his interpretation upon the reference in the article to the attitude of the Ministry of Production in the United Kingdom. It is quite natural that the Ministry of Production in the United Kingdom should want to obtain the maximum output from those factories which are available today both in the United Kingdom and in America, and it would not be surprising, therefore, if the British Government hesitated to take a step with regard to the transfer of equipment to this country, which might result in diminishing production near at Home, without any corresponding benefit to production in this country. But, Sir, we are entitled to join the editor of the *Statesman* in pinning some hope to the work of the Roger Commission and the Eastern Supply Conference. I hope that the Honourable the Leader of the House will one of these days be able to tell us that the work of the Mission and the work of the Conference has resulted, not in a struggle between competing interests for pride of place in production, but in a pooling of co-operative effort out of which India's defences will

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be strengthened and her vast reserves of men and materials may be used to fortify and supply the great armies in the Middle East and their friendly allies.

Sir, this is an interim finance measure, and as such one must admit that it is not severe in character though the taxation proposed bears upon a strictly limited class of taxpayers. I would remind the House that income-tax payers alone represent less than 1 per cent. of the population. The difficulties of the Honourable the Finance Member which are bound to arise out of a rapidly expanding expenditure on defence forces have yet really to be faced. There are, I suggest, two conditions which have all the time to be borne in mind and which perhaps are most difficult to fulfil in war time. The first is that all extravagant expenditure, whether by the State or by the individual, should be discouraged. I should like to see some emphasis on extravagant expenditure by the individual referred to by the Honourable the Finance Member,—in my view that is a very important factor . . .

Mr. President (The Honourable Sir Abdur Rahim): Perhaps at this stage the Honourable Member would like to stop.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. F. E. James: When the House adjourned for lunch I was suggesting that in regard to the policy of the future in connection with the financing of the war, two things should be borne in mind, which perhaps are extremely difficult to bear in mind under war conditions. The first is, that extravagant expenditure should be discouraged both by the State and by the individual, and I may say here that we were very glad to hear from the Honourable the Finance Member his statement yesterday with regard to the scrutiny of expenditure in the Supply and other Departments. It would be helpful also to hear from him something as to the control which is now exercised by his Department over the great spending departments of the State. That is the first point. The second point is that, so far as possible, the standard of life of the poor should not be lowered and that the bare necessities of life should remain untouched. I know that this is a tall order in a country in which indirect taxation plays such a large part in financing even the ordinary administrative services of the land. But to my mind, particularly in view of the fall in prices to which reference has already been made, as far as the agriculturist in many parts of the country is concerned, it is a factor that will probably require not only negative but also positive action. And I welcome the statements made by the Honourable the Commerce Member, particularly the statement he made to the Export Advisory Council in Bombay regarding measures to deal with surplus and unsaleable crops in the hands of the producers.

Sir, let me, if I may, give, first of all a word of encouragement to my friends on the Treasury Benches and then a word of warning. Perhaps

they do not need encouragement, but I hope they will appreciate it. May I tell them, so far as my own community is concerned, they will have its full and enthusiastic support in all measures which they take for the effective prosecution of the war. The word of warning is this. That enthusiastic support cannot be forthcoming from any community spontaneously unless the Government are prepared to a greater extent than in the past, to take the country into its confidence. Much of the public criticism which has been directed against Government Departments in past months, certainly as far as my own community is concerned—much of that criticism has been due to lack of information. I know that there are a great many things that cannot be divulged in time of war, but there is much that can be told the public and should be told the public. I have noted in recent months that there have been increasing authorities in charge of information, and yet there still seems to be a lack of co-ordination between these authorities. I would put it to my friends that this matter of information and publicity is perhaps one of the most important aspects of all war effort, and it is not a coincidence that in the great countries which are now engaged in this war their governments regard this as one of their most important departments. I suggest that this would merit the undivided attention of a Member of the Executive Council with full power over all branches disseminating information to the public. Sir, while I am on this subject, may I say one word about the press? I should like if I may,—and I think in what I say I am supported by my colleagues—I should like to pay a tribute to the attitude of the press in this country since the war began. I share the relief of many at the recent withdrawal of the order under the Defence of India Regulations which were announced in the press on Monday. I take it that that was a result of consultation and co-operation and an agreement to trust each other. I only hope that that experience will extend to a wider sphere.

When I turn to the political scene, I am confronted with a much less happy and more sombre situation. I was glad when my Honourable friends the Members of the Congress Party decided, in the customary words of invitations in this country, to "grace the occasion with their presence". I am sorry, of course, that they probably are not going to stay very long; at any rate, I welcome the return of the parliamentary mentality. This debate has been conducted in an atmosphere of extreme passion and to my mind unreality.

An Honourable Member: For which Mr. Griffiths is responsible.

Mr. F. E. James: We are, of course, accustomed to hard words. After all, hard words break no bones and, except under certain circumstances, they do not sow the seeds of hatred. I must say I found it difficult to believe that some of my Honourable friends on the other Benches could be capable of so much bitterness and I could not help thinking, as I heard the first two days of the debate, that some of them at any rate were disregarding their master's doctrine of non-violence in thought, word or deed. My Honourable friend, Mr. Satyamurti . . .

Mr. M. Asaf Ali (Delhi: General): Just as you disregard the doctrine of Christ

Mr. F. E. James: I shall come to storm-trooper Asaf Ali later on. My Honourable friend, Mr. Satyamurti, in his speech seemed to glory in Britain's discomfitures and did all he could to minimise her strength. And as I listened to him I remembered how strange it was for one who had so lately proclaimed the Europeans as his friends in the Madras Corporation when he was Mayor, to take that point of view.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Why not?

Mr. F. E. James: As Mayor, of course, he is supposed to be above all parties.

Mr. S. Satyamurti: Yes.

Mr. F. E. James: And yet I noticed when he was Mayor he lifted no finger to alleviate the sufferings of those in the United Kingdom who some years ago gave him such a hospitable welcome. That, I must tell him quite frankly, is an attitude which has surprised many of his oldest friends. Of course, I realise that he is not his own master.

Mr. S. Satyamurti: Nor are you your own master.

Mr. F. E. James: As Mayor I thought that as one above party his humanitarian instincts would have asserted themselves.

Mr. S. Satyamurti: Mayors do not vote. Do they vote in Britain?

Mr. F. E. James: Having been elected the first citizen of Madras, I should have thought that Mr. Satyamurti would have started a Mayor's Fund untrammelled by orders from above. Mr. Abdul Qaiyum is a Frontierman, bulky in form, loud in speech.

When I listened to his vain boastings, I seemed to think that I detected something familiar in those words. Then I remembered that I had heard those identical words from the Berlin broadcasts and I congratulate my Honourable friend on having learnt them by heart! I think he will now be appointed the Lord Haw Haw of the Congress Party.

It was a relief, I am bound to say, to listen to my friend, Mr. Santhanam, because while unyielding in his matter he was gracious in his tribute, and the first tribute of its kind—which he paid to my own countrymen. I thank him for it.

As for Mr. Sri Prakasa, we all miss his revered father who had, I believe, a restraining hand upon him while he was here. I feel sorry for him, because he can scarcely conceal his chagrin at the way in which his Party is leading him. He hides it under a cloak of comic history and I feel all the time that that strange cloak he wears really hides a most uncomfortable mind.

Then I come to my friend, Mr. Joshi—Mr. N. Molotov Joshi—the democratic nominee of a bureaucratic Government. He is a great champion of freedom and democracy if he can have them without fighting for them.

Now, these are I hope little quips which will not be taken amiss by any of my friends. They have spoken in diverse tongues on much the same theme: We are the Violent Boys of the Non-Violent Army.

I have been impressed by the restraint of my friend, the Leader of the Opposition. He must have a very difficult task in keeping in check the ebullience and the indiscretions, of his followers. Of course, he is aided and abetted by his Gestapo in Chief, Sardar Joginder Singh. I have noticed from time to time when a Member of the Party has been a little indiscreet in answering an interruption from my Honourable friend, Mr. Jinnah or in overstepping the bounds of party discipline, the Sardar goes to that recalcitrant Member and after a short interview I have seen that Member automatically salute the Sardar with the phrase: 'Heil Himmler'.

Now, these are all in jest and I am not going to talk at length about some of the arguments that have been mentioned in this House today and on previous days. There is only one point I want to mention, a point that has been referred to incidentally by several speakers and that is the Provincial Governor's War Funds and the suggestion that coercion has been used. Now, I can only speak of Madras. I do know this; that every possible step has been taken again and again both by His Excellency the Governor and the Advisers and all Collectors to prevent the kind of persuasion which has been referred to. On the other hand I do complain and I have a right to complain of the coercion which is exercised by the Congress Party over its members. I myself have been the recipient of subscriptions from Congress Members. I have known of other subscriptions which have been given in strict secrecy. These men are not free to follow the dictates of their hearts and I think that is wrong. If my Honourable friends complain of coercion owing to collections through the official machine, I am equally justified in claiming that there is coercion by the leaders of the Congress Party over their followers.

An Honourable Member: Not a bit.

Mr. F. E. James: Surely in a matter like this, it is not right for a policy of rigid negation and discipline to be followed. Men should give their money where they think it ought to go. Don't put them in the position of having to give it clandestinely, under cover of secrecy. Let them give according to their heart's dictates.

Now, Sir, I will turn to some of the political issues which have been raised during the past months and have been referred to in this House. It is true that the war caught India in the midstream of fresh constitutional developments. That is a fact which, though one may regret it, is true. In the provinces the Congress had accepted responsibility and were working the constitution and working the Act according to their lights, with, I may claim, the whole-hearted co-operation, in most respects, of the members of the permanent civil services. On the day after the declaration of war, Mr. Gandhi made a statement which has been often quoted to me in letters from my own home. He said:

"My sympathies are with England and France from the purely humanitarian standpoint. I am not, therefore, just now thinking of India's deliverance. It will come, but what will it be worth if England and France fall, or if they come out victorious over Germany ruined and humbled."

Knowing the atmosphere at that time I hope I am not making an over-statement when I say that I and many of my friends felt that in those words he was voicing the opinion of India. But it appears he was alone, for the Congress did not support him in that line. They decided,

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to put it plainly, to bargain for power and during the year that has elapsed since then, they passed Resolution after Resolution. They have put forward various considerations which have been mentioned here. What are Britain's war aims? What is Britain's purpose with regard to democracy? Britain should not have dragged India into the war without her consent. Give us a declaration as to India's independent status. Define and re-affirm your faith in democracy. Give us a constituent assembly elected on the basis of adult franchise. Give us a national government at the Centre. Let us occupy seats of power. Finally give us freedom of speech to prosecute the doctrine of non-violence even if it involves even to a limited extent, asking people to take no part in India's war effort. In the process of this bargaining and at the earlier stages the Congress surrendered their power in the Provinces. Looking over the diary of those days, one is struck with a note to the effect that, not long after that, the Muslim League had a thanksgiving day for deliverance from the "tyranny, oppression and the injustice" of Congress rule. Now, Sir, during this period His Majesty's Government made various declarations and there were from time to time in the House of Commons debates which I think well repay reading. The last of these declarations through the mouthpiece of His Excellency the Viceroy made three definite points. First of all, that His Majesty's Government was prepared to agree to the immediate expansion of the Executive Council and the formation of a War Advisory Council, representative not only of British India but also of the Indian States, which would meet from time to time, consult with the Viceroy and give its opinion on the various aspects of India's war effort. The second point was that His Majesty's Government were prepared to do all in their power to make possible the framing of a new constitution covering all the field covered by the Government of India Act of 1935, after the war with the least possible delay, through machinery to consist of representatives of India's national life. In the meantime they went on to say that they would be glad sincerely to help, even during the war, to get an agreement on the form and the methods of the machinery and even on the principles and outlines of the constitution itself. And in the third place, they said that they re-affirmed the goal of Dominion Status for India, that is, the status of free and equal partnership in the Commonwealth. That is now proclaimed and accepted once more as Britain's goal. Now, Sir, we may not always look into the precise meaning of the words; in politics we must also look into the circumstances in which those words were uttered and the atmosphere to which they gave rise. The debates in both Houses of Parliament on the last occasion were most friendly and most earnest in tone and I do not think they merited the abuse which has been heaped upon them. The offer which is now made is a generous offer, (though I cannot expect my Indian friends to look upon it as an act of generosity). I do say that this offer has very far-reaching implications, and let the House not forget that it was made by His Majesty's Government on the eve of that concerted far-flung and long-planned attack which the German war machine was to make on Great Britain.

Now, Sir, unfortunately, this offer has been rejected by the Congress Party, practically rejected out of hand, as being of no worth and of no account, and in place of it a proposal was put forward, I think at Poona,

for a national government in this country—a substitution of the present personnel of the Executive Council by representatives of Indian parties who were to be responsible to the elected Members of this House. On the fact of it that offer appeared to merit very careful consideration. I know that we examined it in South India with great care because it largely was made possible by the skill in debate and persistence of a distinguished South Indian Leader. Unfortunately, from our point of view, although the offer was explained to us as not involving any serious constitutional changes but merely a substitution of personnel, I found, when I read the speeches on the debate at Poona, that quite a different impression was given. In fact it has been made perfectly clear not only then but since that one of the reasons, in fact the main reason for the disappointment of the Congress Party that this proposal has not been accepted is that what they intended was a complete transfer of power at the Centre, and when my friends tell me that that certainly involves no great constitutional changes, I must beg to differ from them. The profound constitutional change that remains in the constitutional machinery of this country is this question of the transfer of power at the Centre. We also found that no other party appeared to support the claim for a national government on those lines. We went into the matter further; we realized that in fact the main essential for any national Government in any country was missing here. In any country, a national Government is the expression of a national union, a united national will. I have been told that there is in the United Kingdom a parallel. If the United Kingdom can have a united Government, a national Government for the prosecution of the war, then why not this country? Well, no doubt if in this country there were the pre-requisites of a national union, even a national Government might be possible. But that is not there. In any case what is being asked in this instance is, not what has happened in the United Kingdom, viz., the formation of a national Government within the structure of the present constitution; but what is demanded in this country is the formation of a national Government to which power may be transferred for the first time in the constitutional history of India. Now, I do not for a moment say that such a desire is not a perfectly legitimate desire. But I do suggest that, first of all, it is asking—whether Members may say it or not, deny it or not—it is asking for a profound constitutional change during war time involving very wide implications. Secondly, it is asking us to believe that there does at present exist in India the basis for a national Government. Unfortunately we cannot believe that at the present moment. And, thirdly, there is no indication, at any rate, from the Congress side, in clear and unmistakable fashion as to what they intend such a National Government should do in regard to this war if they did secure power at the Centre through the formation of a National Government. It is, frankly, a puzzle to many people. On the one hand, we have the declaration that the Congress is a non-violent body and that it is wedded to that principle, not only as an ideal but also as a method of approach to the political freedom of this country. Well, if that is the case, what happens when they achieve a National Government on the lines that they want? What are they going to do with the armed forces which will then be under their control? Is there any categorical assurance anywhere that if power passed during war time, that power would still be used for the effective defence of this country and for the prosecution of the war abroad?

Mr. M. S. Aney: I think in that Resolution itself there is a clause 3 p.m. which is being overlooked by the Honourable speaker.

Mr. F. E. James: I know the clause to which my Honourable friend refers, but that was hastily withdrawn.

Some Honourable Members: No, no.

Mr. M. S. Aney: It was withdrawn after the Resolution had been withdrawn; not till then.

Mr. F. E. James: Very well. I certainly do not want to misrepresent anybody. That is the last thing I would like to do. I certainly remember a clause which referred to the defence of India and there was a certain amount of ambiguity about that phrase which some members endeavoured to clear it up afterwards. But there is still a more fatal objection. The Congress Party have turned down the offer of the Viceroy and His Majesty's Government for some of the reasons I have mentioned.

As I understand the attitude of the Muslim League, in the Resolutions that have been passed and in the correspondence that has been exchanged between the Leader and the Viceroy, they moved very close to acceptance in principle of the statement made by His Majesty's Government, subject of course, to various reservations in regard to representation and in regard to other matters which formed the subject of that correspondence. I would not detail them all. I should like to know whether that is final on their part. Is it possible that they are throwing away an important principle for the sake of the details of its application? Is it possible that they feared that if they accepted this and the Congress did not, the Congress might subsequently come in and upset the balance of power on the expanded Council? I know that the Hindu Mahasabha, the Liberals and the other minority groups have criticised what they call the vagueness of the statements issued by His Majesty's Government, but I have always understood that they would be prepared to enter an expanded Executive Council if certain conditions were fulfilled. In other words, they have not as yet committed themselves to demanding the kind of National Government to which the Congress have committed themselves.

Now, Sir, one other important factor is this. The Congress is asking His Majesty's Government to transfer power from themselves to a National Government in the country. Obviously, they cannot transfer that power to the Congress alone. Obviously, they cannot transfer that power even to the Muslim League alone even if they were prepared to agree to such a constitutional change in the structure of this Government during the war time. His Majesty's Government have themselves said—and these are important words—that they cannot contemplate transfer of responsibility to any system of Government whose authority is directly denied by a large or powerful elements in India's national life.

An Honourable Member from Congress Benches: What about this system of Government?

Mr. F. E. James: It is not merely a transfer from these gentlemen to Congress gentlemen but it is a complete transfer of power from London.

This announcement of His Majesty's Government has been welcomed by every minority, in this country. Yet it need be and should be no hindrance to constitutional development either now or after the war unless, as a matter of fact, any one community is seeking to dominate or to coerce.

Therefore, we are unfortunately back again at a deadlock. There was at one time a co-operative spirit about but much of that has disappeared. The Muslim League have not been able to accept the offer in the terms in which it has been made. On the other hand, they have made their position clear as far as the war effort is concerned. This I noticed in an address given at an *Id* celebration recently. My Honourable friend, the Leader of the Muslim League, said, that he was convinced that whatever the misdeeds of the British Government in the past, in the interests of India it was their duty to support and co-operate with them now in order to protect their own homes and hearths.

Mr. M. A. Jinnah: Go on further.

Mr. F. E. James: I have not got the further portion of the speech.

Mr. M. A. Jinnah: I may inform the Honourable Member that that speech of mine has been thoroughly mutilated and I have not yet been able to find out who the culprit is.

Mr. F. E. James: Naturally. I accept my Honourable friend's word that his speech been mutilated, but there seems to be an epidemic of mutilation of speeches on that particular side of the House. I copied this speech, I think, from an article published in the *Times of India*, Bombay.

Mr. M. A. Jinnah: Then, I may inform the Honourable Member that he has only got the first part completely out of its contents. I will read to the House my speech from the *Times of India*.

Mr. F. E. James: In that case, it only makes what I was about to say very much more pertinent. I was about to say that if this was true, then we will listen with more interest than usual to the speech that my Honourable friend is going to deliver on the Finance Bill. We hope that in that speech he will touch upon this subject not in its narrow sense but in the broader sense of policy.

Now, Sir, I am left with one unfortunate impression as a result of the study of the position taken up by the Congress from the beginning of the war. I am left with this question in my mind. Did they ever really mean co-operation? Was it ever their will to assist the Government?

Mr. S. Satyamurti: Did you ever want India's real co-operation?

Mr. F. E. James: Was it that they wanted constitutional power? If they got it, what were they going to do with it? There is no doubt—and here I am not arguing a case, I am stating a fact—that there was widespread and profound distrust as to their intentions if they captured power at the Centre on the part of practically every other Party in the country. Now, Sir, the position is that we have a deadlock and the Congress Party have handed the baby to the Mahatma, whose words are inscrutable and very difficult sometimes for the outsider to follow.

[Mr. F. E. James.]

I myself have held the view and have expressed it, that civil disobedience as such is not and cannot be a non-violent movement whether it is expressed through one person or through mass movements. I have always felt that it is a cloak for coercion and for violence. I remember recently reading a story told by Sir K. V. Reddy in South India in one of his meetings which is reported in the Press about a *sadhu* and a turtle. I think this story is known to some of my Honourable friends in South India. The *sadhu* was sitting by the road side meditating upon *ahimsa* and in the course of his meditations he became aware that there were a number of villagers who had captured a turtle and they wanted to dispose of it but did not know how to kill it. So they got hold of a number of sticks and were beating the turtle on its shell. When the *sadhu* heard this he said, "my dear friends, as a disciple of *ahimsa*, I must ask you to desist from that cruel practice". Then in an aside he said, "if you really want to kill it, turn it upside down". That has a moral. I think many of us feel that the attitude of the Congress Party and its present leader is puzzling and disappointing.

Mr. K. Santhanam (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): May I know if the Honourable Member will give the same advice that civil disobedience is wrong on the part of the Belgians, the Danes, the Dutch and other people who have been conquered by Germany?

Mr. F. E. James: My Honourable friend has fallen into a trap. They never claimed that it is non-violent. It is the claim that civil disobedience is non-violent that I challenge. It cannot be. Those brave men in Belgium and Holland know what they are in for. They do not talk nonsense about non-violence.

Mr. M. Asaf Ali: Will my Honourable friend, Mr. James, advise the Congress to turn violent?

Mr. F. E. James: I should of course hesitate to give even my Honourable friend any advice, let alone the Congress itself. I know that if I gave any advice, they would not take it.

My point is this and I return to it. My Honourable friends cannot get away from it. Civil disobedience is not and cannot be a non-violent movement. To call it non-violent is to deceive yourself and to deceive the country. Now, Sir, I do not want to get excited in these matters as have some of my Honourable friends in the past. I want to refrain from bitterness of speech. One of the most magnificent passages in the speeches of that incomparable leader of men, Mr. Churchill, was that passage dealing with his attitude towards the French nation, after the French had been beaten to their knees. There was an attitude of generosity to a previous Ally who might at that time have been regarded almost as a traitor. He said in that speech of his that we should not accuse as traitors those who had fallen by the wayside through weakness. Far be it from me to emulate Mr. Churchill, although Mr. Satyamurti called me a pocket Churchill.

Mr. S. Satyamurti: You will try, if you can!

Mr. F. E. James: I would rather be a pocket Churchill than a pocket Quisling. This war is going to be won by pocket Churchills. One of the German commentators recently expressed a certain amount of uneasiness at the strength of the defence of Britain. Why, he exclaimed, there is not only one Churchill; there must be about 45 million Churchills defending their country, and things are going to be very difficult. Therefore, when my Honourable friend called me a pocket Churchill, I took it as a compliment.

Naturally, there is not anybody in this House who does not regret the absence of what one may call full political co-operation in the prosecution of the war. If that is not possible, then the preparations must go on without that co-operation, because the danger to my country, the danger to the Commonwealth, the danger to the countries in the Middle East and the dangers to the interests of this country, are one and indivisible. I have been asked by many Honourable friends of mine, what after all are you fighting for. Well, anything that I say to some of my Indian friends will be suspect. I cannot hope to persuade them to believe what I believe. But let them not ask me or any members of my community. Let them ask the Labour party in England. They know that they had no share in the foreign policy which immediately led up to this war. They had practically no responsibility for the defects in the preparations for the defence of the United Kingdom before the war or even during the early days of the war. Yet they are now the spear head in a national government in the United Kingdom which represents the national will and which I predict will be unshakable. I need not ask any one in my country. Go to America. President Roosevelt knows what the war is about. He said it is for freedom of speech, freedom of thought, freedom of movement, freedom of religion, for the decencies of life, the right of nations to live and develop into increasing freedom. He was re-elected. America is helping today to the fullest extent in her power. She had no reason to love Britain; she had no reason to love what is called British imperialism. Yet even Mr. Villkie after his defeat said to the press, "All of us, Republicans and Democrats and Independents believe in giving aid to the heroic British people". Sir, I believe this is one of the classic struggles in the history of the world for freedom, for the right to be free and to achieve freedom. Everywhere, even in the occupied countries, there are free peoples co-operating. No man in this country is coerced into co-operation. He is invited to co-operate. He may stand aside and say, "This has nothing to do with me. This is not my war." As long as he does not definitely and deliberately endeavour to impede war efforts, he is left alone. Even without him, there is no lack of men, money and munitions.

Sir, I am afraid this war looks as though it is going to extend. Almost every hour brings news of further extensions and those extensions are in this direction. I do not say that in order to terrorise any one. Of course, there is no one in this House who would be terrorised even by the threats of Germany and Russia combined. But I say that there is a case for the people of this country to extend not only their material assistance but also their moral and political assistance. I believe that those who stand aside from that will one day regret that they did not share to the fullest in our recent trials and in the certain victory in which every man of my race has abounded confidence.

Lala Sham Lal (Ambala Division: Non-Muhammadan): Sir, on account of an infirmity in my right leg, I cannot keep standing for long and I request your permission to speaking sitting.

Mr. Deputy President (Mr. Akhil Chandra Datta): Yes, certainly.

Lala Sham Lal: Thank you, Sir.

Sir, I speak to oppose the proposed Finance Bill, and I do so on broad general grounds. I do not propose to repeat any of the arguments that have already been advanced on the floor of this House in opposing this Bill. This Bill is stated to be a war measure, a measure for the due prosecution of the war, and it is stated that clearly this is not the last but more of its kind has yet to come if India is to play a worthy part in securing the victory of civilisation. Which war, I ask? A war which originally broke out between a few Christian countries of Europe and for the purposes of those countries only, a war which has by now knocked down several peaceful and inoffensive countries and has destroyed their liberty, a war in which weapons of destruction of every kind, mostly immoral which science and wealth can possibly invent, are being employed. It is a pity that science and wealth which ought to have gone for the betterment of mankind is being utilised for destruction. Wealth is being consigned either to the bottom of the sea or consigned to fire. Evidently there must be something wrong with this wealth. It must have been acquired through bad *karmas*. The misdeeds are apparent in the exploitation of people and that is why this wealth is being dissipated in this manner. Then, Sir, it is a war in which lives of men, women and children are being destroyed indiscriminately and ruthlessly and for no fault or offence of theirs; and lastly, it is a war in which all laws of morality and rules of God are being set at naught and a war which must be described as a Satanic war. It is for this war, Sir, that India is being asked to make a contribution both in men and in money. India is being asked only to make a contribution; she is not allowed to say or to exercise her will as to whether or not she is to make any contribution,—a strange thing indeed. A person is asked to make payment and he is not allowed to say whether he should make the payment or not. Is not this the method usually employed by a robber or a dacoit? I should ask all Honourable Members to think upon this for themselves.

Then, Sir, India is being given an insult and an indignity. And which India is it, I ask again. India, a veritable ethnological representative of the whole world, India which 400 million people of all castes and creeds in the world are inhabiting, which contains one-fifth of the human race and is the largest single populated country in the world, the Queen of Asia and the home of the civilisation of the East. It is an irony of fate that this India by the happening of strange events constituting a miracle has fallen a slave to a small island in the Atlantic Ocean. This India says in reply that she cannot participate in this ugly, inhuman and Godless war. It is not worthy of her to play any part in this war. She cannot, for fear of God, make any contribution either in men or in money for this war or in furtherance of this war. Now, Sir, it may be asked,—a very legitimate question indeed,—that war is raging in all its ferocity and it is carrying devastation all around it, and how are you going to stem the tide of the coming devastation? In reply to this India says that it is not worth-while to become a rogue with a rogue, it is not worth-while to follow the doctrine

of *Shathe shathyam* as we say in India; it is no good following the principle of an eye for an eye and a tooth for a tooth, but to meet this war and not only to meet this war but also to meet the future time in a befitting manner you should adopt the doctrine of truth and non-violence. It is only through truth and non-violence that the victory of civilisation can be secured; it is only through truth and non-violence that peace and prosperity can come to mankind; it is only by following this doctrine that the world and mankind can be free. Sir, the greatest leader of Indian thought today prescribes this doctrine for the Indian people and for the people of the world at large. It may be said that this is a novel doctrine and I will deal with it presently. But Mahatma Gandhi, the great leader, says that not only freedom but peace can come to mankind through this doctrine alone. He says that the freedom of India is nothing if it does not come through this; he says that the freedom of India alone is nothing if it does not come to the world at large. India does not exist for herself, she has got a mission to perform for the whole world. This doctrine is mocked in some quarters and it is said that it is a novel doctrine devised by Mahatma Gandhi for the present time and only to suit the present time and to conceal the weakness of India. I say to such friends that it is not the case. It is a doctrine which originated at the time when humanity first got it; it is a doctrine which has been handed down to us from age to age on the basis of which the seers and sages of the world have been giving great warnings to mankind. Sir, if I were to mention these sages in detail I am afraid there will be no time but I would like to place a few instances in support of what I am stating, from India alone. So far back as 1894, 46 years ago, a seer of India stated in emphatic and prophetic words, "We have to teach the world what it is waiting for. Europe, the centre of material energy, will crumble into pieces within the next fifty years."

An Honourable Member: That is what is happening.

Lala Sham Lal: Yes. She will crumble to dust within the next fifty years if she does not change her position, shift her ground and make spirituality the basis of her life. And what will save Europe then will be the soul of India. These are the words uttered by a saint of India in 1894, when there was no war, when there were no prospects for a war; and if my friends would like to see this utterance, they may find it in Swami Vivekananda's works, Vol. III, page 159. This Swami Vivekananda was a seer of India, a sage of India. He made extensive tours in America and in Europe: he made disciples there and his disciples are still working; he died in 1903. Now, what did he say in those utterances? He said we are to teach what the world is waiting for. He was lecturing on *vedanta* at that time, and *vedanta* is the highest scripture for soul elevation. He was telling the people that we will teach soul elevation for the world—what it is waiting for. He said these words to meet the material energy of Europe. He said these words to save Europe at the time of the crisis. These are words which must be considered in a serious mood.

Another sage of India, whose name has been often mentioned by some Honourable friends—I mean Sri Aurobindo Ghosh—shortly after the last war—perhaps a few months after the armistice and the treaty of Versailles and the constitution of the league of nations, he wrote a book called: "War and Self-Determination". Therein he stated that this Treaty of Versailles and the League of Nations shall only be a prelude for another

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war in the near future, severer in magnitude than the one which had just finished; and then he said that so long as war cannot be made psychologically impossible, it must remain and if banished for a while it must return. This is the statement of another seer of India, to whom reference has been made by many Honourable friends today on the floor of the House.

This is the position which India takes today. This is the attitude which India takes today and this is the attitude which has been advised for India today by that great leader of Indian thought.

Let me keep aside this attitude and this position for a while and let me turn to Europe—what has the civilisation of Europe and the creed of Europe to say in this matter. Let me take the case of Britain first. Britain is represented by a King. It is the law that the King can do no wrong. Just as God can do no wrong, his representative on earth, the King, also can do no wrong. When we keep in view the history of the divine right of kings, and also the fact that the King of England holds the title "Defender of the Faith"—what faith? "Whoever raises the sword shall perish by the sword"—what faith? "Blessed are the poor in heart for they shall inherit the earth" what faith? "If one smites you on the right cheek give him the left also". This is the faith of the whole of christendom and more so for Germany which country has produced many high thinkers in the past and still more for Italy where the representative of Jesus Christ, His Holiness the Pope resides. We ought to take it that this is civilisation and this is the creed which Britain professes and Britain holds dear. This is the creed—not for Sunday use only but—one—for which Britain has to live and for which Britain has to die. In face of this can it be denied that the position that India is taking up today in respect of this war is correct position? Can Britain in view of its own civilisation contradict this position? I should say it cannot.

It is being stated in some quarters that this is the creed no doubt, a high ideal no doubt, but it is not possible to follow it. It is an impossible and an impractical creed. But let me take an instance from the history of England itself. The history of India is full of such instances, but I am not referring to them at the present time—I am only taking an instance from the history of England itself. In the time of Queen Mary, the despotic Queen Mary, Protestants were being persecuted and were being thrown alive into the fire and being burnt, how did the victims behave? They cried aloud cheerfully "We will play the man: we shall light such a candle in England which by the grace of God shall never be put out." As a result of this cheerful suffering, we see that the papist rule in England was removed for ever. In the face of this, can any one deny that this is a doctrine that cannot be acted upon?

That is the position that India is taking. India says that civilisation will not be secured by becoming violent, by answering the sword with the sword: it will rather be secured by following the doctrines which God has commanded, and which is embodied in the doctrine of truth and non-violence. When making this statement I want to refer to an important thing, which after all I consider to be important. I invite the attention of the Honourable Members of the European Group, particularly, to that statement. The import of this war is not being realised properly. It is not being realised in Europe, and it is not being realised here now by the Members of the Government which is established in India. It is not a war between one country and another. It is a mistake to think that this

is a war between one country and another. It will be a mistake to suppose that this is a war between one set of countries and another set of countries. I would like to point out to Honourable Members that this is a war between one civilization and another. This is a war between one force and another force. It may not be visible today, but it will come into the limelight at no distant time. Sir, this war, as I have stated, is a war really between two great forces. If anybody can exercise his powers of introspection, if anybody has got the slightest intuition, he will find that it is really a war between two great forces, not between one country and another. Now, what are these two forces? I want to explain to Honourable Members of this House. One is the force of material energy, the brute force, prevailing in Europe today, and the other, of the spirit, the force of the command of God. Of these two forces, one is given birth to by the queen of Asia, the India, and both these two forces came into evolution at the same time, developed side by side together, and they are coming into conflict at no distant time. Now, is it not patent that after the close of the last war there have been Resolutions passed by the League of Nations Assembly demanding a restriction in the increase of armaments? In spite of that, the nations of Europe went on increasing their arms. At the same time, look at the state of affairs in this country? The doctrine of truth and non-violence began to be preached from India in about 1919 or 1920. Now, these two forces came into existence about the same time. They have been developing closely since 1919 up to the present time,—and God knows up to what time they may go on developing—until they come into conflict against each other. Now, Sir, this is the position, this is the attitude which India has taken. India has foreseen this conflict, this clash between these two forces, and has prescribed the doctrine of truth and non-violence, not merely to meet this ugly and inhuman war but to receive the coming times also. Therefore, Sir, I do appeal to Honourable Members of the European Group to please allow India to remain sensible. If the whole of Europe has gone mad, please do not drag India also into madness. Leave India alone; let her remain sensible, so that she may be able to save the dying Europe when the crisis comes. That is the position India has taken today, and that is the reason why I am going to oppose the Finance Bill.

Now, Sir, I should like to reply to certain criticisms which fell from my friend, Sir Abdul Halim Ghuznavi, on the floor of this House. In the first place, in the whole of his speech I find there is only one question which calls for a reply, and I feel it is my part to make a reply. I do not know how other Honourable Members of this House will reply to him, but I shall give him a reply according to my best knowledge. Sir Abdul Halim referred to the sayings of Shri Aurobindo Ghosh, and he referred to the contribution made by Shri Aurobindo, the Sage of Pondicherry, to the war fund. My friend has made much of this fact to support the argument which he placed before the House. Now, Sir, I may tell my friend that the contribution made by Shri Aurobindo is not at all inconsistent with the position, and attitude taken up by the Congress and enunciated in this House. If my friend, Sir Abdul Halim Ghuznavi, had studied Mahabharat and other scriptures which Hindus hold dear, he would have known the philosophy of courtesy and manners which a Hindu is required to observe in his capacity as an individual. Sir, when Shri Aurobindo was arrested for a political offence in 1907, when he was kept in confinement in the Alipore Jail, he saw the image of Lord Krishna in every jail authority, in every jail warder, in fact, in every jail official, and also in the Magistrate

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who tried him. Now, at that time, as a human being, he saw the image of Lord Krishna in the jail authority, but today he is something more than a human being. I regard him as a transcendental existence today. I do not know how other Honourable Members may be regarding him, but I for one do regard him as a transcendental existence. Such an existence sees the image of God even in a Satan. But there is a difference between the duties of a man as an individual and between a man belonging to a particular political association. That is a distinction to which I should like to draw the attention of my friend, Sir Abdul Halim Ghuznavi. If my friend had known this distinction, he would not have referred to the contribution which the Sage of Pondicherry is supposed to have made. Now, Sir, I would like to invite the attention of my friend, Sir Abdul Halim, to one or two instances to support my plea, and these instances I have taken from the Mahabharat itself. Was it not that Lord Krishna in his individual capacity who gave help to Duryodhana, the Satan when such help was demanded of him, but this he did in his individual capacity; but in the capacity of a political leader he came forward in the same breath to destroy Duryodhana and all his supporters

Mr. Umar Aly Shah (North Madras: Muhammadan): That is not correct. What is the use of importing wrong things and wrong points? People who have read and understood the Mahabharat in its Sanscrit original would not give such wrong interpretations to its text.

Lala Sham Lal: That is correct and that is the position; that he did in his individual capacity. Then I want to draw attention to another matter. Did not Bhishma Pithamaha bless the Pandavas in his private capacity, while, as leader of a political party, he sided with the Kauravas? Is not Mahatma Gandhi making the same distinction? In his personal capacity, he is blessing Britain. He says that he does not want Britain to be defeated, he says that he does not want Britain to be humiliated. Yet, in his capacity as the leader of a National Party, he is at war with Britain, a non-violent war, for the freedom of his country with the Government that is appointed by Britain in this country. That is the difference. If Sir Abdul Halim Ghuznavi had said that Shri Aurobindo Ghosh had directed the nation to contribute at the same time as he contributed himself, then I would have thought seriously before contradicting my Honourable friend. Let me give a little reply to my Honourable friend, the Commerce Member, who has characterised the Gita as one which teaches violence.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): No, no.

Lala Sham Lal: If my Honourable friend denies that the Gita teaches violence, I will keep silent, but he did say, so far as I remember, that the Gita teaches violence.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Active resistance to violence.

Lala Sham Lal: Nothing can be so incorrect as a statement like this characterising that the Gita teaches violence.

Mr. N. M. Joshi (Nominated Non-Official): Does it teach non-violence?

Lala Sham Lal: Yes, it does. That is what I am going to tell you. On the one hand, you have Mahatma Gandhi who is a scholar in Gita, who has written many pamphlets on the Gita, who has translated the Gita

Mr. Umar Aly Shah: Mahatma Gandhi is not a scholar in Gita. Were he so, he would not have called his commentary "Anasaktiyoga", which only shows his ignorance of the profound meaning and import of the Gita.

Lala Sham Lal: He has written pamphlets on Gita, he has taken out verses from Gita which he is daily reciting in his prayers. On the other side, there is Sir Mudaliar who says that Gita teaches violence. (Interruption.)

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Then, Sir, the Gita is being read in every house, and it is being preached in all large gatherings. How many of the readers realise the Gita? So, it is very easy to read, but it is very difficult to realise the spirit of the Gita. This Gita teaches the doctrine of truth and non-violence, and if I were to cite verses from the Gita and discourse upon those verses, I shall make Sir Mudaliar know that the Gita does not teach violence or violence in action. It teaches non-violence for a human being. If my Honourable friend had carefully read the two Chapters of the Gita, namely, the one on the duties of a human disciple and the other on the duties of a Divine Teacher, he would have come to know that the Gita does not teach violence at all for a human being. It may be anything for a divine force

Mr. Umar Aly Shah: You are wrong *Vinasayacha Dushkrutam*. What does it mean?

Lala Sham Lal

*"Paritranaya Sadhanam
Vinasayacha Dushkrutam
Dharma Samsthapanarthaya
Sambhavami yugi yugi", etc.*

Mr. President (The Honourable Sir Abdur Rahim): I must tell the Honourable Member that this is no occasion for delivering a lecture on Gita. The Honourable Member must deal with the Bill before the House.

Lala Sham Lal: I am giving a reply to Sir Ramaswami Mudaliar.

Mr. President (The Honourable Sir Abdur Rahim): Yes, but the Honourable Member has said quite enough on that subject.

Lala Sham Lal: On these grounds, I oppose the Finance Bill and finish my speech.

Sardar Sant Singh: We are very much indebted to the last speaker for the powerful discourse that he has given us on truth and non-violence.

[Sardar Sant Singh.]

but I wish that he had chosen another forum than this House. Here we deal with hard realities of life and we have to face facts as they are. Our complaint against the present system of Government in India is that it ignores the realities of life and enters into that state of mind which does not go to make empires, but rather goes to destroy the empire that has been made by its predecessors. In this case the debate on the Finance Bill has been going on for a much longer period than the ordinary budget discussion does, and the reason is obvious to all. Because the issues involved today are of a far-reaching importance, are of a more lasting nature, than a mere increase in taxation or throwing economic burdens upon the people. Here questions of high policy as well as how that policy is to be worked in practice are before us. This to me is the real significance of the debate on the Supplementary Finance Bill.

Sir, the confusion that is responsible for the great deal of difference of views between those who sit on my left and those of us who sit on this side of the House is that, while the Government, the European Members and those who are supporting the Government have been stressing the need for the successful prosecution of the war, they ignore that India does not feel, rather can not feel, much interested in the result of the war so long as the war aims are not clearly defined by the British Government regarding India's position during the war as well as after the war. The confusion is between what is called the aim of the war as distinguished from war aims. The aim of the war has never been in doubt. If any country is at war with another country, whether the cause be a good one or an indifferent one or even an immoral one, the aim has always been one and that is the single aim of winning the war and defeating its opponent whatever the means employed. The means may be fair or foul. The war must be won.

Lieut.-Colonel Sir Henry Gidney: Everything is fair in love and war.

Sardar Sant Singh: Very often, it is the former rather than the latter in your case. So far as the aim of war is concerned, there can be no two opinions. The aim is that the war must be won.

As regards the question of non-violence as a creed and non-violence as a policy, there have been serious difference of opinion even in Congress circles. We believe non-violence to be good as a policy and not as a creed. I refer here to my own community, the Sikh community. We believe non-violence to be a good policy for the time being but we are not believers in non-violence as a creed. I make bold to say this. Situated as India is, is it not a good policy for her to follow the path of non-violence? The question was put to the Honourable Mr. James by the Deputy Leader of the Congress Party whether he wants the country to take to violence. He avoided answering this question for it is difficult to answer and that too for the obvious reason that if we turn to violence, he knows and everybody knows that situated as India is, Indians are not able to resist the violence of the Government as against the violence of the people. -I again declare that non-violence as a policy is an entirely different thing from non-violence as a creed. In our Sikh history, the aims of our Gurus were clearly pointed out. Up to the time of Guru Teg Bahadur who gave his life and suffered martyrdom in this very city of Delhi, the creed was one

of non-violence. But Guru Govind Singh when compelled, by the continuous mis-deeds and mis-government of the then Government of the time, to raise the standard of revolt sent an ultimatum to Aurangzeb. The first couplet that he wrote before taking to violence was this:

Chūn kar az Haman Hilate bi-guzašti,

Halal ast griftan shamsher dast.

It means: "When things become intolerable and all other policies have failed, it becomes lawful to draw the sword". When the circumstances have developed to such an extent that no other policy can help the nation, then it becomes lawful to take the sword in hand. That was the first sentence of the ultimatum that he gave to Aurangzeb, who was the head of the then Government of India. The same teaching is to be found in the jurisprudence of England. I have quoted that, times without number on the floor of this House. In the jurisprudence it is laid down that when the evils of the Government become so intolerable that the evils of a revolution are less than the evils of the established Government, then it becomes lawful to rebel. Thus similar conceptions run through two different systems of thought. But however, this is not the time to go into these principles. I only wanted to explain our attitude towards non-violence and to emphasise that war cannot be won through non-violence.

Here we are faced with a serious dilemma at this time of war. Our friends on the European Benches as well as the Government cannot deny this fact that India has been forced into a war not by their own consent but by the consent of others whose possession India is claimed to be. What we want you to answer is this. Do you regard India as a valuable possession of England or do you want to treat Indians as human beings are treated in any country which is their own. That is the question which has been asked so often both on the platform as well as the Press. That question has not been answered so far and that question is contained in our demand for the war aims. You say that war aims are not defined in the middle of the war. Well, may I ask you whether it is not a fact that the declaration of 1917 was made when the last war was at its height. Then we were told that the goal of the British Government in India is the gradual realisation of self-government in India. The distance between 1917 and 1940 is a long one.

An Honourable Member: Much water has flown down the Jumna since then.

Sardar Sant Singh: Much water has flown down the Jumna, as my friend reminds me.

During the last war, Mr. Lloyd George, the then Premier of England, told a Press representative in an interview while talking of war aims, when he was questioned as to what he proposed to do about India: "If we have brains enough to conquer Germany and to establish self-determination for the smaller nations of the world," replied the Prime Minister, "surely we shall have brains enough to find a solution of India's difficulties". Twenty-three years have gone by since then and England has not found a solution.

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My friend, the Honourable Mr. F. E. James, told us in his beautiful and eloquent way that India has been caught in the midstream of constitutional reform. The war has come at such a time when the constitutional theories were being discussed and agitated upon. May I ask him why these constitutional theories did not find an answer during the last 23 years which have elapsed since the termination of the last war. Was not that war a war for establishing self-determination for the nations. Why was not that principle applied so far as India is concerned and why has it been delayed for such a long time. Really it is a question for serious thought. It is true that there should be no embarrassment in your war effort when you are fighting for your existence. There is force in that argument but will you give us an answer to this. If we listen to this argument of yours and go ahead in helping you in the realisation of your aim, will it follow that after the war you will do something for India. To that question, I do not want to give a reply myself. I will give a reply from a book written by an Englishman and the name of this book is "Our War Aims". Here he says:

"This record is one of our liabilities today. If we are fighting to defend the freedom and 'peaceful existence' of small nations and of 'all freedom loving countries', including our own; if we say, with the Prime Minister, that we are not aiming only at victory 'but rather looking beyond it to the laying of a foundation of a better international system which will mean that war is not to be the inevitable lot of every succeeding generation' how are we to persuade the world that we mean business this time when we did not mean business last time? What chance will there be of founding 'a better international system' on the morrow of victory unless we ourselves make up our minds in advance that it shall be founded and what we shall do to make sure that its foundations are well and truly laid."

An Honourable Member: Who is the author?

Sardar Sant Singh: Wickham Steed. That is the question. And one important question we ask the Government of India; we ask the Government of India to make a statement at the end of the Finance Bill that "we have heard the voice of the elected representatives of the country. We now realize that the masses do not go with us. We now realize that the masses are feeling very much disturbed on account of this war, and we want to make this statement and assure Indians that it will be implemented after the war." Is such a statement forthcoming? If such a statement is not forthcoming, certainly it is but human for us that we should pause and consider our position, realize what happened after the last war and then frame our policy in accordance with facts as they have already happened. What would you do if you were Indians and if Indians had the Government in their hands? Put yourselves in our position and then tell us, phraseology apart—let us stick to the truth, tell the plain truth more crudely than you want to at this stage and then decide what is to be done. Here again Mr. F. E. James fell into an error when he said, "Could we hand over the Government and the power at this time when the majority is not with the Congress?" All right. Let us take that to be the criterion. I accept this as a test. I say, let the same criterion be applied so far as the present Government is concerned. Who is with the present Government? Are they willing to take a referendum of Muslims, Hindus and Sikhs together, and then, if the referendum results in an overwhelming majority that this Government does not represent India, will

the Government then resign and give place to a national Government? So far as your position is concerned, it is hopeless. This Government is an out-of-date and obsolete institution and it must be scrapped off. That is the verdict of all Indians. Today Indians have shown by their attitude that they do not like the policy and the programme of this Government. Does the Government, present Government, regard itself as the wisest Government of the age? Wiser than those who have been in charge of His Majesty's Government in England? During the last year, how many Cabinet changes have taken place? How many Governments have fallen? How many new ministers have been taken in and replaced and why? Simply because the country realised the urgent necessity for a change. The war cannot be prosecuted unless new and fresh blood is brought into the Cabinet and a new turn and impetus is given to the policy of the Government. Is it not so? But why do you stick to this place when you have no policy? You cannot govern the country without the will of the people.

What is the position today, Sir? What has been the consequence of the operation of the Defence of India Act? It has merely forcefully silenced the Indians. I will like to put it in a more charitable way. The position is that Indians have become quite sullen today, they are quite indifferent. That is the result of the Defence of India Act. Do you like that India should remain sullen? Do you think that the war and other speeches of those who are habitually with you who generally are known by the name of "Toadies" in this country, do you think their speeches and outbursts of steam stir the imagination of the masses? You are mistaken if you do so.

An Honourable Member: Who are you referring to?

Sardar Sant Singh: I am referring to the Government. While the Sikhs are with the Government that the war must be prosecuted to its successful end, we do want, so far as the Sikh community is concerned they have made it clear, that we do want to co-operate with the Government in the successful prosecution of the war. We have issued statements, we have told our men in the army that the Sikh community shall not tolerate indiscipline in the army, and we have advised them to keep to the rules and regulations. But that does not mean that we are satisfied with the status of Indians in the country.

Lieut.-Colonel Sir Henry Gidney: What is wrong with the status of Sikhs?

Sardar Sant Singh: I am telling my friend that this is no time for light talk. If you really want to win the moral support of the country, then this deadlock in the country must be ended, and the sooner it is done, the better.

Major Nawab Sir Ahmad Nawaz Khan: How?

Sardar Sant Singh: That is a question which can be settled by a bold statesmanship, by imagination, by vision, not by tinkering with the problem here and tinkering with the problem there. If I was sitting on those Benches, I would have told you how to solve it but it is not my business

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at present to tell you the solution. Even, if I tell you, what is the guarantee that you will accept it? Sir, the agency that accepts this advice lies beyond you and beyond me and beyond even the present Government as constituted today. My proposition is this, that we must know and we are determined to know, whether we be Hindus, Muslims or Sikhs, what shall be the position of India. Well, one of my Honourable friends mildly says, "after the war". If I am left to myself, I will say, "No, Sir, today—not tomorrow, what is my position today?" This question disturbs me—it haunts me—well if I know my today, I will make my tomorrow according to my wishes. India wants to develop according to our own wishes. We want to develop this country in the manner best suited to the interests of India. We therefore, ask the Government and we ask His Majesty's Government, "What is there that prevents you from parting with the real power?" You say, "there are differences in the various communities; there are differences between the Congress, the Muslim League, the Sikhs and the other minority communities"; It may be so. But curiously enough, all sections are at one on this point that the last declaration of His Excellency the Viceroy did not contemplate the parting of real power. This runs through the verdict of all three communities. May I ask, "Are you willing to part with that power or not?" You say you cannot unless there is agreement between the minorities. Yet that is a problem which can safely be left to the future Government if you really part with power.

Then you describe your war aim at present to be winning of war. Your war aim means, in effect, the continuance of your present policy by means other than negotiations; that is, by the arbitration of force. That is your war aim. If that is the meaning of the war aim, then your aim is to win this war and then to carry on the British Imperialistic policy in India. We refuse to subscribe to this war aim. When you say you are fighting for democracy, well I believe you. I trust that you are fighting for the democracy. But for what democracy? You may be fighting for the democracy of Poland, Norway, Holland, Belgium, Denmark and even France. I have no quarrel with you. Go on fighting for that democracy. But when you ask us to believe that you are fighting for the democracy in India, we are entitled to know where is the democracy in India? There is none. Therefore, you are not fighting for the democracy of India. Had there been democracy in India, you could easily have said that you were fighting for the democracy in India. But there is no democracy in India and, therefore, you are not fighting for the democracy in India. Then, you say that you are fighting to bring about a new order in Europe. Well, Sir, if you want to draw a new map of Europe, use your own drawing set, pen and pencil. I refuse to grant you my drawing set, pen and pencil for drawing a new map in Europe. There, again, I have no quarrel with you. But I would not fight for you. If you wish, I would sympathise with you. What I want is this. If you want my set, my pen, my pencil and my coloured ink for drawing that map

Mr. Badri Dutt Pande: And my beard.

Sardar Sant Singh: Please shut up. You are so flippant that you are losing everything everywhere. If you want to use my set, my pen and my ink, then you must have a new order in India as well. You want

money from me. I will give you the money and I will help you in the successful prosecution of the war, but at the same time I will ask you about myself. Where do I stand? The reply comes in two ways. One way is that you decline to give your war aim *qua* India. You refuse to tell us what your aim is regarding India. The second reply comes from what I see in your day-to-day administration. As soon as the war was declared, you created a panic in this country, and you are continuing to create that panic. The situation that you have created is that because of this war we will all be overwhelmed with the advancing forces of Hitlerism, Fascism, Bolshevism and what not. India will be involved in this war. I say, all right. But look at the way in which you are utilising that panic today. You have created new Departments; you have created new posts and you have filled them with your own kith and kin. You have given higher salaries and your men have accepted them when their relations are fighting for their very existence in Europe. There is only one noble exception and that is the Honourable Mr. Jenkins who refused to accept a higher salary and who refused to go to a hill station to enjoy the cold climate. Barring his case, every one of you has been selfish. The Government comes forward and tells us that we must win the war. I welcome it. Win the war and I will help you in winning it. But what about India's share in that effort? Is it not a fact that the Supply Department and the Defence Department, where new posts have been created, have mostly filled those posts with English and Anglo-Indian boys and girls when Indians are suffering from starvation owing to acute unemployment? I put a question to this effect and the information has been denied to me. This is the working of the war. You can win our sympathy for the prosecution of the war only when you can show that your heart has been changed or when you can show by the working of the day-to-day administration that Indians are getting their due share in this effort.

Sir, I am not a businessman but of one thing I am certain and that is this that even those who have been your habitual supporters feel that you have not placed your orders with Indians and a racial discrimination is in full swing. Is that the way of winning the love of the country? Is that the way in which you can ask us to co-operate if co-operation has any dictionary meaning. But what you mean by co-operation is this: "You shall do my will and not your will, and if you carry out my will, I shall regard it as co-operation." If that is the meaning of co-operation, I think we must hesitate to offer such a co-operation.

Then, there is the further question: how have you treated this House? How have you treated the Members of the Central Legislature? While in other countries, in England, for instance, the Legislatures have been freely consulted, members are given information, are invited to secret sessions to impart the most secret and important information, we are simply ignored. We are not even invited to share your confidence, much less deliberation. We have noticed that during the last few years the position of the Central Legislature has been deteriorating from day-to-day. There is not a single elected Member who does not feel it. It should have been the business of the Leader of the House to enhance the dignity of this House. His pride should have laid in the fact that he has succeeded in enhancing the value, the dignity and the respect of the Members of this House. But things are just the reverse. The pride now is in curtailing the privileges and the rights of this House.

Dr. Sir Ziauddin Ahmad: They have also confiscated our houses in Simla.

Sardar Sant Singh: That is a very minor matter. I am talking of a major issue. I am talking about matters of policy. Why has he done so? Because he knows that his leadership does not depend upon his followers. His leadership does not depend upon the vote of this House but his leadership continues from an order which comes from a different source. He draws his breath and inspiration from that source and that is why he is not interested in the enhancement of the privileges or the reputation of this House. Is it the sort of thing? It reminds me of the story which I was told today. It is a very good lesson for us. One of the Members from South Africa in the Eastern Group Conference told a couple of Indians who were working in that Conference: "You complain that Indians are being badly treated in Africa, but I find that you are treated worse in India itself". That is the impression that he is taking away from the conferences which are going on in Delhi at this time. Is that the sort of co-operation which my Honourable friend, Mr. James, wants from us? Some of us may be willing to co-operate with the Government. Some of us may be able to influence a community here or a community there to help the Government in the successful prosecution of the war, but at every step, at every corner you disable such people. You put us in the wrong. If we enter into discussion or argument with a person to persuade him to help in the successful prosecution of the war, he turns up and says, "We know what your position in the Legislature is. We know what your status and dignity is in the Legislature. You talk of helping this Government". That is the position.

Will not the Government of India open their eyes and change their policy? Here on the floor of the House a definite assurance was extorted from the Leader of the House about the working of the Defence of India Act. During September, 1939, when the Defence of India Act was introduced, I persisted in getting an assurance from the Leader of the House who was then piloting the Defence of India Bill that the Act, if passed, will not be worked in a tyrannous manner or in a high handed manner. But what do I find? In the last Budget Session when I put the question as to how many prosecutions have taken place under the Defence of India Act or action taken under the Defence of India Act, he gave me the figures only for the Centrally Administered Areas. He refused to give me the figures for the provinces.

The Honourable Sir Muhammad Zafrullah Khan: I have now obtained the figures in answer to a question which the Honourable Member has put down, during this Session.

Sardar Sant Singh: I am very glad about the change that has come over the Honourable Member. I welcome that change. Under the Defence of India Act some members of the Provincial Legislature have been detained without trial. Their number also I expect the Honourable Member to give us next time when he answers my question. There is not a single province where the members of the Provincial Legislature have not been proceeded against under the Defence of India Act. Apart from that as many as four Members of the Central Legislature have been proceeded against under the Defence of India Act. It may be more, (Interruption). My Honourable friend, Mr. Griffiths, says that probably more are coming.

in. If they go they will go by their own act, not by any action taken by the executive authority. That will be the difference. They will go as *satyagrahis*. But the other members have been proceeded against under the orders of the executive authorities of the various provinces.

An Honourable Member: They will not walk into the jail.

Sardar Sant Singh: Probably they will. It is left to the Leader of the Opposition to define their attitude and policy at a suitable time. However, the Defence of India Act came out in that light. I think if I mistake not the total number of prosecutions and the proceedings taken in India during the last six months probably have exceeded similar figures if we turn to the Defence of the Realm Act and its working. Why, Sir? What does it indicate? The indications and inferences that one is forced to draw from this is that the successful prosecution of the war is only possible if the people are taken into confidence and the people are made to realise that this war is their own war. Without that, any co-operation is impossible. The Government did not hesitate to take action against the most respected son of India, Pandit Jawahar Lal Nehru, against whom a thundering sentence of four years has been pronounced and that sentence still remains and though its echo has gone beyond the shores of India and have found place in the responsible press of Great Britain, yet no action seems to have been taken by this Government. Therefore, Sir, one is at a considerable loss to understand what to do with this Government.

An Honourable Member: Destroy.

Sardar Sant Singh: How? That is the trouble. How to destroy this Government? However, if the power is transferred and the tables are turned the Defence of India Act will be more appropriately applied to that side than to this side. The position would not be illogical. Even Sir Arthur Moore, the Editor of the *Statesman* had written a number of articles telling us what culpable negligence was shown by the Defence Department and by the Government of India in not making preparations for the war. We were laughed at when I sponsored a Resolution here that motor vehicles and mechanical equipments, air force and other things should be manufactured in India and India must be made self-sufficient in the matter of defence. As the *Statesman* has said, it is no good being wise after the event. The debates show that even the Opposition Members wanted to make India self-sufficient in the matter of armaments and defence. But this Government disregarded all advice of prudence. Those at whose bidding this Government did so, have been turned out of office but this Government remains. Is it not a serious change under which Governments in other countries have been upset and Governments must have been replaced by other more imaginative Governments? This would have happened in a country where the executive is responsible to the legislature. We are here paying princely salaries to our services and yet the services men are most unimaginative.

Here again, in the matter of this Supplementary Budget, we are asked to make sacrifices, we are asked to contribute in the interest of financing this war. Quite right. I am one of those who would like to see the successful prosecution of the war. Therefore, it is implied that the finances must be given for the war if it is to be successfully prosecuted. But what about the princely salaries? The budget does not contain a single word

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that there will be a cut in salaries. A cut of ten per cent. was decided upon during the depression period. In a state of such an acute emergency when this war, if my Honourable friend, Mr. James, is correct, is extending towards India, greater sacrifices are called for in the matter of defence. There can be no two opinions about it. But has any indication been given that this highly paid bureaucracy and the Civil Servants shall be called upon to make a sacrifice of even ten per cent.? I think it will be perfectly justifiable on your part to say, as some friends behind me are saying, that a cut of 20 or 25 or even 50 per cent. should be imposed in order to defend India. We, surely, expected the Honourable Member to tell us what the estimated expenditure towards this war is, or what is the total amount that it will come to when the full force of the war has come. It is no doubt very difficult, but as a far-seeing Finance Member he has to look ahead and give us some estimate as to what he proposes to do.

There is one more point that I wish to deal with before I conclude and that is that Government probably refuse to transfer any power to the elected representatives of the people on account of the mistrust that has been given vent to in some quarters, namely, that they do not know how the people who come into power will utilise their position so far as the prosecution of the war is concerned. I think the answer is written in the Delhi Resolution of the Congress Committee. They did not stick to the principle of non-violence then; they gave an indication that they would defend India and defence of India does not mean non-violence and allowing Hitlerism and Fascism a free passage through the Khyber or Baluchistan. A wise statesman would have at once grasped that opportunity and would have inducted the Congress to stick to its Resolution and defend India. They should have thrown the responsibility upon the people's representatives; they would not only have created a sense of responsibility in the persons who had come to use their power but would have electrified the atmosphere of India for the defence of India. The difficulty in the present day relationship is that there is a lack of trust in the Government and in the people. That is the real truth. Englishmen do not trust Indians and Indians do not trust Englishmen. The deadlock is due to that; the rest is mere excuse and pretence.

Dr. Sir Ziauddin Ahmad: And Indians do not trust each other.

Sardar Sant Singh: That is wrong, with due deference to Sir Ziauddin. These quarrels will continue so long as real power is not given. Once the power is given, it does not need a prophet to foretell that our friends, Mr. Jinnah and Mr. Desai will work as smoothly as two bulls yoked together to drive a cart. The difficulty is the lack of confidence among those who are in positions of power and those who want to come in.

Mr. M. A. Jinnah: Who will drive these two bulls?

Sardar Sant Singh: The Sikhs.

Sir, the position is that Government must come forward with a bold statement of policy,—no half measures will do,—and that policy is to grant India full freedom within the country and trust Indians to defend their country to the best of their power. So long as a policy of trust does not replace the policy of mistrust, I am afraid the differences between the

two will go on increasing day by day. Philosophical and logical arguments of one minority suffering at the hands of other minorities are only there because real power has not been given. Give us real power and we will show you that there is no minority problem in India.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural):

Sir, I rise to oppose this Finance Bill. In the course of these four days, a number of speeches have been delivered, but I will single out two, because, in my opinion, they are very remarkable. The first speech is that of my Honourable friend, Mr. Griffiths, and the other, that of my Honourable friend, Sir Ramaswami Mudaliar. Mr. Griffiths, if he really understood what the war actually meant to him and to his country, would not have spoken in the manner and in the words in which he spoke here two days ago. If he were really anxious that India should participate in this war, if he were really anxious that India should wholeheartedly co-operate, the manner in which he delivered his speech and the way in which he attacked the Congress Party was the least calculated to achieve that result. Instead of trying to convince us and undertaking the discipline and responsibility of intellectual thinking, he went on emotionally and tried to approach the problem from the wrong point of view. He told us that in case India did not participate, Hitler would come; instead of convincing us that it was a war which would result, not only in the maintenance of peace in the world, but also result in India's freedom, he held up a gloomy picture and tried to terrorise. Let me tell him very freely that India has long ago outlived that stage when by terrorising you could get help and co-operation from her. He should have been truthful, he should have been intellectual, he should have been honest in a way, and should have stated the problem as it was. Instead of doing all that, he, as I said, approached the problem from an altogether wrong point of view. But he was just like one of those critics who have been very aptly described by Sir Norman Angell as emotional—he says:

"In the early stages of a war, it generally seems to most of us self-evident that the only public opinion which matters is the public determination to go through to victory. To be convinced of the justice of our cause, to feel so intensely about it that there shall be no danger of any failure of national unity, these are assumed to be the moral essentials of success. You are for your country, or you are against it. As to war aims, the easiest definition is M. Clemenceau's: Victory. 'Realizing the issues of the war' means understanding fully the perfidy of the enemy and the righteousness of our own cause. Patriotic propaganda is conceived in those terms. Intellectual qualifications of any kind, or any attitude of inquiry, are taken as clear indication of defective patriotism. It is felt that the surest foundations of national solidarity and the safest guide to policy are to be found, not in discussion and argument, but in intense feeling; not in complex ideas but in simple emotions. As the movie advertisement of the war play says: 'You can't put up a good fight until your blood boils. This film will make it boil.' We feel that boiling blood is the best moral assurance of success."

That is the type to which my Honourable friend, Mr. Griffiths, belongs. But let me assure him that this emotionalism will have no effect so far as the Congress Party and the country at large is concerned. Let me remind him, and also let me remind the Commerce Member, that it is a fact that we do represent here the majority of the Indian people. According to the Commerce Member, it may be a forgotten chapter—for the memories of the last elections may not be exactly sweet for him. But democratically speaking, accepting the democratic standard, so long as we are here and so long as our election stands and our challenge to dissolve the House and

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order fresh elections is not accepted, the representative character of this House, so far as it is available under the present Constitution, cannot be challenged; and when we oppose this, we oppose it not individually, not merely as a party 47 strong, but we oppose it as representing several constituencies, and we oppose it as representing a majority in this country. Mr. Griffiths said that it is the peculiar habit of the Congress people and the Congress leadership that they try to clothe their mundane motives with the garb of idealism. I do not agree with him. But if this description is really suitable to any person or any country, I think he may not like it, but the fact is that it is his country which is known all over the world as a country, and as a nation which has excelled in the art of hypocrisy. Sir, it is not for the first time that the Congress is opposing any participation in the war. As early as 1927, in the Madras Session of the Indian National Congress, the following Resolution was passed: Referring to the war preparations, the Resolution said:

"These preparations for war are not only calculated to strengthen the hold of British Imperialism in India, in order to strangle all attempts at freedom, but must result in hastening a disastrous war, in which an attempt will be made to make India again a tool in the hands of foreign imperialists."

The Congress demands that these preparations be put an end to; and further declares that in the event of the British Government embarking on any warlike adventure and endeavouring to exploit India in it for the furtherance of their imperialist aims, it will be the duty of the people of India to refuse to take any part in such a war or to co-operate with them in any way whatsoever."

That was in 1927. Year after year, this Resolution has been reiterated with suitable changes; and, in 1936, at Faizpur, the Congress laid down clearly that "no credits must be voted for such a war, and voluntary subscriptions and war loans must not be supported, and all other war preparations resisted." It is, therefore, clear that for the last thirteen years the Congress has taken a definite attitude, knowing full well the international situation, that a disastrous war, practically a world war, was bound to come; and in that war the issues involved would not be the freedom of India, but that would be a war between the haves and the have-nots. Knowing this full well, the Indian National Congress warned the people and warned the Government also that, when it did materialise, the Indian National Congress would take the stand of non-participation and would refuse to vote credits. Not only in 1936, but even in the years 1937, 1938 and up to 1939, the Indian National Congress and the All India Congress Committee, from time to time, passed resolutions in the same or similar terms. It is, therefore, not a surprise, and it should not be a surprise to any one that today, in the month of November, 1940, that the Congress for the first time is taking up this attitude of disassociation with war or non-participation. It has a history; and, instead of opposing the Congress, when you really want its help, it is much better—statesmanship lies not in abuse, but in trying to understand and diagnose the causes, and, if possible, and, if it is in their interest, to remove them. Mr. Griffiths went on to say that the Congress pretends to be sometimes violent and sometimes non-violent. That is not really the issue. Violence or non-violence is not the issue; the simple issue which he should have formulated should have been, whether, in the interests of India, the participation of the Indian people in this war wholeheartedly will be to their benefit ultimately. If not, then we have nothing to do with that war. That should have been the question formulated. But, as I said, he assumed that it was in the

interests of India. I propose to analyse later on how this war is not only not in the interests of India, but certainly it is not even in the interests of the British proletariat and the real British people. Today I want to answer another objection raised by Mr. Griffiths, that the Congress is trying to take undue advantage of the situation. I want to remind him that an ex-Secretary of State for India, Lord Zetland said some months ago, immediately after the declaration of the war, that the English people are susceptible to any honourable and appropriate treatment, and they react favourably. This virtue is not peculiarly British. We too are susceptible, and if an honourable and appropriate treatment is meted out to us, we too will react favourably. But in this country, particularly even without any response from you, the Congress, under the leadership of Mahatma Gandhi, who is our strength and our pride, has saved you from embarrassment. You complain of embarrassment. I will read just one extract from the latest book of Mr. Edward Thompson—"Enlist India for Freedom". He says:

"If Congress had wanted to embarrass us, they held all the cards, as they well knew. They could have ravaged our relations with the United States of America; and they could have split our war effort in India from top to bottom. The point is, we are in the wrong over this declaring India a belligerent. But the Congress have not exploited their chance against us. Not only have Congress leaders treated us better than we deserve. India as a whole has been magnanimous towards us. We are very lucky to have had at the head of the Congress men who cared supremely for ethical issues and put them above patriotism. There has been statesmanship there all along, waiting until we could produce statesmanship here to answer it and work with it. What about the Army? I have said that if Congress wanted to embarrass us it could have done this here."

That was the attitude of the Congress these fourteen months, and, even now, after fourteen months' deliberation and thinking and waiting, if the Congress has taken a further step, it has been so hedged and circumscribed as not to embarrass the British Government in their war efforts for their existence. Many of us don't agree with this, because such treatment, such magnanimity the English people, anyway the governing class in England and their representatives here, do not deserve. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech on Monday.

The Assembly then adjourned till Eleven of the Clock on Monday, the 18th November, 1940.

LEGISLATIVE ASSEMBLY

Monday, 18th November, 1940.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

STEPS FOR INCREASE AND DISTRIBUTION OF THE SHIPPING ACCOMMODATION.

106. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Commerce Member please state whether Government are aware that the export trade is at present hampered for want of shipping accommodation?

(b) If so, what action have Government taken to increase the shipping accommodation for the service of private exporters?

(c) Are Government aware that the distribution of shipping accommodation is controlled? If so, by whom it is controlled?

(d) On what principles is this accommodation allotted?

(e) Will Government be pleased to lay on the table of this House, or send to Members when the Legislative Assembly is not in Session, a monthly statement showing the total accommodation allotted to each group of articles and to exporters?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes.

(b) The Government are keeping a close watch over the position, so as to satisfy themselves, as far as possible, that the available shipping space is utilised to the best advantage.

(c) and (d). Shipping accommodation, so far as British Registered shipping is concerned, is controlled by His Majesty's Government. All ships on the British Register are being run on account of His Majesty's Government's Ministry of Shipping, whose representative in India is responsible for the best possible despatch of the vessels and their most economical use on the basis of instructions received from the Ministry themselves.

(e) No, as the Government of India do not maintain any statistics of accommodation allotted to each group of articles and to exporters.

Mr. Manu Subedar: May I know if the Shipping Controller appointed by the Government of India is the same person as the Shipping Controller appointed by His Majesty's Government?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No. There is no Shipping Controller appointed by the Government of India. There is a Shipping Adviser appointed by the Government of India to advise the Commerce Department and he is an officer of the Government of

India and is different from the Controller of Shipping who is operating on behalf of His Majesty's Government.

Mr. T. S. Avinashilingam Chettiar: May I know whether Government have made any attempt to expand the shipping accommodation?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I do not know what attempt the Government of India are expected to make, Sir, but at this time it is not possible to get any additional shipping tonnage.

Mr. T. S. Avinashilingam Chettiar: May I know whether any attempts have been made to build further shipping accommodation and whether the Board of Trade at home have opposed such proposals?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Government of India have recently come to an agreement with one of the companies to afford facilities for laying a ship building yard at Vizagapatam, and to the extent that it is within the power of the Government of India they are affording every facility for the purpose.

Mr. K. Santhanam: May I know if Japanese and other foreign shipping is taking advantage of this scarcity of accommodation?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No, unfortunately not.

Mr. Manu Subedar: What happened to the share of the Government of India in the enemy ships captured in the Dutch East Indies, and to what use they are being put now?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Government of India have no share in the enemy ships captured in the Dutch East Indies.

Pandit Lakshmi Kanta Maitra: Is it a fact that since April there has been a growing diminution in the accommodation of shipping?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It is a fact that accommodation for private cargo, apart from what is termed as priority or Governmental cargo, to the United Kingdom, is not as satisfactory since April as we hoped that it would be.

Dr. Sir Ziauddin Ahmad: With regard to part (d) of the question, may I know whether the Government of India have got information, as to on what principles this accommodation is allotted?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I understand the first basic principle is the question of priority for Governmental cargo, which is dictated by the Ministry of Shipping.

Sir H. P. Mody: Has any attempt been made to acquire shipping from neutral countries like the Dutch East Indies? I understand that there is a possibility of acquiring ships.

Mr. F. E. James: The Dutch East Indies is not neutral.

Sir H. P. Mody: If it is not neutral, so much the worse for it, but the Dutch East Indies are specifically mentioned as a possible source of supply of ships.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Those ships are operated by the present Dutch Government.

Mr. Manu Subedar: Have the Government of India represented to His Majesty's Government that in the enemy ships which they captured in the Dutch East Indies and which were working in the eastern waters, the Government of India should have some share owing to the general shortage of shipping?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No ship has been captured by His Majesty's Government from the Dutch East Indies. Those ships which operate in the Dutch East Indies come under the control of the Dutch Government and it is possible that by some arrangement between His Majesty's Government and the present Dutch Government those ships are being operated.

Pandit Lakshmi Kanta Maitra: Is it not a fact that a considerable tonnage of shipping from Norway and Denmark has come into the hands of the British Government? Have the Government of India tried to avail themselves of the opportunity of increasing their shipping accommodation in this? Have they been in communication with the Home Government in that respect?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am not aware of what neutral tonnage has come to the possession of His Majesty's Government, but that is obviously by arrangement with neutral countries.

STEPS FOR INCREASING THE EXPORT TRADE OF INDIA.

107. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Commerce Member be pleased to lay on the table a statement describing the action he has taken to increase the export trade in view of the cessation of Indian exports to European countries?

(b) Have Government got any organisation competent to initiate proposals for inaugurating trade agreements with other countries?

(c) Have Government studied the problem in the light of similar organisations existing in other countries?

(d) Is there any agreement made by the Government of India at their own initiation?

(e) Have Government got any organisation to examine the effect of existing agreements and the need for their revision?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) I lay on the table a statement giving a summary of the action taken.

(b) and (e). Yes, Sir. The Commerce Department of the Government of India.

(c) The question has been generally examined in the past.

(d) Yes.

Statement of action taken with a view to stimulating India's export trade.

(1) Constitution of an Export Advisory Council, one of whose functions is to make recommendations regarding the methods of expanding the export trade of this country.

(2) Deputation of Dr. Gregory and Sir David Meek to America to study the prospects of increasing Indian Trade with that country.

(3) Appointment of an Indian Government Trade Commissioner in Australia.

The question of appointing Trade Commissioners in some other countries is also under consideration. The Government of India are also utilising the opportunity of having exploratory talks with some of the delegations attending the Eastern Group Conference as regards new opportunities for mutual trade.

Mr. T. S. Avinashilingam Chettiar: Is it a very long statement? Can it not be read?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have no objection to reading the statement.

Mr. President (The Honourable Sir Abdur Rahim): Unless it is a long one.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It covers a full page.

Mr. T. S. Avinashilingam Chettiar: It is an important question, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member can read it out.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Very well, Sir.

(Reads the Statement.)

Mr. K. Santhanam: May I know if the mission headed by Dr. Gregory and somebody else has resulted in the prospect of having negotiations for a trade treaty between the United States and India?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The report of Dr. Gregory and Sir David Meek is being considered by the Government of India and I hope to place that report before the Export Advisory Council which meets at Calcutta in January next year. As a result of discussions in that Council the question of whether a trade mission should go or a trade agreement should be entered into will arise.

Mr. T. S. Avinashilingam Chettiar: May I know whether the Government of India have any communications with the Provincial Governments on the subject of curtailment of acreage areas under commercial crops?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have circulated to Provincial Governments and to commercial bodies a statement that I made to the Export Advisory Council at the last meeting in Bombay, wherein the question of the curtailment of acreage of commercial crops comes in incidentally as one of the possible means by which a fall in prices of these commodities may be averted.

Mr. Manu Subedar: May I know whether any attempt is being made by the Government, either in the Commerce Department or in the Finance

Department, to induce the Reserve Bank of India to put up a few crores of rupees free of interest to those holders of commodities where the commodity prices have fallen very low, in order that the prices may be sustained and there may not be any further fall?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: As I said, the question of the prices of those commodities which have suffered owing to the loss of export markets is under consideration. I cannot now say what positive steps the Government of India may take in this matter.

Mr. Manu Subedar: Have His Majesty's Government offered to purchase the whole of the jute crop of India as they have offered to purchase the whole cotton crop of Egypt?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No, Sir.

Mr. K. Santhanam: Have any steps been taken to have a trade mission to South America? Now that a British trade mission has already gone there, does it contain any representatives from India?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The question of promoting trade with both parts of America will arise on a consideration of the report of Dr. Gregory and Sir David Meek.

Pandit Lakshmi Kanta Maitra: May I know if the Honourable Member is aware that staple crop such as jute of the quantity of one crore and forty lakhs of bales now awaits disposal, and will Government take any steps to find a market for it as European markets are now practically closed against it?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: We have been very actively considering this question and I had the privilege of more than one talk with the Ministers from Bengal who have just now come over here and possibly we may be in a position to issue a communique on the subject this afternoon.

Mr. M. S. Aney: What will be the line that the Honourable Member is likely to pursue to see that the prices of cotton do not go down much below the ordinary level?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have indicated in the extract which was circulated to various Provincial Governments and commercial organisations that the four commodities on which primary consideration will be bestowed by the Government of India are jute, cotton, ground-nuts and wheat.

Dr. Sir Ziauddin Ahmad: With reference to part (d) of the question, what are the countries with which the Government of India carried on trade agreements on their own initiation?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Greece in 1926, Poland in 1931, Brazil in 1932, Burma in 1937, the Union of South Africa in 1938, Japan in 1934 and as my Honourable friend knows at present trade negotiations are pending with Japan and with Burma and even now, I hope, with Ceylon.

OFFICERS AND MINISTERIAL STAFF OF THE LABOUR DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

108. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state:

- (i) the number of Superintendents, Assistants and clerks of his Department who moved up to Simla with the Government of India camp offices in April 1940;
- (ii) the number of officers who accompanied the camp office to Simla;
- (iii) the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- (iv) the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- (v) the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - (1) travelling allowance, etc.;
 - (2) house rent allowance;
 - (3) daily allowance;
 - (4) all other expenditure in this connection?

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) A statement giving the required information is laid on the table.

(b) The expenditure incurred in connection with the move of the camp office of this Department is the minimum and no reduction is practicable.

Statement.

- (a).—
- (i) The number of Superintendents, Assistants and clerks of the Department of Labour who moved up to Simla with the Government of India camp offices in April 1940. Two clerks.
 - (ii) The number of officers who accompanied the camp office to Simla. Four. In addition, one officer was appointed in Simla in June 1940.
 - (iii) The number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why.

April.—1 Assistant for three weeks in order to facilitate the disposal of certain immediate work;
 May.—Nil;
 June.—Five. One Assistant and two clerks for the rest of the season to deal with the new work which devolved on this Department in consequence of the war;
 1 Assistant for 2 days and 1 Assistant for 1 day, in order to facilitate the disposal of certain immediate work;
 July.—1 Assistant for 1 day for the reasons stated above;

August.—Four. One Assistant and one clerk for the rest of the season to deal with the increased volume of work connected with war;

1 Assistant for 4 days and 1 clerk for 2 days in connection with the formation of the Court of Enquiry constituted under the Trade Disputes Act, 1920, September and October.—Nil.

Officers.—Nil.

- (iv) The number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion.

Staff.—The required information is shown in the preceding part. One person went to Simla twice for one day on each occasion, and the rest went only once, except a person who was called to Simla a second time for the rest of the season.

- (v) The total cost on account of the last move from and to New Delhi of the Department of Labour under the following heads:—

(1) travelling allowance, etc.	Rs. 5,900
(2) house rent allowance	Rs. 1,250
(3) daily allowance	Rs. 400
(4) all other expenditure in this connection	Rs. 2,550

Mr. Lalchand Navalrai: May I know if this list shows how much saving was made on account of the Superintendents, Assistants and clerks not being taken to Simla?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: This statement will show the expenditure incurred in the last year.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE LABOUR DEPARTMENT.

109. *Sardar Sant Singh: Will the Honourable the Labour Member please state:

- (a) the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- (b) the name of the chairman or presidents of each of such committees, etc.;
- (c) the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- (d) the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- (e) the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- (f) the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;

(k) the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and

(h) whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) to (c). A statement is laid on the table.

(d) and (e). A member of the Technical Training Enquiry Committee, accompanied by his stenographer, went from New Delhi. His tours to Simla were not however solely connected with the work of the Committee. He had also to attend to other departmental work in Simla. The travelling allowance, etc., of this member and his stenographer amounted to Rs. 562 and Rs. 45 respectively.

(f) and (g). Nil. As all the members of both Committees except one were stationed at Simla, it would have been more expensive if the meetings had been held at New Delhi.

(h) Does not, therefore, arise.

Statement.

Name of Committee.	Names of personnel.	Officers stationed at Simla who were required to attend meetings of the Committee.
1. Committee appointed to investigate the need for the compulsory recruitment of skilled personnel in India.	Chairman. The Honourable Mr. M. S. A. Hyderi, C.I.E., I.C.S., Secretary, Department of Labour. Members. General Sir Roger C. Wilson, K.C.B., D.S.O., M.C., Adjutant General in India. The Honourable Sir Alan Lloyd, C.S.I., C.I.E., I.C.S., Secretary, Department of Commerce. A representative of the Air Officer Commanding-in-Chief in India. A representative of the Railway Board, Mr. C. E. Rhodes, C.I.E., I.C.S., Establishment Officer to the Government of India. Commander J. Ryland, R.I.N., Naval Liaison Officer.	All.
2. The Technical Training Enquiry Committee.	Chairman. 1. The Educational Commissioner with the Government of India. Members. 2. A representative of the Director of Civil Aviation in India. 3. A representative of the Master General of Ordnance. 4. A representative of the Railway Board. 5. A representative of the Air Officer Commanding-in-Chief in India. 6. A representative of the Adjutant-General in India.	All except No. 2.

Sardar Sant Singh: I do not want to ask questions Nos. 110 to 114, but I want to ask No. 115.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: May I make a submission. I am quite prepared to answer all the questions of the Honourable Member as put down in the list, but I understand that according to a ruling of yours, only the first five questions can be answered.

Mr. President (The Honourable Sir Abdur Rahim): That is so. The Honourable Member must ask the questions in the order in which they have been put down.

ADDITIONS AND ALTERATIONS CARRIED OUT IN PERFUNCTORY MANNER IN CERTAIN "D" TYPE ORTHODOX QUARTERS IN NEW DELHI.

110. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state whether an inspection was made by any officer or officers of the Central Public Works Department of the additions and alterations carried out last summer in D type of orthodox clerks' quarters in the D. I. Z. area of New Delhi? If so, what rank did the officer hold?

(b) Did this officer inspect each quarter? If not, what was the method of inspection adopted by him?

(c) Is the Honourable Member aware that the said alteration work was done very hastily and crudely, for example:

(i) the kutchra floor of the courtyards was not properly levelled and pressed before bricks were laid on, which have sunk and are sinking in places in most of the courtyards and water remains standing and can only be cleared off with considerable difficulty;

(ii) the plaster of the roofs laid over the galleries in these quarters has not been properly levelled and shows very rough surface; and

(iii) the stone slabs placed over the drains which pass through these galleries have not been properly fitted and cause inconvenience when anybody walks on them?

(d) Were any complaints made to the Executive Engineer, 'B' Division, either verbally or in writing, about the state of the work done? If so, was any action taken by him in the matter? If so, what? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes. The work was inspected by the Chief Engineer, the Superintending Engineer, II Circle, and the Executive Engineer, New Delhi 'B' Division.

(b) No. The last mentioned officer inspected the majority of the quarters and the other officers inspected some of them at reasonable intervals.

(c) No, but I will call for a report.

(d) I understand that the complaints received were attended to.

USE OF GOVERNMENT FURNITURE BY CERTAIN CHOWKIDARS ENGAGED BY THE CENTRAL PUBLIC WORKS DEPARTMENT.

111. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state whether he is aware that during last summer the Central Public Works Department engaged a number of chowkidars and lodged them in certain D type of orthodox clerks' quarters in the D. I. Z. area of New Delhi, in order to look after Government furniture, etc., lying in unoccupied quarters?

(b) Were any of these chowkidars allowed to use Government furniture, e.g., chairs, cots, etc.? If so, under whose orders? Is this use permissible?

(c) If these chowkidars were not allowed the use of Government furniture officially, will the Honourable Member please state whether any reports were made in writing to the Executive Engineer, 'B' Division, that some of these chowkidars were making use of Government furniture? If so, did the Executive Engineer take any action in the matter? If so, with what results?

(d) If any chowkidar contravened Government orders in this respect, was any of them punished, and if so, in what manner?

(e) Were any complaints made against any chowkidar for misbehaviour towards tenants living in the area? If so, was any action taken in the matter? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes.

(b), (c) and (e). No.

(d) Does not arise.

NEGLECT OF PLANTED TREES AND MAINTAINED LAWNS IN THE D. I. Z. AREA OF NEW DELHI.

112. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state the year or years in which the planting of trees took place in front of the D type of orthodox clerks' quarters in the different squares in the D. I. Z. area of New Delhi, along the roads running through these squares and on the lawns there, e.g., Ibbetson Road, Maud Road, Market Road, etc.?

(b) Will the Honourable Member please state the year in which trees were planted along Market Road, Reading Road, Talkatora Road, Baird Road, etc.?

(c) Is the Honourable Member aware that in most of the squares, either there are no trees, or the trees that are there, are of a stunted growth?

(d) What was the object of planting trees on the roadsides and squares, and is that object fulfilled without any trees or with trees of stunted growth?

(e) Is the Honourable Member aware that the lawns in these squares are not properly maintained?

(f) Will the Honourable Member please state the number of various grades of outdoor employees of the Horticulture Division, e.g., Sub-Divisional Officers, overseers, malis, etc.?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Prior to and during 1921-22.

(b) Prior to 1916-17.

(c) I am informed that this is not a fact.

(d) To provide shade and for aesthetic reasons. In view of my reply to part (c) the latter part of this question does not arise.

(e) I am also informed that this is not a fact.

(f) A Statement giving the information is laid on the table.

Statement.

Designation.	Number.	Remarks.
Sub-Divisional Officers	2	
Executive Subordinates	2	
Horticultural Subordinates	6	
Supervisor, Irrigation Water Supply	1	
Labour Verifier	1	
Garden Chowdhries	12	
Mistries, fitters, etc.	139	
Malis	1,500	The number varies to with the season.
	1,800	

Mr. M. S. Aney: With reference to the reply to part (c), may I know if the Honourable Member himself is aware of the fact that there are no trees or the trees there are in some of these squares are of stunted growth. Is he himself aware of this fact? He said 'I am told'.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I framed my reply deliberately in that form, as I have not myself made sure of this fact by going round these places, as soon as I received notice of this question. I am informed that this is not a fact.

Mr. M. S. Aney: May I ask if the Honourable Member will himself make an inquiry and give a better reply later on?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall certainly make an inquiry but I cannot guarantee a better reply.

Mr. President (The Honourable Sir Abdur Rahim): The answers to the rest of Sardar Sant Singh's questions will be laid on the table.

DELAY IN THE ANNUAL REPAIRS OF CERTAIN "D" TYPE ORTHODOX QUARTERS IN NEW DELHI.

113. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state whether it is a fact that in previous years, all the D type of orthodox quarters in the D. I. Z. area of New Delhi used to be kept ready

+ Answer to this question laid on the table, the questioner having exhausted his quota.

for occupation before the Government of India staff moved down from Simla?

(b) Is the Honourable Member aware that this year, a large number of quarters permanently occupied in the said area remains without complete whitewashing, etc.?

(c) Is the Honourable Member aware that in a number of quarters, whitewashing has not been done completely, or if whitewashing has been completed, the other cleaning work of the woodwork etc., has not been carried out?

(d) Will the Honourable Member please state the reasons for this inordinate delay in annual repairs of the said quarters?

(e) What was the method of giving out contract for whitewashing, etc., in previous years? Was it that the contract was given out to a number of contractors?

(f) Is it a fact that the contract has this year been given to one big contractor?

(g) Is the Honourable Member aware that whitewashing is being carried out in a very unsatisfactory manner, e.g., patches, etc., on the walls are not cleaned, lime used is very thin which easily and quickly disappears?

(h) Is the Honourable Member aware that the *soorkhi* spread on the footpaths in front of quarters is very thinly laid and has not been properly pressed?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes.

(b) All the quarters have been white-washed except a few where the tenants would not allow the work to be carried out for one reason or the other.

(c) I understand that all the work has been completed.

(d) There has been no delay.

(e) Contracts were awarded to contractors after inviting tenders. The contract for repairs to one class of residences was always given to one contractor.

(f) Yes.

(g) and (h). I am not aware that the work has been indifferently performed but I will look into the Honourable Member's allegation.

HEDGES PLANTED ON THE LAWNS FACING THE ORTHODOX QUARTERS ON THE IRWIN ROAD IN NEW DELHI.

†114. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state whether he is aware that in front of the C type of orthodox quarters on Irwin Road there was only a narrow strip of lawn for the convenience of the tenants?

(b) Is he further aware that recently hedges have been planted on these lawns?

(c) Is he aware that objection was raised by some of the tenants to the effect that the hedges should be planted at the edge of the lawn towards

† Answer to this question laid on the table, the questioner having exhausted his quota.

the road, leaving the whole of the lawn free, but this was not done and a fairly wide portion of the lawn facing the road has been left beyond the hedges and the lawn has thus been further narrowed?

(d) Is the Honourable Member prepared to take action in the matter and have the hedges placed at the edge of the lawn, just as has been done in Telegraph Square, Telegraph Place, Diaz Square, Baird Road, Minto Road Area, etc.?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) The lawns are not as wide as others.

(b) Yes.

(c) and (d). No. The hedges have been planted along the road side drains and in line with the boundaries of the quarters and the same principle has been followed in the case of the Squares mentioned by the Honourable Member.

OFFICERS AND MINISTERIAL STAFF OF THE DEFENCE CO-ORDINATION DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†115. *Sardar Sant Singh: (a) Will the Honourable the Leader of the House please state:

(i) the number of Superintendents, Assistants and clerks of Defence Co-ordination Department who moved up to Simla with the Government of India camp offices in April 1940;

(ii) the number of officers who accompanied the camp office to Simla;

(iii) the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;

(iv) the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and

(v) the total cost on account of the last move from and to New Delhi of his Department under the following heads:

(1) travelling allowance, etc.;

(2) house-rent allowance;

(3) daily allowance; and

(4) all other expenditure in this connection?

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Sir Muhammad Zafrullah Khan: (a) (i) One Superintendent, three assistants and four clerks.

(ii) Two.

(iii) and (iv). None.

† Answer to this question laid on the table, the questioner having exhausted his quota.

- (v) (1) Rs. 4,023-15-0.
 (2) Rs. 4,203-9-0.
 (3) Nil.
 (4) Rs. 1,196-5-0.
- (b) In considering the requirements of the Department before the next Simla season every regard will be had for economy.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE DEFENCE CO-ORDINATION DEPARTMENT.

†116. *Sardar Sant Singh: Will the Honourable the Leader of the House please state:

- the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of the Defence Co-ordination Department;
- the name of the chairman or presidents of each of such committees, etc.;
- the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- the savings in each case if the meetings of these conferences, etc. had been held at New Delhi;
- the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) None.

(b) to (h). Do not arise.

OFFICERS AND MINISTERIAL STAFF OF THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS AND ITS ATTACHED AND SUBORDINATE OFFICES WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†117. *Sardar Sant Singh: (a) Will the Secretary for Education, Health and Lands please state:

- the number of Superintendents, Assistants and clerks of his Department and attached or subordinate offices who moved up to Simla with the Government of India camp offices in April 1940;

† Answer to this question laid on the table, the questioner having exhausted his

- the number of officers who accompanied the camp office to Simla;
 - the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
 - the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
 - the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - travelling allowance, etc.;
 - house-rent allowance;
 - daily allowance; and
 - all other expenditure in this connection?
- (b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

Mr. J. D. Tyson: (a) (i). Three Superintendents, 12 Assistants and 9 clerks moved up to Simla with the Government of India Camp Offices in April 1940. I would add that during June and July further staff totalling 2 Superintendents, 10 Assistants and 15 clerks had to be transferred to Simla for work in the Department and attached and subordinate offices.

(ii) Ten officers accompanied the camp office to Simla in April. Four officers moved to Simla in June and July and seven officers were permitted to recess in Simla for varying periods. One officer joined in Simla in August.

(iii) and (iv). The information is being compiled and will be supplied when ready.

(v) The total cost is as follows:

	Rs.
(1) Travelling Allowance ...	26,618
(2) House-rent and compensatory allowances ...	9,780
(3) Daily allowance ...	4,848
(4) Other Expenditure ...	13,454

(b) The requirements of the Department will be reviewed afresh before

(a)	(b)	(c)	(d)	(e)
The names of the different conferences, committees or sub-committees held during the last summer season.	The name of the chairman or presidents of the conferences, committees, etc., mentioned in (a).	The names of Government members stationed at Simla and who were required to attend conferences, etc., mentioned in (a).	The number of members who came to Simla from outside to attend the meetings of such conferences, etc., mentioned in (a) and the total cost on account of their travelling and other charges paid by Government.	The number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., mentioned in (a) and the expenditure on their travelling etc., and other charges.

7. Pests Committee	Vice-Chairman, Imperial Council of Agricultural Research.	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Agricultural Commissioner with the Government of India. 3. Secretary, Imperial Council of Agricultural Research.	.....	.....
8. Fodder and Grazing Committee.	Ditto	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Agricultural Commissioner with the Government of India. 3. Animal Husbandry Commissioner with the Government of India. 4. Director of Research, A. H. Q. 5. Director of Farms, A. H. Q. 6. Secretary, Imperial Council of Agricultural Research.	.....	.....
9. Botanical and Physiological Committee.	Ditto	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Agricultural Commissioner with the Government of India. 3. Secretary, Imperial Council of Agricultural Research.	.....	.....
10. Dairying Committee	Animal Husbandry Commissioner with the Government of India.	1. Animal Husbandry Commissioner with the Government of India. 2. Director of Military Farms (or a representative) A. H. Q. 3. Secretary, Imperial Council of Agricultural Research.	.....	.....
11. Fish Committee	Vice-Chairman, Imperial Council of Agricultural Research.	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Animal Husbandry Commissioner with the Government of India. 3. Secretary, Imperial Council of Agricultural Research.	.....	.....

12. Entomological and Physiological Committee.	Agricultural Commissioner with the Government of India.	1. Agricultural Commissioner with the Government of India. 2. Secretary, Imperial Council of Agricultural Research.	.....	.....
13. Animal Breeding Committee.	Vice-Chairman, Imperial Council of Agricultural Research.	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Animal Husbandry Commissioner with the Government of India.	.....	.....
14. Agronomic Committee	Agricultural Commissioner with the Government of India.	1. Agricultural Commissioner with the Government of India. 2. Secretary, Imperial Council of Agricultural Research.	.....	.....
15. Fruit Committee	Vice-Chairman, Imperial Council of Agricultural Research.	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Agricultural Commissioner with the Government of India. 3. Secretary, Imperial Council of Agricultural Research.	.....	.....
16. Animal Pests and Diseases Committee.	Animal Husbandry Commissioner with the Government of India.	1. Animal Husbandry Commissioner with the Government of India. 2. Director of Veterinary Services, A. H. Q. 3. Secretary, Imperial Council of Agricultural Research.	.....	.....
17. Developmental Research Committee.	Vice-Chairman, Imperial Council of Agricultural Research.	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Secretary, Imperial Council of Agricultural Research.	.....	.....
18. Editorial Committee	Ditto	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Agricultural Commissioner with the Government of India. 3. Animal Husbandry Commissioner with the Government of India. 4. Secretary, Imperial Council of Agricultural Research.	.....	.....
19. Advisory Board	Ditto	1. Vice-Chairman, Imperial Council of Agricultural Research. 2. Agricultural Commissioner with the Government of India. 3. Animal Husbandry Commissioner with the Government of India. 4. Secretary, Imperial Council of Agricultural Research.	.....	.....

	(1) 18	(4) 5	(44) 1	(44) Miscellaneous
Admini- strative search Budget, Budget.	Rs.	Rs.	Rs.	Rs.
	1,474	391	461	102
	150	71		
	2,275	554		

(a)	(b)	(c)	(d)	(e)
The names of the conferences, committees or sub-committees, held during the last summer season.	The name of the chairman or presidents of the conferences, committees, etc., mentioned in (a).	The names of Government members mentioned at Simla and who were required to attend conferences, etc., mentioned in (a).	The number of members who came to Simla from outside to attend the meetings of such conferences, etc., mentioned in (a) and the total cost on account of their travelling and other charges paid by Government.	The number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., mentioned in (a) and the expenditure on their travelling etc., and other charges.
20. Special Sub-Committee Re-organisation of Sugarcane Research work.	Agricultural Commissioner with the Government of India.	1. A. C. with the Government of India. 2. Vice-Chairman, Imperial Council of Agricultural Research. 3. Secretary, Imperial Council of Agricultural Research.	.....	.....
21. Governing Body, Imperial Council of Agricultural Research.	The Honourable Sir Girda Shastar Bajpai, K.B.E., C.I.E. I.C.S.	1. The Honourable Sir Girda Shastar Bajpai, K.B.E., C.I.E. I.C.S. 2. Vice-Chairman, Imperial Council of Agricultural Research. 3. Joint Secretary to the Government of India, Education, Health and Lands Department. 4. Agricultural Commissioner with the Government of India. 5. Animal Husbandry Commissioner with the Government of India. 6. Secretary, Imperial Council of Agricultural Research. 7. Assistant Animal Husbandry Expert, Imperial Council of Agricultural Research.	.....	.....
22. Board for selecting private medical practitioners for appointment to the Emergency Branch of the Indian Medical Department (B. A. Surgeons).	Director General, Indian Medical Service.	1. Director General, Indian Medical Service. 2. Director of Medical Services in India. 3. Assistant Adjutant General.	One. Travelling allowance Rs. 266. One Travelling allowance Rs. 39.	.....
23. Selection Board for recruitment of military medical students for the Assistant Surgeon Branch of the Indian Medical Department.	Director General, Indian Medical Service.	1. Director General, Indian Medical Service. 2. Director of Medical Services in India. 3. Major G. W. B. Kerr, I.M.D. (Retired). 4. Deputy Director General, Indian Medical Service.	None	One—Travelling allowance Rs. 86.
24. Selection Board for considering military assistant and sub-assistant surgeons for promotion to higher ranks.	Director General, Indian Medical Service.	1. Director General, Indian Medical Service. 2. Director of Medical Services in India. 3. Assistant Adjutant General. 4. Deputy Director General, Indian Medical Service.	None	.....
25. Board to select candidates for emergency Commissions in the Indian Medical Service.	Director General, Indian Medical Service.	Ditto	None	One—Travelling allowance Rs. 46.
26. Civil Selection Board to consider cases of Indian Medical Service officers in civil employ for advancement in the service.	Director General, Indian Medical Service.	1. Director General, Indian Medical Service. 2. Deputy Director General, Indian Medical Service. 3. Inspector General, Civil Hospitals, Punjab.	One (Travelling allowance met by the Provincial Government concerned.)	One—Travelling allowance Rs. 116.
27. Military Selection Board to consider cases of Indian Medical Service officers for advancement in the service on the military side (on 19th September 1940).	Director-General, Indian Medical Service.	1. Director-General, Indian Medical Service. 2. Director of Medical Services in India. 3. Deputy Director-General, Indian Medical Service.	One. The expenditure on travelling allowance was met from Defence Estimates.	.....
28. Selection Board to consider cases of Short Service Indian Medical Service officers for permanent commissions in the Indian Medical Service (on 19th September 1940).	Ditto	Ditto	Ditto	.....
29. Selection Board to select candidates for Emergency Commissions in the Indian Medical Service (on 19th September 1940).	Ditto	1. Director-General, Indian Medical Service. 2. Director of Medical Services in India. 3. Assistant Adjutant General. 4. Deputy Director-General, Indian Medical Service.	One—Rs. 98	.....

The savings in each case if the meetings of these conferences, etc., had been held at New Delhi.

(a)	(b)	(c)	(d)	(e)
The names of the different conferences, committees or sub-committees held during the last summer season.	The names of the chairman or presidents of the conferences, committees, etc., mentioned in (a).	The names of Government members stationed at Simla and who were required to attend conferences, etc., mentioned in (a).	The number of members who came to Simla from outside to attend such conferences, etc., mentioned in (a) and the total cost on account of their travelling and other charges paid by Government.	The number of ministerial staff sent from New Delhi to attend the requirements of such conferences, etc., mentioned in (a) and the expenditure on their travelling etc., and other charges.

30. 1st meeting of the Drugs Supply Committee (now Medical Stores Supply Committee).	Director-General, Indian Medical Service.	1. Director-General, Indian Medical Service. 2. Chief Chemist, Central Government. 3. D. D. M. O. W. 4. Representative of the Director Medical Services. 5. Deputy Financial Adviser. (O).	Three. Travelling allowance Rs. 825.	.....
31. 2nd meeting of the Medical Stores Supply Committee.	Idaho	1. Director-General, Indian Medical Service. 2. Chief Chemist, Central Government. 3. Assistant Director-General, Indian Medical Service (Simla). 4. Deputy Financial Adviser (O). 5. Representative of the Director Medical Services. 6. Lt. Col. R. F. D. MacGregor, I.M.S. 7. Chief Advisory Chemist (Secretary).	One. Travelling allowance Rs. 444.	.....
32. Fifth annual meeting of Central Advisory Board of Education.	The Hon'ble Sir Girda Shankar Bajpal, K.B.E., C.I.E., I.C.S. non-official member only.	1. The Hon'ble Sir Girda Shankar Bajpal, K.B.E., C.I.E., I.C.S. non-official member only. 2. Educational Commissioner with the Government of India. 3. Hon'ble Member in charge of the Communications Department.	Sixteen—T. A. paid to 7 non-official members only—Rs. 3,008.	.....

OFFICERS AND MINISTERIAL STAFF OF THE LEGISLATIVE DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†119. *Sardar Sant Singh: (a) Will the Honourable the Leader of the House please state:

- the number of Superintendents, Assistants and clerks of the Legislative Department who moved up to Simla with the Government of India camp offices in April 1940;
- the number of officers who accompanied the camp office to Simla;
- the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - travelling allowance, etc.;
 - house-rent allowance;
 - daily allowance; and
 - all other expenditure in this connection?

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Sir Muhammad Zafrullah Khan:

(a) (i) Superintendents	...	...	...	1
Assistants	...	...	...	6
Clerks	...	...	...	5
Total	...	...	...	12

In addition to the above, 5 Personal Assistants and Stenographers moved up to Simla.

(ii) 7 (excluding the Honourable Member).

(iii) Nil.

(iv) Nil.

(v) (1) Rs. 9,371 approximately.

(2) Rs. 2,537 approximately.

(3) Nil.

(4) Rs. 5,338 approximately.

Total Rs. 17,246 approximately.

(b) No reduction in the expenditure relatable specifically to the move of the camp office of the Legislative Department is feasible.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE LEGISLATIVE DEPARTMENT.

†120. *Sardar Sant Singh: Will the Honourable the Leader of the House please state:

- the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of the Legislative Department;

†Answer to this question laid on the table, the questioner having exhausted his quota.

- (b) the name of the chairman or presidents of each of such committees, etc.;
- (c) the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- (d) the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- (e) the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- (f) the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- (g) the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and
- (h) whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) No conferences or committees with which the Legislative Department was concerned were held at Simla during the last summer season.

(b) to (h). Do not arise.

OFFICERS AND MINISTERIAL STAFF OF THE POLITICAL DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†121. *Sardar Sant Singh: (a) Will the Honourable the Leader of the House please state:

- (i) the number of Superintendents, Assistants and clerks of the Political Department who moved up to Simla with the Government of India camp offices in April 1940;
- (ii) the number of officers who accompanied the camp office to Simla;
- (iii) the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- (iv) the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and
- (v) the total cost on account of the last move from and to New Delhi of his Department under the following heads:
 - (1) travelling allowance, etc.;
 - (2) house-rent allowance;
 - (3) daily allowance; and
 - (4) all other expenditure in this connection?

†Answer to this question laid on the table, the questioner having exhausted his quota.

(b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Sir Muhammad Zafrullah Khan:

(a) (i) Superintendents	...	...	...	3
Assistants	...	...	...	11
Clerks	...	...	...	9
(ii) Officers	...	...	...	5

(iii) Only one additional clerk was called up to Simla and this was in connection with the war work. His period of stay was from 10th July to 15th July, 1940.

(iv) Clerk	...	...	...	1 vide (iii)
Officer	...	...	...	1

Under Secretary came down to Delhi to inspect the office and his period of stay was from 9th July, 1940 to 12th July, 1940.

Rs.

(v) (1) Travelling allowance	...	...	...	12,047
(2) House-rent allowance	...	...	...	5,109
(3) Daily allowance	...	...	...	51
(4) All other expenditure in this connection	...	...	...	8,429

(b) Further curtailment of expenditure on account of the move of the camp office is not feasible.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE POLITICAL DEPARTMENT.

†122. *Sardar Sant Singh: Will the Honourable the Leader of the House please state:

- (a) the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of the Political Department;
- (b) the name of the chairman or presidents of each of such committees, etc.;
- (c) the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- (d) the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- (e) the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- (f) the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- (g) the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and

†Answer to this question laid on the table, the questioner having exhausted his quota.

- (h) whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) No Conference, Committee, or Sub-Committee was held at Simla during the last summer season under the control of the Political Department.

(b) to (h). The questions do not arise.

OFFICERS AND MINISTERIAL STAFF OF THE COMMERCE DEPARTMENT WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

†123. *Sardar Sant Singh: (a) Will the Honourable Member for Commerce please state:

- (i) the number of Superintendents, Assistants and clerks of his Department who moved up to Simla with the Government of India camp offices in April, 1940;
- (ii) the number of officers who accompanied the camp office to Simla;
- (iii) the number of Superintendents, Assistants and clerks who were called up in each month during last summer to Simla and the period for which they were called and why;
- (iv) the number of staff and the officers, separately, who were required to attend duties at Simla and New Delhi, and how many times each went to Simla, and what was the period of his stay on each occasion; and

- (v) the total cost on account of the last move from and to New Delhi of his Department under the following heads:

- (1) travelling allowance, etc.;
- (2) house rent allowance;
- (3) daily allowance; and
- (4) all other expenditure in this connection?

- (b) What efforts do Government propose to make to curtail the expenditure on account of the move of the camp office of this Department?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

(a) (i) Superintendents...	...	...	...	4
Assistants	...	...	...	18
Clerks	...	...	...	8
(ii)	...	...	...	10

(iii) Superintendent 1 from the 20th September, 1940 to the 5th October, 1940. He was required to proceed to Simla to replace another Superintendent who was promoted as Assistant Secretary.

Assistants 2—1 from the 26th August, 1940 to 10th October, 1940. He was called up to cope with additional War work for which *inter alia* an additional post of Assistant was sanctioned on the migratory staff.

1 from the 22nd August, 1940 to 10th October, 1940. He was required to replace another Assistant who was transferred to another office at Bombay.

†Answer to this question laid on the table, the questioner having exhausted his quota.

- (iv) Four officers and two stenographers were required on duty at Simla as follows:

- 1 Officer from the 25th June, 1940 to 27th June, 1940.
- 1 Officer (twice) from the 12th to 16th July, 1940 and from the 26th August, 1940 to 4th September, 1940.
- 1 Officer with a stenographer from the 19th to 23rd August, 1940.
- 1 Officer with a stenographer from the 26th August 1940 to the 1st September 1940.

Of the migratory staff at Simla no officer or clerk, etc., was required on duty at New Delhi.

- (v) (1) Rs. 15,100.
(2) Rs. 5,616.
(3) Rs. 569.
(4) Rs. 6,600.*

(b) It is not proposed to reduce the strength of the migratory staff which is already the minimum necessary for performance of official duties and consequently no reduction in expenditure on this account is anticipated.

* This amount does not include the transport charges of dak bags between Simla and Delhi as the expenditure on this account was met by the Home Department.

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE COMMERCE DEPARTMENT.

†124. *Sardar Sant Singh: Will the Honourable Member for Commerce please state:

- (a) the names of the different conferences, committees or sub-committees held at Simla during the last summer season under the control of his Department;
- (b) the name of the chairman or presidents of each of such committees, etc.;
- (c) the names of Government Members stationed at Simla and who were required to attend such conferences, etc.;
- (d) the number of members who came to Simla from outside to attend the meetings of such conferences, etc., and the total cost on account of their travelling and other charges paid by Government;
- (e) the number of ministerial staff sent for from New Delhi to attend to the requirements of such conferences, etc., and the expenditure on their travelling, etc., and other charges;
- (f) the savings in each case if the meetings of these conferences, etc., had been held at New Delhi;
- (g) the reasons for holding each of these conferences, etc., at Simla and for incurring expenditure on account of payment of travelling allowance and other charges to the members who came to attend from outside; and

†Answer to this question laid on the table, the questioner having exhausted his quota.

- (h) whether he proposes to curtail the expenditure on account of all of these conferences, etc., by holding their meetings at New Delhi instead of Simla in future; if not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The information is being collected and will be laid on the table of the House in due course.

INADEQUATE NUMBER OF 'B' AND 'C' UNORTHODOX QUARTERS IN NEW DELHI.

†125. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state the number of Government of India assistants and clerks who are entitled to unorthodox B and C type of quarters, and how many of them have not been provided with quarters of their class?

(b) Will he please state the number of non-migratory assistants and clerks belonging to offices other than the Government of India Secretariat who are entitled to similar types of Government accommodation and to whom quarters of their class have not been provided?

(c) What steps do Government propose to provide the unprovided men of these classes with quarters in New Delhi for the year 1941-42? If none, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) and (b). The information asked for in the first portions of these parts is not readily available and its collection would not justify the labour involved. As regards the latter portions, I lay a statement on the table of the House giving the information required.

(c) The matter is at present under consideration.

Statement showing the number of Assistants and clerks of the Government of India and the non-migratory Assistants and clerks of other offices in New Delhi who applied for B, and C, classes of unorthodox quarters but were not provided with them.

	Number of applicants.		Number not provided with quarters.	
	'B'	'C'	'B'	'C'
Assistants and clerks belonging to the Government of India Secretariat and the Army Headquarters.	155	209	66	54
Non-migratory assistants and clerks belonging to the offices other than the Government of India Secretariat.	22	65	12	27

LEAKAGE IN THE ROOFS OF ORTHODOX QUARTERS IN NEW DELHI DURING LAST RAINY SEASON.

†126. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state in how many of the orthodox type of quarters in New Delhi the roofs leaked during the last rainy season and to what extent?

(b) Was it found necessary to replace some of the roofs in those quarters? If so, how many?

†Answer to this question laid on the table, the questioner having exhausted his quota.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Petty complaints of leakage came to notice. They were attended to at once but no record of the number of cases was kept.

(b) No roofs were replaced on account of leakage.

DECREASE IN THE PERCENTAGE OF ALLOTMENT OF QUARTERS IN NEW DELHI.

†127. *Sardar Sant Singh: (a) With reference to the answer to starred question No. 706 of the 23rd February, 1929, will the Honourable the Labour Member please state the number of clerks belonging to the Government of India Secretariat who are at present provided with quarters in New Delhi and the number of applicants for such quarters?

(b) Is there any decrease in the percentage of allotment of quarters now, as compared with the figures given by his predecessor on the 23rd February 1929? If so, why?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) 2,855 and 3,709 respectively. In addition, 104 single clerks are accommodated in the orthodox chummeries and 68 in the unorthodox chummeries.

(b) No.

DESIRABILITY OF REDUCTION IN RATES OF RENT FOR GOVERNMENT QUARTERS IN NEW DELHI.

†128. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state whether it is a fact that in the year 1921-22 and previous to it only four to six per cent. of a Government servant's salary was charged as monthly rental for Government quarters in New Delhi and elsewhere?

(b) Is it also a fact that this rate of rent was increased to ten per cent. on the introduction of the Fundamental Rules in 1922-23? If so, what were the reasons for this increase in rent?

(c) Is he aware of the representations made by the Imperial Secretariat Association asking for the reduction of this rate?

(d) Is he also aware of a similar demand made by the Members of the Legislature through questions on several occasions?

(e) Is he now prepared to examine the whole question and have the rate brought down to the same level as was in force in 1921 and previous to that year? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The matter is being looked into and the information required by the Honourable Member will be laid on the table of the House.

WAITING LIST OF PERSONS NOT PROVIDED WITH GOVERNMENT QUARTERS IN NEW DELHI.

†129. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state if there is a waiting list of persons who have not been provided with quarters in New Delhi? If so, who maintains this list?

(b) Is this list shown to the men concerned? If not, why not?

†Answer to this question laid on the table, the questioner having exhausted his quota.

(c) Is the Honourable Member aware that there is a strong feeling among the ministerial establishment of the Government of India Secretariat that allotment of quarters is not made strictly in accordance with the waiting list which is kept as a secret document?

(d) Is the Honourable Member prepared to arrange that this list is made accessible to the persons concerned? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes. The Estate Officer, Central Public Works Department.

(b) Yes, if they ask to see their positions on it.

(c) No.

(d) In view of my reply to part (b), this does not arise.

GOVERNMENT OF INDIA OFFICES PERMANENTLY STATIONED AND THOSE LOCATED DURING THE ENSUING WINTER SEASON IN NEW DELHI.

†120. *Sardar Sant Singh: Will the Honourable the Labour Member please state the names of the Government of India Secretariat offices and attached and subordinate offices which are stationed permanently in New Delhi, and the names of the offices which on their move from Simla have been located in New Delhi during the ensuing winter season and the names of the buildings in which they have been so located?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: A statement giving the information asked for is laid on the table of the House. Several of these offices take a certain percentage of their staff to Simla.

Statement.

Names of the Government of India Secretariat offices and attached and subordinate offices which are stationed in New Delhi. Several of them still take a certain percentage of the staff to Simla.	Names of the buildings in which they are located.
Finance Department	North Block, Imperial Secretariat Buildings.
Central Board of Revenue	Ditto.
Auditor General of India	Ditto.
Director of Railway Audit.	Ditto.
Accountant General, Central Revenues	Ditto.
Communications Department	Ditto.
Civil Aviation Office	Ditto.
Director General, Posts and Telegraphs	Ditto.
Financial Adviser, Communications	Ditto.
Office of the Controller of Shipping	Ditto.
Railway Board	Ditto.
Central Standard Office for Railways	Ditto.
Controller of Railway Accounts	Ditto.
Legislative Department	Ditto.
Commerce Department	Ditto.
Statistical Research Branch (Economic Adviser to the Government of India)	Ditto.
Labour Department	Ditto.

†Answer to this question laid on the table, the questioner having exhausted his quota.

Names of the Government of India Secretariat offices and attached and subordinate offices which are stationed in New Delhi. Several of them still take a certain percentage of the staff to Simla.	Names of the Buildings in which they are located.
Consulting Engineer with the Government of India	North Block, Imperial Secretariat Buildings.
Controller of Printing and Stationery	Ditto.
Chief Inspector of Explosives in India	Ditto.
Conciliation Office (Railways) and Supervisor of Railway Labour	Ditto.
Imperial Council of Agricultural Research	Ditto.
Legislative Assembly Department	Legislative Assembly Buildings.
Central Public Works Department	North Block and Legislative Assembly Buildings.
Political Department	South Block, Imperial Secretariat Buildings.
External Affairs Department	Ditto.

Names of the Government of India Secretariat Offices and attached and subordinate offices which are permanently stationed in New Delhi.	Names of the buildings in which they are located.
Defence Department	South Block, Imperial Secretariat Buildings.
Home Department	Ditto.
Intelligence Bureau	Ditto.
Information Bureau	Ditto.
Department of Education, Health and Lands	Ditto.
Director General, Indian Medical Service	Ditto.
Office of the Secretary, Indian Research Fund Association	Ditto.
Secretariat Governor General (Public)	Ditto.
Secretariat Governor General (Reforms)	Ditto.
Defence Co-ordination Department	Ditto.
Director of Audit, Defence Services	Ditto.
Military Adviser-in-Chief, Indian States Forces	Ditto.
Military Accountant General's Office	Ditto.
Department of Supply	Jaisalmer House.
Keeper of Records, Government of India	Imperial Record Office Buildings,
Office of the Controller of Supply Accounts	Temporary Office Buildings on Shahjahan Road.
Indian Stores Department	Ditto.
Contracts Directorate	Ditto.
Director General, Supply Department	Ditto.
Office of the Accountant General, Posts and Telegraphs	Mandi House.
Census Commissioner	Ditto.
Office of the Director General of Archaeology in India	Central Asian Antiquities Museum Building, New Delhi.

Names of the offices which on their move from Simla have been located in New Delhi.	Name of buildings in which they are located.
Office of the Secretary to the Executive Council of the Governor General.	South Block, Imperial Secretariat Buildings.
Military Finance Department	Ditto.
Army Headquarters	South Block, Travancore House, Kashmir House, Baroda House, Nizam Palace and Irwin Amphitheatre.

LOCATION OF THE GOVERNMENT OF INDIA AND OTHER OFFICES IN OLD DELHI AND NEW DELHI.

†131. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state the names of the Government of India and other offices which are located in the old Secretariat and other attached buildings in Old Delhi, and whether it is incumbent upon the Government of India or the Local Government to provide accommodation for each of those offices located there?

(b) Is any accommodation lying vacant in those buildings?

(c) Are any Government residential quarters in Old Delhi including Timarpur, lying vacant?

(d) What proportion of the Central Public Works Department offices are located in the Secretariat and the Council Chamber buildings in New Delhi and what proportion in buildings other than these? Where are those other buildings located?

(e) What are the reasons for keeping the Central Public Works Department offices in the Secretariat and the Council Chamber buildings in New Delhi? Have they much business to transact with any of the Secretariat offices, and if so, with which offices?

(f) Is the Honourable Member aware that the Department of Supply, the Indian Stores Department, the Directorate of Contracts and some other sections of the Army Headquarters, which were not located last winter in the Secretariat buildings or the Council House in New Delhi, had to incur heavy expenditure on conveyance and telephones for constant consultation with the other Secretariat and Army Headquarters offices?

(g) Will the Honourable Member please state the reasons why the Central Public Works Department offices cannot be shifted to buildings, private or Government, other than the Secretariat and the Council Chamber in New Delhi in order to make room for such of the Secretariat and other offices like the Supply Department, the Indian Stores Department, etc.?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:
(a) A list of the offices located in the Old Secretariat Building and other buildings in Old Delhi is laid on the table. The reply to the latter part of the question is in the affirmative.

(b) Yes, a few rooms only in the Old Secretariat Building, Delhi.

(c) Yes. Two single quarters.

(d) The major portion of the Central Public Works Department is located in the Secretariat and the Council Chamber buildings, and only one divisional office is located in a hired building at Connaught Circus.

†Answer to this question laid on the table, the questioner having exhausted his quota.

(e) The senior officers have to deal with all departments of the Government of India, more particularly with the Labour Department and the Director of Civil Aviation.

(f) I have no information.

(g) The accommodation occupied by the Central Public Works Department offices in the Imperial Secretariat and Council Chamber buildings would be quite insufficient for the Supply Department organisation.

Statement

Names of the Government of India and other offices which are located in the old Secretariat and other buildings in Old Delhi.

1. Office of the Deputy Accountant General, Posts and Telegraphs.
2. Office of the Commissioner, Central Excises and Salt, Northern India.
3. Office of the Agricultural Marketing Adviser to the Government of India.
4. Surveyor General of India.
5. Statistical Branch of the Central Board of Revenue.
6. Income Tax Appellate Tribunal.
7. Chief Inspector of Boilers and Factories.
8. Technical Adviser for Signalling, Indian States Forces.
9. Secretary, Inter Provincial Board for Education.
10. Income Tax Officer, Salary Circle.
11. Central Publication Branch.
12. Chief Technical Examiner of Works.
13. Director, Frontier Circle, Survey of India.
14. Federal Public Service Commission.

BUILDING OF QUARTERS SEPARATELY FOR ITS HEADQUARTERS STAFF BY THE RAILWAY BOARD IN NEW DELHI.

†132. *Sardar Sant Singh: (a) Is the Honourable the Labour Member aware that the Railway Budget is altogether separate from the General Budget?

(b) Is it a fact that Railway Board has neither built any quarters for its ministerial and other staff employed at the headquarters, nor has it so far made any contribution towards the General Budget on account of the cost of the quarters occupied by its staff in New Delhi?

(c) Is it a fact that a number of the staff employed in the Government of India Secretariat and attached and subordinate offices, other than the Railway Board, are not provided with quarters on account of dearth thereof?

(d) Is the Honourable Member aware that the Posts and Telegraphs Department has built, or paid for, quarters in New Delhi out of their own Budget?

(e) Does the Honourable Member now propose to ask the Railway Board to have its own quarters for its staff? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:
(a) to (c). Yes.

†Answer to this question laid on the table, the questioner having exhausted his quota.

(d) The quarters constructed by the Posts and Telegraphs Department are intended only for the local staff of that Department.

(e) No. The officers of the Railway Board are Government officers required to reside with the Government of India in New Delhi and as such they are eligible for Government residences in New Delhi under the rules governing their allotment.

VACANT PIECE OF LAND ON THE NORTH SIDE BEHIND THE ORTHODOX QUARTERS ON THE IRWIN ROAD, NEW DELHI.

†133. *Sardar Sant Singh: (a) Will the Education Secretary please state whether he is aware that behind the C type of orthodox clerks' quarters on Irwin Road on the north side, there is a very extensive piece of land lying vacant?

(b) Is the Honourable Member aware that people generally have made it a practice to dump refuse etc., on that land, and that it has become very dirty?

(c) Have any steps been taken by the New Delhi Health Department to look after the sanitation of this piece of land?

(d) Is it a fact that representations have been made by the tenants of that locality for the construction of cow-byres near their quarters?

(e) If the reply to part (d) be in the affirmative, is the Honourable Member prepared to ask the Municipal Committee to have some cow-byres constructed somewhere on that land, and to have the rest of it levelled and cleaned up?

Mr. J. D. Tyson: (a) Yes.

(b) No. There are a few heaps of building material deposited by the Public Works Department after the annual repairs to the neighbouring quarters, but these will be cleared away shortly.

(c) The New Delhi Health Department have satisfied themselves that no sanitary nuisance exists.

(d) Yes.

(e) The Municipal Committee is averse from allowing any further construction of cow-byres in the urban area. Levelling and cleaning, if required, are matters for the Public Works Department.

GRANT OF SUMMER ALLOWANCE TO THE MINISTERIAL ESTABLISHMENT OF THE GOVERNMENT OF INDIA SECRETARIAT DETAINED AT DELHI LAST SUMMER.

†134. *Sardar Sant Singh: (a) Will the Honourable the Labour Member please state whether any representation was made for the grant of summer allowance to the ministerial establishment of the Government of India Secretariat, which was detained at Delhi during last summer? If so, when was that representation made?

(b) Has any action been taken on that representation? If so, what? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) A representation on the subject was received from the Imperial Secretariat Association in July, 1939.

(b) The matter is under consideration.

†Answer to this question laid on the table, the questioner having exhausted his quota.

SUPPLY OF UNFILTERED WATER IN ORTHODOX QUARTERS IN NEW DELHI.

†135. *Sardar Sant Singh: (a) With reference to starred question No. 230, answered on the 28th February, 1940, regarding the supply of unfiltered water to the tenants of orthodox types of quarters in New Delhi, will the Honourable the Labour Member please state what his decision was in the matter?

(b) Is he aware that during last summer, the staff living in orthodox types of quarters paid large sums on account of their water supply, as they had to use filtered water for purposes for which unfiltered water is used in unorthodox types of quarters?

(c) Is he prepared to consider the question of compensating the staff so affected, and to have unfiltered water supplied in the orthodox types of quarters before the next summer?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

(a) The matter is still under consideration.

(b) and (c). I would prefer to give a reply after a decision has been reached in regard to (a).

FAILURE TO NAME OR LIGHT STREETS IN THE NAIWALA AREA OF KAROL BAGH, DELHI.

†136. *Sardar Sant Singh: (a) Will the Education Secretary please state whether it is a fact that in the Naiwala area of Karol Bagh, Delhi, the streets have neither been named nor lighted by the local authority concerned?

(b) Is the Honourable Member aware that lack of the above mentioned amenities is causing considerable inconvenience to the tenants of that locality?

(c) Is the Honourable Member prepared to take steps to see that these amenities are provided at an early date?

Mr. J. D. Tyson: The information has been called for and will be furnished to the House in due course.

OFFICERS AND STAFF OF THE DELHI IMPROVEMENT TRUST.

†137. *Sardar Sant Singh: Will the Education Secretary please state the number of officers and the number of ministerial and other staff employed in the Delhi Improvement Trust, stating against each post the salary or grade of the post?

Mr. J. D. Tyson: A statement giving the information asked for by the the Honourable Member is laid on the table.

Statement.			
Serial No.	Name of post or posts.	No. of posts.	Grade.
Remarks.			
OFFICERS.			
			Rs
1	Chairman	1	Pay of the I. C. S. (Senior Scale).
			Special Pay
			S. O. Pay
			250 p.m.
			400 p. m.
Half the pay of this officer is borne by the New Delhi Municipal Committee.			

†Answer to this question laid on the table, the questioner having exhausted his quota.

Serial No.	Name of post or posts.	No. of posts.	Grade. Rs.	Remarks.
OFFICERS— <i>contd.</i>				
2	Lands Officer . . .	1	300—30—600—40—800—850 in Punjab P. C. S. Special Pay . 100 p. m.	
3	Accounts Officer . . .	1	500—35—850 as an officer of the Indian Audit Department.	
4	Tahsildar . . .	1	229 (excluding pension) as a Retired Tahsildar. Special Pay . 30 p. m.	
Total . . .		4		

MINISTERIAL STAFF.

5	Superintendent, Accounts.	1	200—20—500 + 10 per cent Foreign Service allowance.	Government servants on foreign service.
6	P. A. to Chairman . . .	1	200—15—500 + Special Pay 30 p. m.	
7	Accounts Clerks . . .	3	50—6—110—6—140—5—200 + 10 per cent. Foreign Service Allowance.	
8	Steno to Chairman . . .	1	100—5—200.	
9	Steno to Lands Officer	1	75—5—125 + 10 per cent. Foreign Service Allowance.	
10	Cashier . . .	1	45—2—85—2—95 . . . Special Pay . 30 p. m.	
11	Senior Clerks . . .	3	60—4—120.	
12	Junior Clerks (including typists).	12	40—2½—90.	
13	Ditto . . .	6	35—1½—65—2—75 + 10 per cent. Foreign Service Allowance.	Government servants on foreign service: one post carries Special Pay of Rs. 10.
14	Ditto . . .	1	40—2—80 + 10 per cent. Foreign Service Allowance.	
15	Routine Clerk . . .	1	35—1½—65.	
Total . . .		31		

OTHER STAFF.

16	Naib Tahsildar . . .	1	80—5—140—7½—185 . . .	On foreign service from the Punjab.
17	Building Inspector . . .	1	150—10—250.	
18	Overseers . . .	4	70—Probation—75—5—150.	
19	Girdawar . . .	1	Fixed Pay Rs. 50 p. m. 10 per cent. allowance (Foreign Service).	Government servant on foreign service.
20	Patwaris . . .	9	30—1—35.	
21	Architectural Assistant.	1	Fixed Pay Rs. 300 with F. S. allowance at 20 per cent.	

Serial No.	Name of post or posts.	No. of posts.	Grade. Rs.	Remarks
OTHER STAFF— <i>contd.</i>				
22	Draftsman . . .	1	75—4—95/5—150.	
23	Draftsman . . .	1	40—2½—90.	
24	Tracers . . .	2	40—2½—90.	
25	Ferro Printer . . .	1	30—1—40/2—50	
Total . . .		22		
Total Ministerial and other staff.		53		

SAVINGS DUE TO SETTING UP OF THE PORT HAJ COMMITTEES.

138. *Mr. H. A. Sathar H. Essak Sait: Will the Secretary for Education, Health and Lands be pleased to state:

- (a) whether the setting up of various Port Haj Committees resulted in a saving in his Department compared to the expenditure that had to be borne by his Department before the establishment of such Port Haj Committees; and
- (b) the total amount of such savings, if any, since the setting up of Port Haj Committees?

Mr. J. D. Tyson: (a) and (b). The information is being collected and will be supplied to the Honourable Member in due course.

FEES COLLECTED FROM HAJ PILGRIMS FOR MEETING EXPENSES IN CONNECTION WITH PORT HAJ COMMITTEES.

139. *Mr. H. A. Sathar H. Essak Sait: (a) Will the Secretary for Education, Health and Lands please state whether it is a fact that a fee is being collected from Haj pilgrims for meeting the expenses in connection with Port Haj Committees?

(b) What is the amount so collected during the last two Haj seasons and what was the amount of expenditure on account of the Port Haj Committees?

(c) How was the balance, if any, utilised?

Mr. J. D. Tyson: (a) The Haj Enquiry Committee, in paragraph 92 of its Report, recommended the levy of a fee of Rs. 5 for each pilgrim pass issued in a port of embarkation to a pilgrim from up-country, the proceeds to be handed over to the Port Haj Committee for use "in connection with the general improvement of facilities for the pilgrimage". A fee of Rs. 3 was imposed and out of this fee one-third share is credited to the Provincial Haj Committee of the Province of the pilgrim concerned and two-thirds to the Port Haj Committee of the Port where the pilgrim obtains his pass.

(b) In the last two Haj seasons the share of Port Haj Committees on account of pilgrim passes amounted to Rs. 15,339 and the total expenditure incurred by Port Haj Committees, excluding amounts remitted to Provincial Haj Committees on account of their share of realisations from fees for passes, amounted to Rs. 1,51,966.

(c) Does not arise.

Mr. Muhammad Azhar Ali: What is the reason for the collection of this new fee?

Mr. J. D. Tyson: There is no new fee. If the Honourable Member has misunderstood my reference to two figures, the answer is that the Haj Enquiry Committee recommended a fee of Rs. 5 but actually a fee of only Rs. 3 was imposed.

Mr. K. Santhanam: In view of the increased expenditure to the pilgrims on account of the increase in shipping charges, will this collection of fees be suspended during the war?

Mr. J. D. Tyson: I do not quite follow the grounds on which suspension is urged, but the fee was imposed originally to discourage pilgrims getting their pilgrim passes at the port and to encourage them to get them in their own districts.

Mr. K. Santhanam: May I know if the Honourable Member is aware that shipping charges have increased?

Mr. J. D. Tyson: The increase in shipping fares is very little, and the total amount that a pilgrim will have to spend on the pilgrimage has actually been reduced as against last year.

Mr. H. A. Sathar H. Essak Sait: May I know, Sir, if pilgrims who bring their passports from their own districts are not charged this fee?

Mr. J. D. Tyson: That is so.

SUGGESTIONS MADE BY THE PORT HAJ COMMITTEES.

140. ***Mr. H. A. Sathar H. Essak Sait:** (a) Will the Secretary for Education, Health and Lands please refer to section 18 (d) of the Port Haj Committees Act, 1932, and state whether the dates for the sailings of pilgrim ships are fixed by the steamship companies in consultation with the Port Haj Committees?

(b) If not, are Government prepared to ask the shipping companies to do so hereafter?

(c) Will the Honourable Member be pleased to place on the table a statement of important suggestions made by the various Haj Committees for the last five years and the action taken thereon?

(d) Will Government be pleased to state how far the Port Haj Committees have succeeded in carrying out the duties imposed upon them by section 18 (e) of the Port Haj Committee's Act, 1932?

Mr. J. D. Tyson: (a) and (b). The Port Haj Committees Act, 1932, does not require that sailing dates should be fixed in consultation with Port Haj Committees. Under section 209 (B) of the Indian Merchant Shipping Act the executive officer of the Port Haj Committee is supplied with full particulars before a sailing is advertised. If the Port Haj Committee consider that a sailing date is unsuitable it is open to the Committee to bring this fact to the notice of the shipping company.

(c) and (d). A statement is being prepared and will be laid on the table of the House.

Mr. Lalchand Navarai: May I know from the Honourable Member if the rule does not allow of this that in practice they are consulted always?

Mr. J. D. Tyson: I cannot answer that exactly. They get notice in advance; I cannot say what action the Port Haj Committee takes on getting the news.

Mr. T. S. Avinashilingam Chettiar: Will there be any great inconvenience if they are consulted?

Mr. J. D. Tyson: In effect, they are consulted already, for they get notice in advance before the sailing is advertised. I have had no complaints that any difficulties are experienced over the working of the rule as it stands at present.

Mr. Lalchand Navarai: Is the notice given after fixing the date or before fixing the date?

Mr. J. D. Tyson: The notice of the proposed date of sailing is given to the executive officer of the Port Haj Committee.

Dr. Sir Ehsuddin Ahmad: Will there be sailing by both the companies or only one?

Mr. J. D. Tyson: That surely does not arise out of this question.

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

141. ***Haji Ohaudhury Muhammad Ismail Khan:** Will the Education Secretary please state:

(a) what the total strength was of the staff in each grade and division with communal proportion before 1934 in the Imperial Veterinary Research Institute, Muktesar, and its sub-station at Izatnagar including all those officials working in the Institute under various schemes financed by the Imperial Council of Agricultural Research or receiving foreign training;

(b) how many appointments have been made from year to year;

(c) what was the Muslim proportion in each class of staff since 1934;

(d) whether it is a fact that the communal proportion of Muslims was very low; if so, what steps were taken to adjust the low percentage of Muslims;

(e) whether Government instructions regarding communal adjustment and appointment of more Muslims, issued from time to time, were complied with; and

(f) if so, by how much has the percentage of Muslims increased since 1934?

Mr. J. D. Tyson: With your permission, Sir, I propose to reply to questions Nos. 141 to 153 together.

The information asked for is being collected and replies to these questions will be laid on the table of the House when received.

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†142. ***Haji Ohaudhury Muhammad Ismail Khan:** (a) Will the Education Secretary please state how many appointments were made in the Imperial Veterinary Institute in each class of service in permanent, temporary and officiating posts since the promulgation of Government of India's orders for increased appointment of Muslims?

(b) How many vacancies have been filled after 1934 by direct recruitment, promotion and selection and how many of them have gone to Muslims?

(c) What are the orders issued by the Director with regard to reserving posts for Muslims? What are the orders of rotation and whether any communal roster is being maintained? If so, whether a copy of the same is proposed to be placed on the table of the House?

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†143. ***Haji Ohaudhury Muhammad Ismail Khan:** (a) Will the Education Secretary please state whether it is a fact that certain lower temporary posts in the Imperial Veterinary Research Institute have been classed as superior posts?

(b) Whether such posts have been reserved for Muslims?

(c) If so, is it a fact that by this method the percentage of Muslims is made to appear higher than it actually is though in fact all the superior posts carrying higher salaries are held by non-Muslims?

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†144. ***Haji Ohaudhury Muhammad Ismail Khan:** Will the Education Secretary please state:

(a) whether it is a fact that many unqualified non-Muslims were appointed in the Imperial Veterinary Research Institute during the last six years and were given promotions;

(b) the number of non-Muslim non-Matriculates in that Institute;

(c) the number of Muslim non-Matriculates holding clerical posts in that Institute; and

(d) if there is no such Muslim, what are the specific reasons for appointing unqualified non-Muslims when a good number of qualified Muslims have always been available and there was also paucity of Muslims in the staff?

†For answer to this question, see answer to question No. 141.

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†145. ***Haji Ohaudhury Muhammad Ismail Khan:** Will the Education Secretary please state:

(a) how many gazetted posts in the Imperial Veterinary Institute were filled after 1934 without employing the Agency of the Public Service Commission;

(b) what are the communities of the persons so appointed; and

(c) whether any appointments have been made in contravention of the Government of India's orders regarding Muslim representation in services? If so, why?

COMMUNAL COMPOSITION OF THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†146. ***Haji Ohaudhury Muhammad Ismail Khan:** Will the Education Secretary be pleased to place on the table a statement showing the total amount drawn as pay by each of the Muslim and non-Muslim staff of the Imperial Veterinary Research Institute for the last three years?

MUSLIM DRESSERS PROMOTED AS LABORATORY ASSISTANTS IN THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†147. ***Haji Ohaudhury Muhammad Ismail Khan:** (a) Will the Education Secretary please state the number of dressers in the Imperial Veterinary Research Institute promoted to the post of Laboratory Assistants?

(b) How many of them are Muslims?

(c) Whether the promotions were made according to seniority; if not, why not?

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†148. ***Haji Ohaudhury Muhammad Ismail Khan:** Will the Education Secretary please state:

(a) how many posts in the Imperial Veterinary Research Institute (Technical and Non-technical) are vacant at present and how Government propose to fill them up with due regard to communal adjustment; and

(b) whether Government are prepared to pass specific orders to appoint Muslims on all the vacancies till the due percentage is secured?

MUSLIM REPRESENTATION IN OTHER CLASSES OF SERVICE NOT TO BE AFFECTED BY HIGHER PERCENTAGE OF MUSLIMS IN THE POSTS OF DRESSERS.

†149. ***Haji Ohaudhury Muhammad Ismail Khan:** Will the Education Secretary please state:

(a) whether it is a fact that the posts of dressers in the Imperial Veterinary Research Institute, are entirely held by Muslims and Christians since long; and

† For answer to this question, see answer to question No. 141.

- (b) whether he is prepared to see that higher percentage of Muslims in this class of service does not affect the Muslim representation in other classes of service in the Institute?

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†150. *Haji Chaudhury Muhammad Ismail Khan: (a) Will the Education Secretary please state what the percentage of Muslims in each class of service in the Imperial Veterinary Research Institute is?

(b) If the percentage is lower than that contemplated in the Government of India's resolution of 1934, what steps do Government propose to take to make good this deficiency?

(c) What is the total number of technical posts in the Animal Nutrition Section of the Imperial Veterinary Research Institute and how many of these are held by Muslims?

(d) When were these appointments made and what steps were taken to secure adequate Muslim share in these posts? If not, why not?

MUSLIMS IN THE POULTRY RESEARCH SECTION OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†151. *Haji Chaudhury Muhammad Ismail Khan: (a) Will the Education Secretary please state how many technical posts in the poultry research section of the Imperial Veterinary Research Institute have so far been filled and what is the communal proportion?

(b) What is the number of permanent non-gazetted officers drawing Rs. 100 and above and how many of them are Muslims?

PERMANENT MUSLIM VETERINARY INSPECTORS IN THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†152. *Haji Chaudhury Muhammad Ismail Khan: (a) Will the Education Secretary please state what the total strength of permanent Veterinary Inspectors in the Imperial Veterinary Research Institute in 1934 was, and what it is at present? How many of them are being held by Muslims permanently?

(b) How many Veterinary Inspectors of the Institute were promoted to higher posts both in and outside the department and how many of them were Muslims?

(c) What is the nature of work assigned to a Veterinary Inspector?

MUSLIM CLERKS IN THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†153. *Haji Chaudhury Muhammad Ismail Khan: (a) Will the Education Secretary please state the total number of clerks in the Imperial Veterinary Research Institute and how many of them are Muslims?

(b) Are Government prepared to institute a commission to investigate and enquire into the grievances of Muslims in Imperial Veterinary Institute?

† For answer to this question, see answer to question No. 141.

ACCOMMODATION RESERVED IN THE IMPERIAL HOTEL FOR THE DELEGATES OF EASTERN GROUP CONFERENCE.

154. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that Government have taken some rooms in the Imperial Hotel to provide accommodation for the delegates of Eastern Group Conference? If so, how many?

(b) Did Government ascertain the usual charges of those rooms?

(c) What charges are paid by Government now?

(d) Did they consult the Rent Control Officer for the correct rent of those rooms?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

(a) Yes, 68.

(b) Yes.

(c) A statement is laid on the table.

(d) Yes.

Rooms reserved at the Imperial Hotel, New Delhi, for the Roger Mission and the Eastern Group Conference.

	Rate per day with food..
1 Suite—Sitting room, large verandah, double bed-room, dressing room, bath room	Rs. 32 per couple.
2 Suites—Sitting room, double bed-room, dressing room, bath room	Rs. 28 " "
6 Suites—Sitting room with verandah, double bed-room, bath room	Rs. 25 " "
9 Rooms—Double room, dressing room, bath room	Rs. 22 " "
4 Rooms—Double room, dressing room, bath room with verandah	Rs. 22 " "
3 Rooms—Double bed-room, bath room	Rs. 20 " "
NOTE.—Double room quotations are subject to a reduction of Rs. 4 per day if occupied by one person only.	
2 Rooms—Single bed-room with verandah attached, bath room	Rs. 14.
4 Rooms—Single bed room and bath room	Rs. 12.
NOTE.—Single rooms are not subject to any reduction.	

PRIVATE HOUSES IN NEW DELHI RESERVED FOR ACCOMMODATION OF THE EXTRA MEMBERS OF THE VICEROY'S PROPOSED EXPANDED CABINET.

155. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Labour Member please state if it is a fact that Government took on rent private houses in New Delhi for the accommodation of the extra members of the Viceroy's proposed expanded Cabinet?

(b) How many such houses have actually been engaged and at what rents?

(c) In what manner do Government propose to utilise those houses when the question of the constitution of the Cabinet is shelved?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

(a) Yes.

(b) Three; one at Rs. 8,300 per annum, another at Rs. 4,130 per annum and the third at Rs. 5,000 per annum.

(c) I would request the Honourable Member to wait and see.

Mr. Manu Subedar: May I know if the houses are now haunted, or is anybody living there?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No, Sir.

Mr. Sri Prakasa: When they are not haunted, are rents continuing to be paid?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Yes, Sir.

Mr. Lalchand Navalrai: Who pays the rents?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Government of India.

Dr. Sir Ziauddin Ahmad: Why were these houses engaged and why did they ask the tax-payer to pay for nothing?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Honourable Member who asks the question apparently knows all about the subject.

Qazi Muhammad Ahmad Kazmi: How long do the Government of India propose to continue paying these rents?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have answered that in answer to part (c) of the question.

Pandit Lakshmi Kanta Maitra: Since when have the houses been rented?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I believe from the 1st of October.

UNSTARRED QUESTIONS AND ANSWERS.

APPLICATIONS FOR SANCTION OF THE GOVERNOR GENERAL UNDER SECTION 270 OF THE GOVERNMENT OF INDIA ACT, 1935.

86. Mr. Muhammad Azhar Ali: Will the Leader of the House please state:

(a) the number of applications for necessary sanction of the Governor General as required under section 270 of the Government of India Act, 1935, received by the Secretary to the Governor General since 1st December, 1938; and

(b) the action taken thereon, and if no action has been taken the reasons therefor?

The Honourable Sir Muhammad Zafrullah Khan: The information is being collected and will be laid on the table when it is complete.

RULES OR BYE-LAWS OF THE DELHI JOINT WATER AND SEWAGE BOARD.

87. Mr. Muhammad Azhar Ali: Will the Secretary for Education, Health and Lands please state:

- (a) the date on which the Delhi Joint Water and Sewage Board has made the rules or bye-laws, under sub-sections (b), (c), (d), (e), (f), (g), (i) and (j) of section 28 of the Delhi Joint Water and Sewage Act XXIII of 1926;
- (b) the date on which the sanction of the Chief Commissioner was given to those rules;
- (c) whether he will lay on the table the rules in force before the making and before the sanction of those rules;
- (d) when these rules were published in the local gazette;
- (e) the procedure observed in the Board in absence of those rules in respect of those matters; and
- (f) the authority validating the acts done in absence of those rules.

Mr. J. D. Tyson: The information has been called for and will be furnished to the House in due course.

GOVERNMENT SERVICES RULES APPLICABLE TO THE STAFF OF THE DELHI UNIVERSITY.

88. Mr. Muhammad Azhar Ali: Will the Secretary for Education, Health and Lands please state:

- (a) the date on which the Executive Council of the University of Delhi defined the duties and the conditions of services of the clerical staff and the servants of the University under sub-section (e) of section 22 of the University of Delhi Act, 1922;
- (b) whether the conduct of clerical staff and the servants of the University is regulated by the Government Servants Conduct Rules made by the Home Department of the Government of India;
- (c) who is the appellate authority against the orders of the Executive Council in respect of the duties and conditions of services of the clerical staff and the servants of the University; and
- (d) what other rules of the Government services are applicable to the clerical staff and the servants of the University?

Mr. J. D. Tyson: (a) The conditions of service of the clerical and inferior staff of the Delhi University have been prescribed by the Executive Council from time to time.

(b) No.

(c) The Executive Council is the final authority.

(d) None. The University frames its own rules.

WORKING OF THE PAYMENT OF WAGES ACT, 1936, ON THE STATE RAILWAYS.

89. Mr. Muhammad Azhar Ali: Will the Honourable Member for Labour please lay on the table of the House a statement on the working of the Payment of Wages Act, 1936, since its enforcement on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways, showing:

- (a) the cases reported by the Inspectors of railway labour to the Supervisor of Railway Labour against "delayed payments";
- (b) the action taken by the Supervisor of railway labour on those reports; and
- (c) to state the reasons for not investing the Inspectors of railway labour with powers of an Inspector under Payment of Wages Act to take action on the report against breaches of the provisions of the Act noticed or detected during their inspections of the station?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) to (c). The information is being collected and a statement will be laid on the table of the House in due course.

ALLOTMENT OF GOVERNMENT QUARTERS TO THE STAFF OF THE HOME AND LEGISLATIVE DEPARTMENTS.

90. Bhai Parma Nand: Will the Honourable the Labour Member please state the number of applications received by the Estate Office from the Home and the Legislative Departments for Government quarters in New Delhi for each of the 'A', 'B', 'C', 'D', and 'E' types, orthodox and un-orthodox, in December 1939 and how many have been allotted to each of these Departments?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Honourable Member is referred to the reply given by me to Pandit Krishna Kant Malaviya's starred question No. 598 on the 1st April, 1940, asking for similar information in respect of the Political and the Defence Departments.

REPRESENTATION FOR REPLACING IRON WINDOWS BY WOODEN WINDOWS IN RAJA BAZAR SQUARE, NEW DELHI.

91. Bhai Parma Nand: (a) With reference to the reply to starred question No. 50, dated the 17th July, 1934, is the Honourable the Labour Member aware that the tenants of orthodox 'D' type of quarters in Raja Bazar Square, New Delhi, have recently sent a joint representation to the Central Public Works Department for replacement of revolving iron windows, known as Crittal windows, in those quarters by ordinary wooden windows?

(b) If the reply to part (a) be in the affirmative, will Government kindly state what action is being taken thereon?

(c) Are Government aware that these revolving iron windows occupy large space and therefore they are suited to big drawing rooms but not to small rooms in 'D' type of quarters in Raja Bazar?

(d) Are Government aware that some additions and alterations will soon be undertaken in those quarters?

(e) If so, are Government prepared to consider the advisability of replacing these iron windows by ordinary wooden windows, when other alterations are carried out in the quarters in Raja Bazar? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes.

(b) to (e). The replacement of the Crittal windows by ordinary wooden windows has been sanctioned, and the work is likely to be carried out during the next financial year.

SENIORITY LIST OF THE BINDING BRANCH OF THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

92. Bhai Parma Nand: (a) Will the Honourable the Labour Member state whether any official seniority list of the Binding Branch of the Government of India Press, New Delhi, is maintained by the present Manager of the Press? If so, when did he prepare it?

(b) Were any mistakes subsequently found in this list, which necessitated reversion of certain men to the lower pay and promotion of junior men in their place?

(c) Is it a fact that the above mentioned seniority list has now been revised?

(d) Are Government prepared to institute an enquiry into the cases of the Binding staff to regularize the cases of men affected? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes. The list was first prepared in 1937 and modified in 1938, 1939 and 1940.

(b) Yes. The mistake involved the reversion of one man.

(c) Yes.

(d) No. It is open to any individual who considers that he has a grievance to represent his case to the appropriate authority.

STOPPAGE OF PAYMENT FOR MEAL INTERVAL TO THE INDUSTRIAL WORKERS OF THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

93. Bhai Parma Nand: (a) Will the Honourable the Labour Member please state whether Government are aware that previously payment was made for tiffin interval by Government to the industrial workers of the Government of India Press, New Delhi?

(b) Is it a fact that no payment is made now for this interval and men are engaged for full 8½ hours, i.e., 8 A.M. to 4-30 P.M. and the payment is made for 8 hours only, deducting interval period?

(c) If the reply to the above be in the affirmative, what are the reasons for stopping the payment for meal interval?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Prior to July, 1928, payment for the meal interval was made to piece-

workers who were in employment before the 1st November, 1922, if they were working on time rates when the interval occurred.

(b) No such payment is made now. Normally, piece-workers in the New Delhi Press are employed for eight hours on each week-day, exclusive of the meal interval.

(c) The system of payment for the meal had no logical basis and Government took the opportunity to abolish it at a time when they gave concessions to the piece-workers which, in the aggregate, involved the disbursement of much larger sums than were paid for the meal interval.

DIFFERENTIAL TREATMENT METED OUT TO PIECE COMPOSITORS IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

94. Bhai Parma Nand: (a) Will the Honourable the Labour Member please state whether it is a fact that piece compositors appointed in the Government of India Press, New Delhi, were given class 5, which is equivalent to Rs. 23/8 in the beginning, in spite of high class earned by them on three months' classification?

(b) Is it also a fact that new compositors in salaried scale doing the same work as above mentioned piece compositors are given a start of Rs. 30 per mensem?

(c) If the reply to the above be in the affirmative, what are the reasons for this differential treatment? Are Government prepared to fix the class of piece workers at Rs. 30 from the time of their appointment? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes. Class 5 is equivalent to a monthly wage of Rs. 27-1-4 for 'old' entrants and Rs. 23-15-4 'new' entrants.

(b) and (c). Yes, but there are no longer any piece-compositors in Class 5, as since December, 1938, all new entrants have been recruited on a salaried basis.

AMALGAMATION OF GOVERNMENT OF INDIA PRESSES AT SIMLA AND NEW DELHI.

95. Bhai Parma Nand: Will the Honourable Member in charge of the Labour Department please state:

(a) whether Government have stopped the move to Simla for this year;

(b) whether Government have considered any scheme for concentrating printing work at the Government of India Press, New Delhi, due to the stay of the Government Secretariat at New Delhi;

(c) whether there is any scheme under the consideration of the Central Government for amalgamating Simla and New Delhi Presses;

(d) the duties which will be entrusted to the officer proposed to be appointed in the office of the Controller of Printing and Stationery India, New Delhi, in 1940-41; whether he is to prepare a scheme to concentrate work in New Delhi, by breaking down the Simla Press; whether Government are prepared to see that an I. C. S. impartial officer is appointed to the new posts; and

(a) whether local holidays will be given to press employees and the scales will be revised on the Secretariat basis, on the permanent stay of Government offices in New Delhi; if not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) The bulk of the Departments and Offices of the Government of India are now located permanently in Delhi.

(b) and (c). No.

(d) An Indian Civil Service Officer has been appointed recently as Officer on Special Duty in the Stationery and Printing Department. He is to understudy the Controller of Printing and Stationery for a period of about six months and will, thereafter, be appointed as Controller when the post is vacated by the existing incumbent. The reply to the second part is in the negative.

(e) The scale of holidays for the staff of the Government of India Press, New Delhi, is now the same as that admissible to the non-migratory staff of the Departments and Offices of the Government of India in Delhi. The latter part does not, therefore, arise.

DEFECTIVE MACHINES IN THE LINO., MONO. AND MACHINE DEPARTMENT OF THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

96. Bhai Parma Nand: (a) Will the Honourable Member for Labour please state whether Government are aware that most of the machines in the Lino., Mono. and Machine Department in the Government of India Press, New Delhi, have become defective?

(b) Are Government aware that Government work is suffering owing to stoppage of machines and complaints after complaints are made to the management by the operators, casters and machine men about the defective machines, but no action is being taken?

(c) If the reply to the above be in the affirmative, what action do Government propose to take in the matter? If no action is proposed to be taken, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) and (b). No.

(c) Does not arise.

LONG INTERVAL INTERVENING BETWEEN MAKING OF APPLICATIONS FOR AND ALLOTMENT OF GOVERNMENT QUARTERS.

97. Bhai Parma Nand: (a) Is the Honourable the Labour Member aware:

(i) that inconvenience is felt by Government servants entitled to Government quarters as they do not get any information regarding allotment or otherwise of quarters within two months of the last date of application; and

(ii) that a feeling of resentment exists among the staff for want of information as to their relative seniority in the waiting list?

(b) If the reply to the above be in the affirmative, is the Honourable Member prepared to remove the grievances enumerated above?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) (i). No complaints have been received from the persons concerned. The Staff of the Government of India moving up to Simla receive intimation about allotments about two or three weeks before leaving Delhi.

(ii) Information regarding the relative seniority of applicants on the waiting list can be obtained by the persons concerned from the Estate Section of the Central Public Works Department.

(b) The Consulting Engineer has been asked to deal with the applications for allotment as expeditiously as possible.

PROTECTION OF GOVERNMENT QUARTERS FROM TUBERCULOSIS INFECTION.

98. Bhai Parma Nand: (a) Will the Education Secretary be pleased to state whether steps are taken by Government to protect Government premises, particularly Government residences, from becoming sources of tubercular infection? If so, what?

(b) What action, if any, have Government initiated hitherto, when a case of tuberculosis occurs, or has become known in quarters let out to Government servants? Are such premises isolated and withheld from further occupation?

(c) How are cases officially dealt with when applications for transfer, or residence at Simla are submitted by Government servants, who either are affected with tuberculosis or have been discharged from tuberculosis sanatoria? Are these officials permitted to reside in Government premises? If so, why?

(d) Are Government aware that tuberculosis infection in Simla is spreading rapidly?

(e) Do Government maintain statistics of tuberculosis cases who occupy Government quarters that are liable to be re-let to others?

(f) Do Government propose to prevent the spread of infection of tuberculosis scourge in Simla offices and habitations and, if so, what action, if any, do they propose to initiate? If none, why not?

Mr. J. D. Tyson: (a) and (b). Tenants of Government quarters are required to bring to the immediate notice of the Health Officer any case of tuberculosis that may occur in their houses or compounds. On receipt of such a report, a Health Visitor and a Sanitary Inspector visit the premises and issue instructions regarding the measures to be taken to prevent the spread of the disease. In certain circumstances a Municipal Committee can compulsorily remove a patient suffering from tuberculosis to a hospital. Premises in which cases of tuberculosis are known to have occurred are not re-allotted until they have been thoroughly disinfected by the Local Authority concerned.

(c) No case of a Government servant who is either suffering from tuberculosis or has been discharged from a tuberculosis sanatorium, asking for allotment of a Government residence, has come to notice.

(d) and (f) Government have no information that tuberculosis is spreading in Simla. On the other hand a detailed medical examination of the inferior establishment of the Government of India Secretariat, who move between Delhi and Simla, revealed that the incidence of tuber-

culosis, active and quiescent, among such staff is not more serious than is in urban populations generally. No special measures in regard to Government premises seem necessary, but the steps taken by Government to reduce congestion in Simla should improve the health of the town.

(e) No special statistics for tuberculosis cases are maintained by Government.

APPOINTMENT OF MR. PASSMORE IN THE SUPPLY DEPARTMENT AND HIS DUTIES.

99. Bhai Parma Nand: (a) Will the Honourable the Leader of the House please state when Mr. Passmore was appointed in the Supply Department, and on what salary?

(b) Was he not working in the Buckingham Mills? What was his salary?

(c) Was he getting any commission for the purchase of goods from the Carnatic and Buckingham Mills? If so, at what rate?

(d) What are his duties now?

(e) What is the total value of the articles purchased through him? What commission was paid to him?

The Honourable Sir Muhammad Zafrullah Khan: (a) On 11th October, 1939, on Rs. 2,250 per mensem.

(b) and (c). The answer to the first part of each question is in the negative and the second part, therefore, does not arise.

(d) Director of the Textiles Section in the Supply Department.

(e) Nil. Purchases are made through the Indian Stores Department or Contracts Directorate, as the case may be.

REVERSION OF PERMANENT MEN OF HIGHER GRADE TO LOWER POSTS IN CERTAIN BRANCHES OF THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

100. Bhai Parma Nand: (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that the Manager, Government of India Press, New Delhi, has reverted some permanent men of the higher grade to lower posts in certain branches of the Government of India Press, New Delhi?

(b) Does the Honourable Member contemplate reverting more permanent men from higher grades to a lower one in the near future?

(c) Is it not a fact that the Manager on the spot at the time of appointment and confirmation in higher grades considers the cases carefully?

(d) Do Government propose to consider the desirability of reviewing the cases of those persons who have already been reverted from their permanent posts in the higher grade to a post in the lower one? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) I am informed that one person who was found to have been wrongly promoted was reverted last year.

(b) No.

(c) Yes.

(d) No. It is open to any individual who considers that he has a grievance to represent his case to the appropriate authority.

DESIRABILITY OF RELAXATION OF ALLOTMENT OF QUARTERS RULES IN THE CASE OF LOW-PAID, MARRIED NON-MIGRATORY CLERKS.

101. Bhai Parma Nand: (a) Is the Honourable the Labour Member aware of the definition of "Seniority" as laid down in the Rule (Supplementary Rule 317 BII) with regard to the allotment of residences in New Delhi to low-paid married clerks of the Government of India Offices, who are now non-migratory?

(b) Is he also aware of the fact that the low-paid married clerks who became out of class long before the introduction of the revised rules of allotment, are superseded on account of the said definition, and their juniors are going up in the list of the Central Public Works Department?

(c) Do Government propose to examine the cases of hardship to the staff who are now non-migratory in respect of their residences.

(d) Is he prepared to consider those cases of married clerks, who have children and widows as dependents, and who have been without residences in New Delhi for a number of years and are unable to pay high rents for private houses in New Delhi?

(e) Are Government prepared to scrutinize those cases of clerks, who are married, low-paid and non-migratory, and who are seeking Government quarters for the last three or four years, and to relieve them by relaxing the rules of allotments?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a), (b) and (e). The Honourable Member is referred to the reply I gave to parts (a) and (d) of Mr. Joshi's unstarred question No. 126 on the 1st April, 1940.

(c) and (d). No.

DESIRABILITY OF RELAXATION OF ALLOTMENT OF QUARTERS RULES IN THE CASE OF LOW-PAID, MARRIED NON-MIGRATORY CLERKS.

102. Bhai Parma Nand: (a) Will the Honourable the Labour Member please state whether non-migratory, married and low-paid clerks of the Government of India offices getting an allotment for "Summer Season" in New Delhi, will be ineligible for the residences on arrival of the migratory clerks in "winter season" and whether they will then be turned out of the residences?

(b) What remedy does he suggest to remove the hardship of the class of clerks, who are married, low-paid and non-migratory and have children and several dependents?

(c) Is he prepared to accept the principle that the low-paid married clerks should be given preference in respect of residences in New Delhi?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Honourable Member is referred to the reply I gave to Mr. Joshi's unstarred question No. 126 on the 1st April, 1940.

INCOMPLETE SEWERAGE IN KAROL BAGH, DELHI.

103. Bhai Parma Nand: (a) Will the Education Secretary please state what proportion of amount sanctioned three years ago for the improvement of the Karol Bagh area has been spent, or is proposed to be spent, on the inhabited portion vis-à-vis the uninhabited area?

(b) Is he aware that all the buildings constructed in Karol Bagh had the previous approval and sanction of the Municipal Committee in accordance with the terms of the lease and that latrines and baths were allowed to be constructed with outlets on each lane?

(c) If so, will he please state why sewer lines have been provided in the alternate lanes only, without making any provision for the discharge of sullage, etc., of the remaining half of the lanes?

(d) Is it a fact that about two years ago the inhabitants brought to the notice of the authorities concerned their difficulties regarding the connection of their drains to the sewers owing to their absence in the alternate lanes? If so, what action has been taken by the authorities?

Mr. J. D. Tyson: (a) As the proportion of the area which is inhabited has increased since the scheme was introduced, the time and labour involved in determining how much of the cost of each service is attributable to the inhabited portion and how much to the rest of the area would be disproportionate to the value of the information when compiled.

(b) (i). No: the Municipal Committee was not concerned with the terms of the lease. (ii). There was no restriction to secure that all baths and latrines should open on the service lane.

(c) Sewers were provided in alternate lanes, which are the service lanes. This was considered adequate as every house must abut on a service lane; but in cases where latrines and baths do not themselves abut on a service lane containing a sewer, the Trust refrain from enforcing connections if there is a technical difficulty.

(d) Yes. Difficult cases are considered.

CONNECTING OF DRAINS WITH SEWERS IN KAROL BAGH, DELHI.

104. Bhai Parma Nand: (a) Is the Education Secretary aware that the Delhi Improvement Trust, served summons on some of the people of Karol Bagh to connect their drains with sewers after submission of plans and after a fortnight took steps to advise some other people to make use of the sewers without submitting the plans?

(b) Is it a fact that some of the people of Karol Bagh have not yet been approached for making use of the sewers?

(c) Will the Education Secretary kindly state whether it is a fact that water mains in Karol Bagh have been laid on the main roads only and not in the lanes?

Mr. J. D. Tyson: With your permission, Sir, I propose to reply to questions Nos. 104 and 107 together.

The information has been called for and will be furnished to the House when received.

ENHANCEMENT OF ANNUAL PREMIUM OF NAZUL PLOTS IN KAROL BAGH, DELHI.

105. Bhai Parma Nand: (a) Will the Education Secretary please state whether it is a fact that the annual premium of the plots granted by the Nazul in the Karol Bagh area is being doubled at the expiry of 20 years period?

(b) Is he also aware that, under Government orders, rents of buildings obtaining in September 1939 cannot be enhanced?

Mr. J. D. Tyson: (a) The ground rent (not the premium) due on old Nazul leases is enhanced in accordance with the terms of the leases,

(b) No.

EASEMENT RIGHTS INFRINGED BY CONSTRUCTION OF OPEN STORM WATER DRAINS IN KAROL BAGH, DELHI.

105. Bhai Parma Nand: (a) Is the Education Secretary aware that open storm water drains were constructed in the inhabited part of the Karol Bagh area, cutting off all the passages and entrances to motor garages, shops and even houses?

(b) Is he prepared to consider whether it is not an infringement of the rights of the poor inhabitants under the Easement Act, 1882?

Mr. J. D. Tyson: (a) Open storm water drains have been provided in the Karol Bagh area, and in some cases these drains interfered with access to buildings. The Trust arranged for residents to be permitted to construct their own culverts over the drains, and so far as Government are aware the difficulty has been overcome.

(b) Does not arise.

PROVIDING OF ELECTRIC LIGHTS IN KAROL BAGH, DELHI.

***107. Bhai Parma Nand:** (a) Is the Education Secretary aware that kerosene oil lamps are still used in lighting up all the lanes in Karol Bagh area and portions of the three main roads encircling Idgah?

(b) If so, will he kindly state what is the difficulty or delay in supplying electric light to this area?

STATEMENT LAID ON THE TABLE.

Information promised by the Honourable Sir Reginald Macwail in reply to the starred question, No. 35, asked by Dr. Sir Ziauddin Ahmad on the 8th February, 1940.

APPOINTMENTS MADE IN CONNECTION WITH WAR WORK.

MOTION FOR ADJOURNMENT.

ALLEGED OCCUPATION OF THE MUSLIM Idgah AT BURHANPUR BY THE MILITARY.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment from Maulana Zafar Ali Khan to this effect. He wants to discuss "an urgent matter of public importance—namely, the forcible occupation by Military of the Muslim Idgah of Burhanpur in the Central Provinces". Has the Honourable Member obtained the permission of His Excellency the Governor General?

Maulana Zafar Ali Khan: I have written to the Private Secretary to the Viceroy and the permission will be coming shortly.

Mr. President (The Honourable Sir Abdur Rahim): Very well, I will let it stand over.

THE INDIAN FINANCE (No. 2) BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The Assembly will now resume consideration of the following motion moved by the Honourable Sir Jeremy Raisman:

"That the Bill to alter the maximum rates of postage under the Indian Post Office Act, 1898, to increase the rates of the taxes on income imposed by the Indian Finance Act, 1940, by a surcharge for the purposes of the Central Government, and to increase the rate of super-tax payable by companies, be taken into consideration."

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, when the House rose on Saturday last, I was referring to the objection which was taken by the Honourable Mr. Griffiths that the Congress was embarrassing the Government in the prosecution of their war efforts. I read a long extract from a book written by Mr. Edward Thompson "Enlist India for freedom", in which he showed that the Indian leaders were far more responsible and in fact they care more for ethical principles than for political or patriotic considerations, but, in spite of this, if the Honourable Mr. Griffiths wants to complain that the Congress has tried to embarrass the Government in the prosecution of their war effort, I want to tell him very plainly that the offer of the Congress is subject to one proviso, viz., that Congress will as far as possible try to avoid embarrassing the Government, but at the same time if it is the object of the Government of India, and this seems to be so, to crush down the Congress and all political life in the country, then the Congress will stand up, and from that point of view the Congress has taken the step which has now become already public.

The other speech which I said was remarkable was that of the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar. In his speech he stated that he was speaking for the whole of India—a claim that I think even Louis the XIVth would have hesitated to make. I do not want to say anything about his representative character, he has none in this House but I want to tell him that if he thinks that India is really behind this war, then where is the necessity of putting thousands of people in jail under the Rules of the Defence of India Act? He went on to say that there has been no pressure. May I ask him to recall, with whatever influence he has with the Government, what Mr. Mahadev Desai was saying at the Journalists' Conference about the atrocities in connection with the raising of war funds and to publish all that? I will give one example to show how collections are being made. A certain Zemindar was threatened with the deprivation of his gun license unless he paid Rs. 50,000. He had to pay it and the license was retained, but I will give a few examples in order that the Honourable the Home Member may take a note of them. In the district of Colaba, when the war was declared, there were nearly four hundred police cases pending against the bus drivers. They all waited on the Deputy Superintendent of Police and the District Magistrate and as a result all the prosecutions were withdrawn and half an anna surcharge was added to every motor ticket in the Colaba district. This was to go to war funds. When complaints were made, the district authorities said that this is included in the fare and it is not a contribution towards the war. I ask the Honourable Sir Ramaswami Mudaliar whether that is honest collection of money. I may give other examples to show how things are being worked in the districts. First

* For answer to this question, see answer to question No. 104.

† Not printed, but a copy has been placed in the Library of the House.—Ed. of D.

[Mr. N. V. Gadgil.]

of all I will deal with how things are done by some Indian States—I will not name them—here and now. The procedure is this. The officials visit a village, and as soon as they arrive all the village watchmen are kept round the village so that nobody can go out. A list is prepared of the well-to-do people and they are all called in the *chavadi*. From morning hours they are not allowed to go home unless they pay the sum mentioned against their names. Then only they can go back. Of course, this is persuasion. Then, in the schools, the children are asked to bring some money in order to witness certain performance and if they do not, they are threatened with consequences. I will give one other example of workmen in the Dapodi workshop, a few miles away from Poona. There the labour establishment is on a temporary basis. They draw monthly wages approximately from Rs. 15 to Rs. 20 each and each workman is asked to pay one rupee. In fact, it is deducted from his wages and if he makes any complaint, he is discharged. Things of that sort are happening daily. Would the Honourable the Home Member believe that in the districts of East and West Khandesh, particularly West Khandesh, the Munsifs and the Mamlatdars regularly go from shop to shop in the morning outside the Court hours. They visit shops and they get contributions to war funds. Of course, it must be by persuasion. I put a simple proposition before the Government. If they think that these things are exaggerated and not well-founded, why don't they start an inquiry? Only two days ago, the Home Secretary for the United Provinces Government stated and that is already in the print that complaints have been investigated; they are somewhat exaggerated and in some cases people who have showed excessive zeal have been warned. Now, excessive zeal is euphemism for down-right extraction. I can multiply these cases. Even the Governors are calling merchants and pressing them for war contribution.

Sir H. P. Mody (Bombay Millowners' Association: Indian Commerce): Which Governor?

Mr. N. V. Gadgil: You can answer best.

Sir H. P. Mody: That is precisely what I want to do.

Mr. N. V. Gadgil: Now, if these things are openly stated, there is the prosecution. If the Governor is really anxious that the people are helping out of their own sweet will and that they are convinced, then there is no necessity to send for them. If the Congressmen are in a minority, you need not worry about them. Let them go about like mad men preaching against war and nobody will listen to them. But that is not the case. The Honourable Sir Ramaswami Mudaliar said that several sections of the Indian public are helping war. Yes, the Princes are undoubtedly helping war. Yes, to perpetuate autocratic and personal rule. Not in the cause of democracy. These 610 Princes, who know less about democracy than about dancing girls, are they helping in the name of democracy? Not in one of their States are real democratic institutions functioning, and in the matter of extraction of war contribution, they are the principal culprits. None of them is contributing from his own pocket. At any rate, I know a State which contributed lakhs of pounds and immediately afterwards it got it back from its own people or perhaps a little more in the transaction. Officials in States have made fortunes.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member can discuss the Indian States.

Mr. N. V. Gadgil: I am trying to meet the point that the contributions are voluntary.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better confine himself to British India.

Mr. N. V. Gadgil: I humbly submit that the inhabitants of the Indian States come and compete with us for jobs in British India....

Mr. President (The Honourable Sir Abdur Rahim): That is a different matter. The Government of India are not directly concerned with the administration of the Indian States.

Mr. N. V. Gadgil: The point is this. The money which the Government of India are receiving from the Indian Princes

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not go on speaking of Indian States.

Mr. N. V. Gadgil: What I mean to say is that it is tainted money and with this tainted money Britishers are not going to win the cause which they profess they are fighting for.

Then, I will take another section which is no doubt helping the Government. I mean the capitalists and the vested interests. The Government feel that this is a sort of Maginot Line and by remaining behind it they can save India. But I give a warning to the Government. The Princes, the vested interests and the capitalists—I mean no offence to them—have no patriotism.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is again discussing the Princes.

Mr. N. V. Gadgil: I am excluding the Princes. The vested interests and the capitalists have no patriotism because capital knows no frontiers. When they find that the other party is winning, they will quietly transfer themselves to that side. Has not the same thing occurred 150 years ago when most of the Zamindars and the Princes turned disloyal to the Mughal and the Mahratta Central Powers? The same thing will happen again. If you want this war to be a war of free people for freedom, then this is not the way to get money for financing it. After all, you must remember that with money alone you cannot achieve success which you think you can.

Sir, the Honourable Sir Ramaswami Mudaliar stated that thousands and thousands of people have enlisted in the army and hundreds of boys have joined the ranks as officers and in other establishments. Do we doubt their patriotism? I respectfully submit that the recruitment is far from patriotic. You have enlisted 20,000 Gurkhas who have nothing to do with India. They are from Nepal. Religiously, they may be one with the Hindus, but so far as their patriotism is concerned, they were the people who committed atrocities in Bengal and who fired on the Muslim mob at the time of the Shahidganj agitation. Are they the patriots? Then, you have recruited thousands of persons from the tribal areas who

[Mr. N. V. Gadgil:] I care neither for the life or the property of the British Indian people. Are they the patriots? A few hundred young Indians may have got into the army or other cognate Departments but I warn the Government that it is not from the patriotic point of view that they have joined these Departments but for mere careers because unemployment is stalking in the land. The Honourable Sir Ramaswami Mudaliar went on to say that he was convinced that by the end of this war, India would be free and that promises made would be fulfilled. May I tell him what a great Englishman said about British rule in India? He said: "It is a history of promises made to the ear and broken to the heart". I do not think there have been any departures from this time-honoured course of action. If in spite of all this, the Honourable Sir Ramaswami Mudaliar thinks that things will be better, all I can say is that it is a triumph of hope over experience. He has been connected with public life in Southern India especially. It is said that he has something to do with the masses. May I ask him what has been the result of 150 years of British rule? Has poverty decreased? Has destitution decreased? Has literacy increased or has been on an increasing scale? Nothing of the kind. On the contrary, the British rule and the British friendship have been a curse. These are strong words. But I tell the Government of India that those who speak softly on a critical occasion like this are not their friends. They are not the friends of the British Government, much less the friends of the British people. Those who speak on an occasion like this when history is to be made and when decisions will be taken which will affect the destinies of this country for years to come freely and frankly are the friends of their own countrymen and even of their opponents. I tell you that British friendship and British connection, taken on a balance, has proved a curse not only to India but wherever the British people have had anything to do with the destinies of the other people it has equally proved a curse. I should like, Sir, to read a short extract from "Mr. Henri Beraud's attack on the Grand Tour":

"I am among those who regard English friendship as the cruellest gift that the gods can bestow upon any people. When I observe Great Britain, the Bible in the one hand and the Covenant of the League in the other, plead the cause of the weak, or invoke the sacred principles of international justice, I cannot forbear to believe that her personal interest is at stake. I believe further, that that interest—always the same, deriving from an invariable policy—is as old and solid as the throne of Edward the Confessor. It (this policy) consists in throwing the continent into confusion so that England may reign over the ocean wave. It consists in buying the acquiescence of others, in seeking mercenaries in sowing discord. It consists in interdicting peace among the nations. It consists in sticking up clerymen on top of chests of bullion, that they may preach self-abnegation to nations living in poverty. Because that is in fact the price of British prosperity!"

Mr. President (The Honourable Sir Abdur Rahim): That extract will do. The Honourable Member cannot read any further.

Mr. N. V. Gadgil:

"Do not the friends of England inform us that the control of the Red Sea is indispensable to British policy on account of the sea route to India?—Well, that may be so."

Mr. President (The Honourable Sir Abdur Rahim): The Chair has allowed the Honourable Member to read a short extract. He really cannot go on reading long extracts.

Mr. N. V. Gadgil: As you are aware, Sir, there is no freedom of speech already outside this House.

Mr. President (The Honourable Sir Abdur Rahim): Every Honourable Member has been allowed the fullest opportunity to say anything he likes. There are certainly rules of this House which have to be observed by every Honourable Member.

Mr. N. V. Gadgil: If you rule me irrelevant, I have nothing to say.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows the rules of the House that no Honourable Member can read long extracts from any document.

Mr. N. V. Gadgil: This is no document, Sir, but only extracts from a book.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not read any further extracts. He should continue his own speech.

Mr. N. V. Gadgil: Very well, Sir, if that is your ruling, I shall obey.

Sir, I say today that the British connection has done no good to the country. It is time that it should be put an end to. Is it indispensable for the happiness of Indians that the British should remain here for ever? We are asked and very seriously to help in this war. As I said the other day, we must be convinced that this war is really a war for freedom of the people, that it is a war for democracy, that it is a war for the freedom and independence of smaller nationalities. Only the other day I read in the papers that certain small nations on the Baltic coast which were created as a result of the Treaty of Versailles have been quietly over-run by the Soviet Government. And, two days ago, I find a proposal made on behalf of the British Government that the British Government are agreeable to recognise the *de facto* incorporation of these Baltic States into the Soviet Government. Is that the guarantee for the smaller States? Is that the respect that Britain has for democracy? Is that the cause for which Britain is fighting this war? If the British Government is willing to recognise this, one would naturally ask what has Hitler done? Has he done anything different from Stalin who has quietly incorporated several smaller countries in his New Order? Then why not recognise him also? Why not end the war? The fact is that people start with good ideas and good principles to begin with, war is for democracy and war is for self-determination! Then they slow down to national needs, then to vital needs and then, ultimately, conquest and last but not least survival. England wants to survive and have mastery of the seas for ever and she wants that the sea route to India should be a British highway. Is it for dumping the goods of England on India? I tell this Honourable House that the question of survival of Britain for keeping her stranglehold on India is not an absolute question. It is dependent upon war aims and what she is fighting for. If she is fighting for anything over and above her survival, if she is fighting for civilisation, we have a right to know what kind of civilisation she is fighting for. We have a right to

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know what kind of new order she tries to set up after the war is over. Today we have been told, nothing doing in way of India's freedom, help, help, and help—that is the sole cry of the Government. This will not do. We did it unconditionally 25 years ago. Mr. Griffiths told us, no use referring to the past. I beg to differ from him. Unless you own up mistakes and errors you have committed in the past and you promise that such errors and mistakes will not be repeated, we are not going to help you again in coin, in combatants, in men or money. We have a right to know your war aims. You have, against the wishes of the people of India, without consulting the people or their accredited representatives, involved this country in war, you have dragged 400 millions of people into a modern war, ill-equipped with no preparation and for no cause. Therefore, it is only fair, it is only just on our part to ask what are you fighting for. You say you are fighting for your survival. You must deserve it. It is your own war. You have failed during the course of the last 20 years, diplomatically, morally and politically. It is your own creation. This Hitlerism is your own creation. I beg to say that Hitlerism has been conceived in the Foreign office of the British Government. It has been nursed by British capitalism and if today its grip is round the neck of national life of England instead of blaming Hitler, the English nation ought to blame their own diplomacy, their own weak hesitating capitalist leaders.

Sir, we were told that England is fighting for survival. In the course of four months from April to June, nations after nations have collapsed. England has withdrawn successfully from Norway, she has withdrawn successfully from Flanders, she has withdrawn successfully from Somaliland. Mr. Winston Churchill said the other day that victory cannot be won by successful evacuation, but I grant an exception to him. If his countrymen successfully, politically, withdraw from this country, I promise he will ultimately succeed. I am not making this statement in a lighter vein which is so characteristic of my Honourable friend, Sir H. P. Mody. I am very serious. I say and I repeat that it is necessary to reduce England to a condition of harmlessness. I say and I believe that there will come a day when the rest of the world will have the strength and wisdom to reduce in its turn this British nation to harmlessness which boasts of being invincible. What is the root cause for this war? The basic cause for this war is that Germany has no Empire, there is only one Empire in the world and that is the British Empire. Science may have added many things but it has not added one inch of ground surface to this earth. Whatever surface is available has got to be distributed among the contending parties. Well, has Dr. Goebells said the other day that the goddess of history has now decided to redistribute the world. What is this war for? Your Empire and the French Empire both are founded on plunder and robbery, it is not my own opinion but your own writers have stated so. Therefore, there is absolutely no moral claim to retain it. Above all, if you defeat Hitler today, ten years hence he will rise again and the same thing will happen. You may conclude any peace, but no peace can sustain unless you free the people of the world and eliminate domination of one nation over another. Unless that is done, there is no peace for the world. Therefore, when I say that we want to know why is this war being fought, it is not only for the freedom or peace in this land that we are asking for, but it is for the establishment of real peace

in this world and a new order based on freedom for all people guaranteed by every other nation. That is our object. Therefore, if the war has to end it can never end; it can only end for the time being and then again continue.

As has been stated, war is the continuation of politics, and politics is the continuation of war; and it will continue. The chief cause of the war you may not pretend to know, but if you subject the whole situation to a scientific analysis you must come to the only possible conclusion, that the real cause of the war is the imperial possessions of the British people. Part with it; the price of your existence as a national democracy or even as a nation, I repeat, is liberty for India. If you want to live as a nation you must die as an empire; otherwise, there is no hope for you. This may not sound very happy to your ears, but if you have long views, if you do not believe a larger outlook as deformation of the mind, if you do not believe broader considerations as some deficiency of the mind, then you will soon realise in your quiet introspection that but for your policy towards India this war would not have happened at all. It is not for your coal-mines and chalk-hills that Hitler is fighting and trying to invade England; it is for your imperial possessions. He wants to end your empire, and the better method is to end it yourself voluntarily. If you do it today you will at least retain the friendship of the Indian people: if you part with power you will avoid bitterness. But if you do not do it, the course of history is almost settled that you will have to part with it whether you wish it or do not wish it. You may abuse Hitler in any way you like, but Hitler is the creation of historical forces just as Napoleon was. It was Napoleon who ended the feudal system in Europe and in the end he ended himself. This is exactly what is going to happen in the present situation,—Hitler will end imperialism and in the end he will end himself. Why should we bother? Why should we participate in this war unless we are assured that our fate will be better? But the British Government is not prepared to give any assurance. I tell the Government of India and the British people through them that it is easier for a camel to go through the eye of a needle than for the British people to enter the heaven of success with India in bondage. It is not going to happen. Do not believe that history will repeat itself; do not believe that because in 1914—18 you put down the people, you put down liberty of speech, you interned thousands of people and after the war was over you cheated everybody, that it will be possible for you to do the same thing hereafter. You have involved us in the war, and under what circumstances? To take untrained people into a battle is sheer murder, according to the present Secretary of State, Mr. Amery. Do you seriously believe that in case of invasion, with your 250 aircraft and a lakh and fifty thousand people and a few tanks here and there you are going to save India? No, nothing of that sort. Is this an indication of your competence and efficiency during these 150 years, and more particularly in these 15 months that you have thus prepared this country for defence? You have not: you have failed. Assuming that this war was for India's benefit, that you have been commissioned to raise a fine line of defence, have you succeeded? I will only repeat what the Secretary of State said in the House of Commons while speaking on the Chamberlain debate. He said, "In the name of God, Mr. Chamberlain, go". I say, in the name of God, democracy and efficiency, all of you, go, walk out, otherwise there is no future for this country.

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Sir, they have failed. The Congress three months ago in July, when France had collapsed, passed a Resolution that if this Government were to declare and acknowledge the right of India to complete independence and to forthwith establish provisionally a national Government, India would undertake the task of defence. What was the response? Government did not realise what pains and pangs it must have caused to those who had to differ from Mahatma Gandhi, their leader for these 25 years who has led them from victory to victory. They could not understand it; they do not understand this language. The British Government are willing to sell their Colonies for fifty over-age destroyers; they are willing to lease out Colony after Colony for 99 years; but they are not prepared to give back India her undoubted freedom, her right to determine her course of action, her right to defend herself, her coast and her country, even provisionally. Is that the treatment to be given to a country of this type? But those who have done this deserve no co-operation and no help from us. Sir, that opportunity is gone. England has missed the bus in Norway and in several other countries. This was a most splendid and golden opportunity as Maulana Zafar Ali said. They have missed it, and now something more is in store for all of us.

Sir, I believe,—and I say this because I have very carefully studied the situation,—that it is impossible for the British people to defeat Hitler. All that will happen will be a stalemate or a peace. Lakhs and lakhs of people will have to be taken over the Continent to march through France to invade Germany, that is an impossibility, even according to the *Statesman*. What is the next alternative? Destruction. If that is so, it is time for you to think why the war has been continued further and further. I say it is because you do not want to part with your empire. Liquidate it. They are mortgaging every asset, not only their own, but you will be surprised to learn, Sir, that at this very hour negotiations are going on in England that certain firms in America should be given a monopoly of exporting motor-cars to India for a period of 25 years and that England should get certain war materials in return. That is how they are anxious about our industrial future. You cannot build ships. One hundred and fifty years ago in Bengal if any Indian built a ship beyond certain dimensions he was to be punished with 25 stripes. That order is contained in the Government Gazette of the year 1792, and the same spirit continues today. You cannot open factories for building motor cars; you cannot build factories for producing aircraft. And these war efforts we are expected to help in. Yes, for the shop assistants and salesmen and agents and sub-agents from European firms who have no business now to be given employment and commission, whether they deserve it or not. And wherever there are Indian finance officers they must be put under British officers so that contracts may go to European firms. That is what has been happening in the course of the last three months. Let Government deny. What are these war efforts? Is it my country or your country that is in danger? Why are you here? Go away, every one of you,—from Lord Linlithgow down to the Anglo-Indian, if he thinks India is not his country. Let them all go away, we will defend it, we will manage it, we will govern it, and we have shown in the course of the last four years, Hindus and Muslims, that we can govern better than you. If you want to go, in God's name, go away. It is your country that is in danger. Why are you here? Apparently your

dividends are more to you than the destruction of your own country. If you go, the administration will be cheaper; it will be better, more efficient; and at the same time you will retain our goodwill. But if you do not go, what is likely to happen? It is certain that India, as we know, the masses are not going to help you. What will happen? Very soon there will be confusion; there will be revolution. It is coming whether you wish it or you do not wish it. The Congress wants that it should be on a non-violent basis, that the transfer of power should be accompanied by peace and goodwill. But you do not want that. You have asked for a revolution and you will have a revolution; and in the resulting confusion our destiny is so great, our cause is so just that it is India that will succeed and not you. Therefore, Sir, no case has been made out at present that will convince us that it is our war or that it is a war for any principle. It is a war to consolidate the imperialistic grip on India and no more. If that is so, then there is no moral obligation on our part to help. People may ask, what will happen to India? Sir Cowasji Jehangir is afraid of his investments; Sir Homi Mody of his dividends. Let me assure them both that if we win, as we are certain to win, it is much better to side with us. The question is clear. Those who want Indian freedom, they must come to us; those who want British rule perpetuated let them say so. It is based on racialism—why blame the Nazi rule because it is racial exploitation?

You have taken our soldiers to fight in the Colonies where the best lands are reserved for Europeans, employments are closed 12 Noon to Indians, where racialism and exploitation is the order of the day. Do you tell us seriously that British imperialism is not based on race arrogance? Search the list of appointments made here. See the list, how racialism works. Go to the Colonies to see how racialism works. Is it fair that my countrymen should go and die for South Africa or British Somaliland or for Kenya, where Indians are treated worse than dogs? What is it that you are asking us to do? You are asking us to perpetuate this system, this civilisation which deserves to collapse and to be buried fathoms deep. It is a crime against your own generation. It is a crime on your part so far as your sons and grandsons are concerned. Here is an opportunity which comes once in a century, when you can throw off your shackles and be free. Will you realise this? On what side will you cast your vote? Will you be for those who have always stood for racialism, who have always stood for exploitation, who have always broken the promises they made, who in their worst hour of trial have shown a complete indifference and complete disinclination to part with one iota of power? What did you offer? Expansion of the Executive Council. Is Mr. Jinnah out for jobs? Is the Congress out for jobs? You might think you have made a wonderful offer, but I will give a comment of your own countryman, Mr. Sorensen. He said:

"The scheme is merely an extension of liability to serve and sacrifice without the corresponding enlargement or endowment of power."

That is not the way to treat a nation of this ancient tradition. Mr. Churchill said: "We are the happy inheritors who have got a special aptitude to reconcile empire with democracy and tradition with progress." That is good when the white people are concerned. But here you have failed to reconcile the two. On the contrary, at every stage, at every moment, you are reminding us that democracy is not for us. The most

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'vicious principle that has been inserted by the Viceroy in his speech is that we cannot have democracy if half a dozen lunatics from the lunatic asylum say: "We oppose a particular scheme", then he can turn down everything and say: "No progress."

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Eighty millions of Muslims are not a few people.

Mr. N. V. Gadgil: I am not referring to Muslims: they are bound to be with us in the struggle—rather I am confident about it. Therefore, as I say, it is a most vicious principle. It was just the same principle which was embodied in the Treaty of Versailles. You managed there to see that no single big state remained in Europe and you partitioned Europe into small states. This war is the result. That is exactly what you want to do here in India today, so that there may be groups, groups, groups, so that real nationality, a real powerful nationality may not grow in India. That is your object. Some of your ancestors—Macaulay for one, said that it would be the proudest day when Indian people themselves would ask the Britishers to go out, because they were ready to govern. That proud day is dawning every day; but our regret is that Macaulay's successors do not want to fulfil the promises or the mission with which he said the Englishmen came out to India. In these circumstances, we find that even England is not for fighting for democracy, and, in the words of the American Ambassador, there is no democracy in England: the light of democracy has gone out in Europe; and it is like the middle ages—darkness. In India the little of democracy that was allowed to function has been crushed. The things that constitute democracy—freedom of speech, freedom of association, individual liberty and equality—all that has gone. There is no freedom. We cannot speak out. What then? It is freedom that is really in danger not only in Europe, not only in India but everywhere. Therefore, the Congress has decided to defend that freedom at whatever cost. You may jail us; you may be afraid of freedom of speech as the dictators are. They are surrounded by bayonets, machine guns and by the latest things that science has added, not to expand the bounds of human happiness, but to achieve destruction on a large scale. You are surrounded by all these things; but a little mouse of thought, in the words of Mr. Churchill, has arisen: the still small voice of freedom is going out from Wardha, from this corner of the country to the other. You may jail it; you may jail us half a dozen times, twenty times; you may even put an end to our lives; but the cause for which we stand you cannot crush. You dare not crush in spite of your bayonets and in spite of your Defence of India Act. Requisition all the press in the world, all the available paper in the world and all the typewriters and go on making different rules under the Defence of India Act; but the natural promptings of freedom you cannot put down. The world is changing fast. Everybody is trying to adjust to the new events that are happening; but here is an institution, namely, the Indian bureaucracy, that will not change. It is doomed. If you cannot solve this problem, events will solve it for you. On our part we have started this struggle without bitterness. If I have spoken with some heat today, I only wanted to show to the Government that the heat in the country is one hundred times greater than what I have shown here.

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youth of India is responding nobly to the call of duty and of humanity. India is helping with men, money, munitions and materials, and as I have said, will go on helping on an increasing scale.

Mr. Mohanlal Saksena: What about the Government circular to educational institutions?

The Honourable Sir Muhammad Zafrullah Khan: And I would like to ask a question—are those who are responding so gallantly to the call, Congressmen? If yes, then the Congress itself is helping; if no, then India's co-operation is the measure of the hollowness of the Congress claim to represent the whole of India. Honourable Members opposite love to indulge in the pleasant illusion that they alone represent the people of India, and that they alone have the authority to speak for them. During the speech of the Honourable the Commerce Member, there was a certain amount of controversy with regard to the value of elections conducted under the conditions that prevail in India today. A little later on, during the course of the same speech an Honourable Member opposite made an observation which completely bore out the contention of the Honourable the Commerce Member. The Honourable Member opposite was reminded that he had recently described the British as a decent nation, whereupon the Honourable Member said, "Oh, yes. The nation is decent, it is their Government that is not". He forgot for the moment that the British Government is a completely responsible Government based on a system of free elections, free from all the complexes of the constitutional position in India. Even there, according to this Honourable Member a decent nation is capable of setting up as a result of elections an indecent Government. If that is so, how much more indecent may not be the result of elections in India having regard to the complexes to which I have referred.

Sir, there is too pronounced a tendency on the part of Honourable Members opposite to arrogate to themselves a monopoly of all wisdom, all patriotism, all sacrifice. They are not disposed to make any allowance for honest differences of opinion, for convictions as sincerely held as their own, for service, however arduous, however exacting, however selfless, unless it is rendered in a manner approved by them, for sacrifices made and martyrdom suffered unless they are on lines approved by Wardha. Let me put to them that he who shouts the loudest is not necessarily the greater patriot, and that there is a proverb about smearing oneself with a little blood and claiming to be a martyr. Martyrdom of the spirit ranks far higher and may cause much more anguish than martyrdom of the flesh and it is not suffered necessarily inside a prison cell.

Let me also convey to Honourable Members opposite my own personal conviction that those are in error who proclaim that Britain has not yet reconciled itself to a transfer of real power to India. Sir, I too held that view till the autumn of last year.

Mr. S. Satyamurti: What happened then?

An Honourable Member: Till you became a Member of Government.

The Honourable Sir Muhammad Zafrullah Khan: I would beg Honourable Members not to judge others by their own standards. But I have since been convinced that there is a real change of heart amongst those

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in Britain in whose hands rest the reins of power. I place complete trust in the declaration recently made by the Prime Minister, Mr. Churchill, "Long live also the forward march of the common people in all lands towards their just and true inheritance. On to better times".

Sir, an Honourable Member opposite made some contemptuous references to Mr. Churchill. I was sorry to have had to listen to him. That stout-hearted old man with an indomitable spirit, has proved himself to be one of the greatest leaders that Britain has produced, (Cheers) and is setting an inspiring example in leadership to the rest of the world. One Honourable Member opposite was very sarcastic about Mr. Churchill's declaration that Britain was fighting for survival. He said, "Survive by all means if you can manage it, but why should I be terribly enthusiastic about your survival? I am not a museum keeper that I should be anxious to preserve archaeological relics". I can understand that Honourable Members opposite are not interested in anybody else's survival except their own, though, for India's sake, I hope that that is not an attitude which is widely shared with them by the people of this country. But even for them the tragedy is that their own survival is bound up at this stage with the survival of Britain.

An Honourable Member: No.

The Honourable Sir Muhammad Zafrullah Khan: They may say "No", today. They did not think so last summer when they were afraid that Britain was going under. It is a proposition so self-evident that it should require neither stressing nor repetition,—that if Britain should go under in this war, India would be placed in a position of the most abject submission to one of the worst and blackest tyrannies that the world has ever witnessed. And that is not a sentiment to which I alone have given expression, it is a fear to which expression has been given by Congress leaders themselves. Let me remind Honourable Members in the words of Mr. Churchill. "Without victory there is no survival. . . . And let it be realised, on survival for the urge and impulse of ages that mankind shall move forward towards its goal". I shall also remind them in the words of the Prime Minister, "All depends now upon the whole life and strength of the British race in every part of the world and on all its associated peoples and all its well wishers in every land doing their utmost night and day, giving all, daring all, enduring all, to the utmost, to the end. This is not a war of chieftains or princes, of dynasties or national ambitions (as indeed was admitted by an Honourable Member opposite on Saturday); it is a war of peoples and of causes." And, Sir, we all realise on which side India ought to range herself.

Sir, it has been said by Mr. Gandhi that he wants Great Britain to be greater still by granting the Congress freedom to persuade India not to co-operate in the war effort so that the world may acclaim the generosity of Great Britain. May I be permitted to say that I am far more anxious that this great country of ours should prove itself to be greater still, and that, in spite of Britain's past misdeeds, in spite of the exploitation and the discrimination, in spite of its faults and shortcomings, in spite of its failure to grant India its freedom, India should, with a united voice, proclaim that against this dread danger to humanity she will draw a veil over the past and give freely and fully and to the utmost all the help and all the co-operation that she is capable of.

I agree with Mr. Satyamurti that with all their faults the British are a decent nation, and I am convinced that we are at the threshold of that freedom which all of us so passionately desire.

Mr. S. Satyamurti: How do you know?

The Honourable Sir Muhammad Zafrullah Khan: I am not going to enter into a debate on the grounds of my conviction.

Mr. S. Satyamurti: Give me one reason, I will be convinced.

An Honourable Member: Supply Department!

The Honourable Sir Muhammad Zafrullah Khan: It is a case of my personal conviction, but I am prepared to give the Honourable Member plenty of reasons; indeed I have already given him on a certain occasion my reasons for this conviction.

Sardar Sant Singh: No assurance as Leader of the House.

Mr. S. Satyamurti: You are not convinced yourself!

The Honourable Sir Muhammad Zafrullah Khan: I am fully convinced. The robes of freedom have been fashioned and are ready for India to wear. Let us hope that this great country of ours at this supreme moment in the destiny of mankind, will rise to a stature which will enable it fitly and worthily to wear those robes.

So far, I have dwelt upon the material aspect of the issue. Sir, this is a solemn moment in the history of mankind, and I owe it to myself and to my fellow beings to draw attention to another and more fundamental aspect. I am sure that on this there will be no difference between Honourable Members opposite and myself. In this twentieth century mankind has been more abundantly blessed with the means, of alleviating human suffering and promoting human happiness than ever before, and yet we see before our very eyes the spectacle wherein all the means which should have been devoted towards achieving these ends, are being employed for the destruction of mankind. How has that come about? My own conviction is that we find ourselves in this plight because we have de-throned God from our hearts and have filled our hearts with false gods, with pride and arrogance, with greed and avarice, with evil thoughts and selfish designs. Foul deeds have been done in the sight of God till the mills of God have started grinding. How shall mankind extricate itself from this maelstrom of unbridled violence and limitless destruction and turn back into the paths of peace and brotherhood. There is only one way of doing it and that is to cleanse our hearts of all evil thoughts which have accumulated therein, to cast out the false gods who have made their homes there and to restore our hearts to such purity that they shall again be fitted to become the thrones of the One true God. That cannot be accomplished by armaments or any other material means.

Mr. S. Satyamurti: Hear, hear.

The Honourable Sir Muhammad Zafrullah Khan: By means of armaments, we can only repel the aggressor and save mankind from utter

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physical ruin and destruction which must also involve its moral and spiritual destruction. But the repelling of the aggressor by itself will not save mankind; it will no doubt save the vessel but will not, by itself, purify it. Once the aggressor has been subdued, the aggressor and his victims must all be led back to the greater safety and security which is the security of the soul based upon the higher moral virtues. We can accomplish that only by submitting ourselves humbly to the will of God. Man has been created in the image of God and there is a divine purpose for which he was created. I am afraid today neither the image nor the purpose is discernible but, surely, that purpose will be fulfilled. We must first strive to ascertain that purpose and then bend all our energies towards fulfilling it. That purpose may only be discovered by prayer, humble, sincere and earnest and, believe me, God hears prayer today as much as He heard it in days of old. He also speaks today as He spoke in days of yore; if we shall but open our ears and our hearts to His message. He has promised:

"Allazina jahadū fīnā la-nuhdī-yannahum subland."

"Those who strive after me I shall surely guide along the paths that lead to me."

"Fa-imma ya-tiyannakum minni hudan jaman tabi'a huddya jalā khaṣṣun 'alāhim wa la hum yahzanūn."

"So, whenever guidance comes to you from me, then who so follows my guidance shall neither fear nor grieve".

"Wa iza sālaka 'ibadī 'anni fa-inni garīb. Ujību d'awāṭad-dāi iza da'ani falyastajību li wal yū-minubī lā allahum yarshudūn."

"And if my servants should ask thee (O prophet) about me, I am near: I respond to the cry of him who cries to Me. So, let them open their hearts to Me and believe in Me, that they may be rightly guided."

"La aghlabanna and wa rusuli."

"I and My messengers will surely prevail."

Sir, I have done. If Honourable Members opposite agree with me, so much the better for them and for India. If they differ with me, I shall only say to them:

"In ahsantum ahsantum li-anfusikum, wa in asatum falaha."

"If you do good it is for your own selves; and if you do ill it is also for your own selves."

"Li amali wa lakum amalukum, antum bari'ina mimma a'malu wa ana bari'una mimma t'amalun."

"I am responsible for my conduct and you are responsible for yours"

"Wa akhar-u d'awāṭ-nā an-i-l-hamdu lillāhi Rabbū'Alamin."

"And my last word is that all praise is due to Allah the Sustainer of the Universes."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. Deputy President, it is not very often that I feel a certain diffidence come over me when I get up to speak in this Honourable House, but to follow a speech such as has just been delivered is no easy task, and if I offer my humble congratulations to the Honourable the Leader of the House for a brilliant speech, I do so in all humility. Mr. Deputy President, our friends on the Congress Benches have honoured us by their presence

here on this occasion to turn the Finance Bill into a huge political stunt. I think the Honourable the Finance Member has to be congratulated on their presence, for a good deal of the attention that would have been paid to him has been directed to the whole of the Government Benches, but nevertheless there have been uttered from all sides of the House certain words of caution, specially with regard to economy in the Supply Department, to misdeeds that are very possible when huge sums of money are to be spent and on higher salaries paid to Government officials for war work. I am certain that those words uttered by many friends round about me have found the mark, for we have had two speeches already in reply to the criticisms, but may I just state that I do feel that when non-officials are being called upon to do war work, when non-officials are only too anxious to put in a few hours work over and above their ordinary efforts, that Government officials, for harder work and greater responsibility, should be paid more, does seem rather strange.

I did want to say a word or two about a clause of the Bill, but in this unrealistic atmosphere, I fear, it will be waste of breath and waste of the time of this Honourable House. If this Bill lives through the consideration stage, we will get an opportunity of saying a few words on the clauses. If it does not, well, then, what has happened in past years, I presume, will happen again, and, therefore, Mr. Deputy President, I will say no more about the Bill itself, but will give expression to a few thoughts on the many speeches I have had the pleasure of hearing during the last three or four days. I have tried to analyse the exact meaning of these various speeches, and I cannot help coming to the conclusion, and I trust I will be excused for saying so, that there were a certain number of inconsistencies in these speeches.

Now, boiling it down as far as one can, I find that the opposition to this Bill or to vote any money for war purposes is on account of the refusal of Government to undertake after the war to grant independence to this country to be settled by a Constituent Assembly elected on adult franchise. That is one of the major points. I fully realise that a demand has been made for a National Government under the present Constitution, but the major demand is that after the war there shall be independence for this country settled by a Constituent Assembly elected on adult franchise. Now, may I ask my Honourable friends opposite, for whom is that independence

An Honourable Member: For you.

Sir Cowasji Jehangir: For all of us.

An Honourable Member: Yes.

Sir Cowasji Jehangir: Then, if it is for all of us, for all classes, for all creeds, for all minorities, may I then ask, what is the guarantee that a Constitution framed by a Constituent Assembly, elected on an adult franchise, will give that independence in this country to all of us? Where is the guarantee?

An Honourable Member: None.

Sir Cowasji Jehangir: The only guarantee we can get is to look back upon Congress Governments in the provinces for the last 2½ years when

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they had a great measure of independence. I cannot speak with any authority about Congress Governments in all provinces, but I can speak with experience of the Congress Government in my own province. There, our civil liberties were restricted. I may even say that certain of us Hindus and Parsis, were deprived of our civil liberties

An Honourable Member: Drinks!

Sir Cowasji Jehangir: Our protests were treated with contempt. A whole minority protested practically unanimously. Their protests were treated with contempt, but, what is much worse, when that so-called social reform resulted in unemployment, in suffering, in sorrow, was there a genuine attempt made to alleviate that suffering? Attempts were made which were a sham and a humbug and, this very day, people are suffering from unemployment to a greater extent, due to the action of that Congress Government

Mr. S. Satyamurti: Mr. Deputy President, on a point of order. The Congress Government of Bombay is not represented in this Honourable House at all, and, under the Government of India Act of 1935, this Government and this Legislature have nothing to do with the Provincial Congress or other Governments. I therefore suggest for your consideration that the Honourable Member is wholly out of order in attacking a Government which has no spokesman here and which can have none here who can answer for it, and it is outside the scope of the object of this Bill or motion. I submit you must give protection to an absent Congress Government for whose action neither this House nor this Government is directly or indirectly responsible.

Sir Cowasji Jehangir: May I say, in reply, that it is a most frivolous point of order?

Mr. S. Satyamurti: My friend, the Honourable Member, must not use that word.

Sir Cowasji Jehangir: My point is that if there is to be independence for this country, that independence should be for all; that is what my Honourable friends promised us. Then, how are we to judge the *bona fides* unless we look into what they did when they had a measure of independence, and I am more than justified in pointing out to the House

Mr. Deputy President (Mr. Akhil Chandra Datta): The Chair asked the Honourable Member, Sir Cowasji Jehangir, only to reply to the point of order and not to make a speech on that point. So far as this point of order is concerned

An Honourable Member: What is the point of order?

Mr. M. S. Aney: The point of order is—whether a Provincial Government, that is not represented in this House to defend itself, can be attacked in a speech by any Member. That is the point of order.

Mr. Deputy President (Mr. Akhil Chandra Datta): Order, order. Let the Chair give its ruling. The Chair does feel that in the absence of the Congress Government, the question should not be gone into in detail.

Dr. Sir Ziauddin Ahmad: Their representatives are here!

Mr. Deputy President (Mr. Akhil Chandra Datta): Order, order. At the same time, when the House is going on with a debate on a Finance Bill, we have been discussing this matter from all possible standpoints, and all manner of subjects have been discussed. In view of that, the Chair should not be right in saying that the Honourable Member is absolutely out of order. At the same time, the Chair will ask him not to go too much into detail.

Sir Cowasji Jehangir: May I point out, Mr. Deputy President, that as regards Congress Governments in the provinces it was the Congress Party that was responsible. The Congress Governments in the provinces were not responsible to their electorates; they were responsible to the Congress Party which was represented by the High Command. If I bring forward an impeachment, it is not against the individual Ministers, but against the Congress who allowed their Ministers to behave as they did. Well, Sir, not only were we deprived of our liberties, but, you will be surprised to hear, this Congress Government, which is so much in favour of the liberty of speech, deprived the Press of their liberty when they came to criticize Government actions; and it was the High Court of Bombay which came to their relief and set aside the executive order of the Government of Bombay; and in my experience I have never seen before such a rebuff to any Government

Mr. S. Satyamurti: Can the Honourable Member attack an absentee Government like this?

Sir Cowasji Jehangir: I can attack anybody.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Chair hopes the Honourable Member will not pursue this matter any further.

Sir Cowasji Jehangir: I will mention one point which is of great importance to Legislatures. There was a minority in Bombay, a very important minority, which is represented in this House, and which was represented in the Bombay Legislature, and, on more than one occasion, the Congress Government forced that minority's representatives to stage walk-outs, and why?—because Congress refused to concede what seemed to that minority an important issue; but which, to the Congress Government, was an unimportant detail. They had a majority, and, on more than one occasion, that small minority, well represented in this House, which has its distinguished leader, sitting amongst us, had to stage a walk-out. I contend that by no other Government such walk-outs would have been allowed; there would have been a compromise, but the Congress Government, inexperienced no doubt

Mr. S. Satyamurti: The Honourable Member is wholly out of order, Sir.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Chair has already ruled that the Honourable Member should not go into particular details and should not speak of any isolated, particular conduct on any particular occasion of the Congress Government.

Sir Cowasji Jehangir: I accept your ruling, Sir.

Now, I have said, with due deference to my Honourable friends, that there have been some inconsistencies in their speeches. So far as I can recollect, when the war broke out, all schools of thought complained that India was unprepared. They blamed the Government for its unpreparedness.

Mr. M. Asaf Ali: Rightly or wrongly?

Sir Cowasji Jehangir: The Congress were not backward. My Honourable friend, Mr. Satyamurti, also complained that there were two anti-aircraft guns in Madras, out of which one was not working. But my Honourable friend is today under the banner of non-violence. I should have thought he would have put up his hands in prayer to thank the Almighty that one gun was out of order, for that would have been in keeping with his principles of non-violence. But he came here with a very correct complaint, a very reasonable complaint that the City of Madras should have had no more than two anti-aircraft guns. But, is not that an inconsistency? Then, my Honourable friend went on to ask whether he had not the right to oppose this motion on the narrow issue of non-violence? He certainly has, but if he has the right to oppose this motion on the narrow issue of non-violence, he has no right to complain that Madras is unprotected. Surely, my Honourable friend's keen intellect sees the inconsistency between these two arguments. Then, again, he said that India will survive whatever happens to the war. If he means that India will remain on the map, that India will remain a part of this unhappy world, he is correct. But may I ask what sort of India will it be? He does not care whether the women and children of this country will be butchered by Nazi bombs. What is it, he means? Then, again, he says: Why should we help Great Britain to survive by helping her in the Middle East? Surely, my Honourable friend's keen intellect realises that helping the power, whether it be Great Britain or Egypt or Turkey, in the Middle East is not helping that Power to survive, but is helping India and her soul to survive.

Mr. S. Satyamurti: On a point of personal explanation, Sir. I did not say anything about the Middle East at all. My friend is putting in my mouth what I never said.

Sir Cowasji Jehangir: I have got his speech, and I have taken it from his speech. I made notes of his speech and his words were: Why should we help Britain to survive by helping her in the Middle East?

Mr. S. Satyamurti: I did not say that. It is a terminological inexactitude!

Sir Cowasji Jehangir: That is what I took down, and that is what has been emphasised in this House on more than one occasion, namely, that

the Power that is holding up Nazism in the Middle East is not helping only Great Britain to survive, but is also helping India's soul to survive. Surely, we, who desire that India's soul shall survive, that India's freedom shall survive, that India's culture shall survive, should be allowed to say that we shall do all in our power to help those who are helping us in the Middle East. I do not know how often sentiments of abhorrence have been expressed against Nazism in this House. But it stops at that. Whatever they may have said six months ago, they do not go any further now. They admit that Nazism is the worst form of Government the world has seen for a long time, but they do not go any further.

Now, Sir, I will turn to the lamb that has strayed away from the fold and sits on the Congress front Bench, I mean, Mr. Asaf Ali. My Honourable friend had many tales of woe about the delinquencies of the British Government.

Mr. M. S. Aney: May I ask if the Honourable Member had seen the lamb in any other fold before?

Sir Cowasji Jehangir: It is left to my Honourable friend to tell us his past history. If he will tell us his past history, we shall know that. I am not here to do that. It is for my Honourable friend to say that. I only said that he has strayed away from the big fold. I said that the lamb has strayed into another fold. I have a right to say that.

Mr. M. Asaf Ali: I should like to know what exactly it is that the Honourable Member is now suggesting?

Sir Cowasji Jehangir: I am suggesting nothing more than what I have said.

Mr. M. Asaf Ali: If he is suggesting nothing, then he had better go on with his speech, and not make a fool of himself.

Sir Cowasji Jehangir: I am glad to see that I have really made him non-violent. This man, who talks of non-violence, is now really violent. Somehow or other, I have touched a tender point unknowingly. I do not know what that tender point is. I am quite innocent. But I have touched some tender point, else he would not call his Honourable friend a fool.

Sir Syed Raza Ali: I rise to a point of order, Sir. Is it a perfectly correct Parliamentary expression for one Member of this House to call another Member a fool? To the best of my knowledge, that is not so.

Mr. Deputy President (Mr. Akhil Chandra Datta): The word "fool", so far as the Chair knows, is not an unparliamentary expression.

Mr. M. S. Aney: I rise to another point of order. Is it open to any Member to make an insinuation against a Member and at the same time not be in a position to say anything in defence of it? Is it parliamentary for him to do that?

Sir Cowasji Jehangir: I only stated a fact

Mr. Deputy President (Mr. Akhil Chandra Datta): Order, order: A point of order has been raised by Mr. Aney. If the Chair understood him aright, his point is this. That an insinuation was made by Sir Cowasji Jehangir, and when he was asked to explain what it was, he said that he did not know.

Sir Cowasji Jehangir: I did not say that. I was asked by an Honourable Member and I only said that he has strayed from this fold into that.

Mr. Deputy President (Mr. Akhil Chandra Datta): It is a funny thing to observe that when one Member gets excited, he says that another Member got excited. As regards the point of order raised by Mr. Aney, the Chair does feel that there is something sinister in the insinuation made by Sir Cowasji Jehangir. That was clear on the very face of it. In all fairness, either he ought to explain what that insinuation is, or say that he did not mean any insinuation.

Sir Cowasji Jehangir: I have already said, there is no insinuation. I simply mentioned a matter of absolute fact that here is a lamb which has strayed from the fold. That is an actual fact. There are a few lambs who have strayed away. Nothing else.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member says he did not mean any insinuation. That settles the matter.

Lieut.-Colonel Sir Henry Gidney: (Nominated Non-Official): Sir, I rise to a point of order. I wish to tell you, Sir, that when, last Session, I once referred to Mr. B. Das as an "ass", I was ruled out of order, and I must now say that to call a man "fool" is certainly more unparliamentary than "ass".

Mr. Deputy President (Mr. Akhil Chandra Datta): That is irrelevant now. Let Sir Cowasji Jehangir proceed with his speech.

Sir Cowasji Jehangir: I hope my Honourable friend has cooled down a bit now. My Honourable friend said, why should there be co-operation from his Benches with Government on this measure. What are they going to get from the Government in return? Well, I presume he will go on asking that question till Nazi bombs fall not perhaps in Delhi, but in some of the ports in India. He said that co-operation from his side of the House could still be obtained. I really hope and honestly feel that that co-operation should be forthcoming and if he will show us how it can be obtained, we may be wiser and find out what to do and how to act. Let me remind the House that Mr. Asaf Ali's speech made in this Honourable House was violent in the methods that it advocated. Why, he complained bitterly of the lack of wisdom on the part of the Government in not increasing the fighting forces of this country in time, and he very pertinently pointed out to Government his own questions and their answers which have proved to be so wrong. But he forgets that he is marching under the banner of non-violence and khaddar. I do not know how many Honourable Members have been spinning during their stay in Delhi, but I do know that they have been spinning yarns in this House.

Mr. S. Satyamurti: That is a stale joke. He can proceed further.

Sir Cowasji Jehangir: And talk on more pleasant things.

Mr. S. Satyamurti: What does it matter?

Mr. Deputy President (Mr. Akhil Chandra Datta): No dialogues are allowed.

Sir Cowasji Jehangir: Now, Sir, with regard to non-violence, I cannot understand how any one who believes in non-violence, as defined by that great man, Mr. Gandhi—a Dictator—could have made such a speech as that made by my Honourable friend, Mr. Asaf Ali.

Mr. M. Asaf Ali: Have you read it?

Sir Cowasji Jehangir: No, I heard it while it was delivered in this House. I could not help listening to it.

Let me say where it was violent. It was a speech that could be made only by one who has a complete belief in violence against violence, aggression against aggression, by a man who is prepared to fight for his country when it was attacked, from a man who rightly condemned those who are responsible for not arming the country in a way which would give us some measure of confidence as to what will happen in the future. It was not a speech that could possibly have come from anybody who believes in non-violence as defined by Mahatma Gandhi. But my Honourable friend, knowing as he does the danger, is prepared to allow women and children of this country to be butchered by Nazi bombs. He will sit with folded hands, he will go to jail, but he will not assist to fight that great danger which is not far off, which has no respect for jails, mosques, temples and churches, but he will sit with folded arms and he will make that great sacrifice—he will go to jail.

Mr. Deputy President, the most frank exposition of the case for the Opposition came from my Honourable friend, Mr. Joshi. These are his words. I took them down: "If British Imperialism and Nazism fight, can we not have the choice to wait and see whether they destroy each other. I will certainly take a chance". Mr. Joshi is hoping that in the weakness of the so-called Imperialism and in Nazism, Communism may slip through.

Mr. N. M. Joshi (Nominated Non-Official): May.

Sir Cowasji Jehangir: But there are many others, I believe, who are of the same opinion that it is better to wait and see. They will sit on the fence. But they may sit too long, they may be on the fence when Nazi bombs are raining on the coasts of India. They may be sitting on the fence when the British win and if they are still on the fence, does my Honourable friend Mr. Joshi believe that however great a people they may be, they will have friendly feelings towards those who opposed them and harassed them in their greatest time of need. They may still be sitting on the fence when the Nazis are knocking at the doors of India. He may not have heard of Nazi concentration camps.

Mr. N. M. Joshi: I have read about them.

Sir Cowasji Jehangir: Then, let me tell him that if he has honour of being in one of them, he will pray to God to give him the comforts of a jail in British India!

Mr. N. M. Joshi: May I point out, Sir, that I never made use of the argument as being the best argument. I said, if you believe in terrorism, if you believe in India's participation, then, a man may take the view that you can wait and see. I pointed out in my speech that the best way, therefore, was to make India free and secure India's support for the enthusiastic conduct of the war.

Sir Cowasji Jehangir: He said, I will take the chance.

Mr. N. M. Joshi: As a last measure.

Sir Cowasji Jehangir: Then, let me tell him what I think of his taking a chance.

Mr. N. M. Joshi: I did not say anything in the sense which my Honourable friend means.

Sir Cowasji Jehangir: I have quoted what he said.

Mr. N. M. Joshi: Sir,

Sir Cowasji Jehangir: I am not yielding. I am perfectly in order when I quoted him, and I am now telling him the consequences of his taking a chance, I am telling him what that sentiment means.

Mr. N. M. Joshi: You are misrepresenting me. Do it.

Sir Cowasji Jehangir: Now, Sir, there are many other points I would like to touch upon, but I have given an undertaking to some of my friends that I will not keep this House much longer. There is just one materialistic point that I would like to refer to. I cannot help thinking that the policy advocated by my Honourable friends has no chance of success for India. It is a materialistic point, there is no sentiment in it. If the British win and this position continues to the end, surely you are decreasing all your chances of freedom and our chances of freedom along with yours. Is it human nature for the people of England,—and it is the people of England who are the masters, not Government,—to say, "Give all they want, because they opposed us, because they harassed us and did all they could not to help us in our time of need"? If the Nazis win, what will be our fate? Most probably I along with them will be in concentration camps.

Mr. S. Satyamurti: No, not you.

Sir Cowasji Jehangir: Sir, my Honourable friend talked about loyalists. I would not have brought it up but for this interruption of his. He said that these loyalists will be the first to go and receive Hitler and his satellites at the Bunder. Loyalists we may be, and I am not ashamed

of admitting it. But let me tell him that the first people that will go down to the Bunder will be professional politicians like himself. We are not here as professional politicians; we are here to do our duty by our country. It will be the professional politicians who have nothing else to do who will be rushing to the Bunder to receive Hitler and his satellites. But when it comes to go into concentration camps, I believe we shall all go together. Therefore, the materialistic point is that your choice is, "Heads, they win, tails, we lose". In either case, we lose all chances of liberty and independence. That is a materialistic point. I put it for the consideration of such Honourable Members who desire constantly to sit on the fence.

Sir, I will support the Bill for three reasons. I support the Bill because India since the war was declared has been clamouring for the strengthening of our armed forces. We cannot on the very first occasion refuse the sinews of war. I support the Bill because I want a safeguard against the butchery of our women and children. I further support the Bill to prevent a brutal, barbaric and uncivilised form of Government being established in this country or through the influence of the Axis Powers or any of their friends.

Sir Syed Raza Ali: Sir, before coming to the main principle of the Bill which has been discussed threadbare and in all its aspects, so far as political considerations arise, I will just say a word or two in passing about the provisions of this measure. The position today is that India's trade with countries under German occupation has been interrupted, thereby causing a considerable loss of revenue to India. We also find that the general sense of insecurity has led to the whole question of India's needs in the matter of defence being revised. Again, we find from the figures given by the Honourable the Finance Member that owing to the war conditions there has been a drop of 2½ crores under Customs and Central Excise. I have taken only the main heads. I can cite a few more heads, but I do not think it is necessary for my purpose. But the point is that our general revenue has been affected prejudicially on account of the conditions consequent on the war for the past 14 months. This is one side of the picture: let us see the other side, whether the Government of India have really discharged their solemn duty which was laid upon them to make due and effective preparations for the defence of this country. Instead of arguing that point I will just refer to a few things which have been mentioned by the Honourable the Finance Member in his speech. If any one wants to have an idea as to what is the state of India's preparedness to meet any foreign attack, he will be able to judge the entire situation for himself if he were to know that the state of training that we give to our air pilots in the matter of flying is this. The Government of India, in course of the debate that took place in the last Budget Session, promised to speed up enlistment of Indians in the air force. Sir, very grave events, as the House knows, have taken place during the past six or seven months. I do not think I need go into all that, but in spite of the fact that Germany has since then overrun most of the countries of northern and western Europe, the Government of India even today, according to the admission of the Finance Member, have not got a sufficient number of service aircraft to provide training for the small number of young men whom we enlist as airmen. That is the first point. Secondly, the Honourable the Finance Member assured us with some gusto, if I may

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say so, that the position of our reserves will be this that 300 pilots and 2,000 mechanics will form a reserve for the air forces of India if the Government of India's efforts meet with success. Sir, the population of India is in the neighbourhood of 400 million. What are the reserves that the Government of India propose to build up for this purpose? According to the Finance Member, 300 pilots and 2,000 mechanics. So that, if conditions in this country were not abnormal, if India were an organic State, if Indians were masters of their own destiny in their homeland, the Bill, as introduced by the Finance Member, would, I believe, receive, as far as the general principle is concerned, the ready support of this House. Let us see what is taking place in the dominions which have got full dominion status or self-government, which really enjoy what is known by certain sections of this House as independence. In every dominion, strong, strenuous and persevering efforts are being made to find money to meet the increased war effort of that country. I can say about South Africa. Apart from the large sum of money that has been spent by that country in sending her troops to Kenya, and quite apart from the expenditure incurred in connection with her sending of several squadrons to North Africa, that country is not only imposing additional taxation, but has also raised a loan of 18 million sterling to meet the expenditure incurred for war purposes. Now, can we say that conditions in India are the same as those obtaining in South Africa, or New Zealand, or Australia, or Canada?

Sir, some people seem to complain that far too much emphasis is laid on the political issue, and far too little heed is being paid to the extremely difficult situation arising out of the war exigency. I am not one of those who think that we mishandle this Bill if we allow political considerations of the highest and the foremost importance to guide us in coming to a decision on its merits. After all, as I just submitted, it is true that in every Sovereign State—I prefer to use that word to do away with all possible chances of misunderstanding,—in every Sovereign State, if there is a war, then the question of war and the question of the expenditure required to meet that war outweigh political considerations. That is what is happening in England today: that is what is happening in all the Sovereign States within the British Commonwealth of Nations. In India, on the other hand, it is the political issue that over-shadows financial considerations, and that for a reason which is quite intelligent and intelligible. We have not acquired our political emancipation. We in this country have no voice at all, either in the control of foreign affairs, or in the control of the war and peace policy of the Government of India. If our desire, therefore, is to have that power which would enable us to control the foreign policy of this country and to decide questions of war and peace, nobody can take us to task for our taking this view. Therefore, let me repeat that while I have my own views, and my Political Party has its own views on the merits of this Bill and on the attitude which we should adopt towards this Bill, I am quite clear that nobody can blame any Honourable Member of this House, least of all our Party, if, in considering the provisions of this Bill, we attach that degree, that measure of importance to the main political principles which dominate every other issue, including the war issue itself. Let me make it quite clear that, so far as the attitude of the Muslim community and the

Muslim League is concerned, it is not for me to make an official pronouncement. My Honourable friend and my Leader, Mr. Jinnah, will, I believe before the debate comes to an end, make an authoritative statement on behalf of our Party. But so far as I am able to judge things, so far as I can gauge the political situation today, let me make it quite clear that the attitude of the Muslim Parliamentary Party and the Muslim community with reference to the war is very different indeed from the attitude taken up by the Congress. I do not want to raise controversial questions, but let our minds be quite clear as to which way we are going to vote, and what it is that is going to influence us in voting in that particular manner. I will take one or two very important things.

With reference to the Muslim League's attitude towards war, let me say one thing which is very important indeed: at no stage of the situation, I mean, during the last fourteen months, have we non-co-operated with Government in the Government's efforts to prosecute the war. We have never non-co-operated. Point No. 2.—We have never at any stage either offered or thought of offering civil disobedience with a view to crippling the Government's effort. These, after all, are very important points. The position is really this: here we are a very large community somewhere in the neighbourhood of eighty millions, if not more as the next Census will show, which is wrongly known as a minority.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

No doubt, in numbers we are inferior to the other community, I mean the Hindu population; but, after all, eighty millions of people can hardly be called or thought of as a minority. The situation in this country is such that we have to deal with two parties: the two parties, according to a prominent Congress Leader—the only two parties that exist in India—I have in my mind the utterance of Pandit Jawaharlal Nehru in 1937—are the Government and the Congress. Our misfortune is that we have to deal on the one hand with the British Government, and, on the other, with our Congress friends. Let us see how we have been treated by both these parties. So far as I know, Sir, no doubt we have our relations with both these parties, and at times we do try, as I believe these two parties made some little effort on their part, to co-operate with us, to act in a manner which will be in the interest of the country and which will not place either the Government or the Congress in a position in which either party can take advantage of us. Yet the fact remains that neither the Congress, nor the Government,—or shall I put it the other way round,—neither the Government nor the Congress have tried to obtain our whole-hearted co-operation. If I may use a phrase which was very constantly used in the course of the debate today, either has been trying to exploit us. The Government, on the one hand, want to take as much advantage of us as possible; perhaps the Congress want to go one better. We, after a careful consideration of the whole situation, have made up our minds that we shall not walk into the parlour either of this side or of that. We will maintain our own policy, a policy which will be beneficial to our own community which, as I have already pointed out, is not cared for either by the Government or the Congress.

Now, Sir, I do not want to take up controversial questions, but if it will be within the recollection of this House, then I will say that the

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announcement made by the Viceroy on the 8th August, 1940, did not meet many of the points which had been officially urged by the Leader of our Party on the Viceroy and the Government. Now, that statement, from our point of view, was a halting, hesitating statement. I must also acknowledge that some of the deficiencies were made good by the Secretary of State for India, Mr. Amery, when he supplemented the Viceroy's statement by his speech in the House of Commons on the 14th August this year. Now, it is really sad that one of the most important points that was conceded to us by Mr. Amery,—the point consisted really of two things,—the concession made to us, or shall I say, the removal of injustice that had been threatened to us promised by Mr. Amery, was not at all welcome to our Congress friends. I am just trying to show the extreme difficulty, the delicacy, of our position. We find ourselves between two wrong doers,—shall I say that we find ourselves between the devil and the deep sea

An Honourable Member: Who is the devil, and who is the deep sea?

Syed Sir Raza Ali: That I leave to my friend to decide. Mr. Amery said that in any future Constitution, that is to be framed for India, the Muslim community will be consulted; secondly, that the Muslim community will not be coerced by any political party. Now, we regard this statement, containing these two points, as a very important one. It is really sad, Sir, that these two points gave the greatest amount of offence to our Congress friends. I am a very careful reader of newspapers. I also read the speeches of Congress leaders, as also speeches of other leaders in this country very carefully, and I found that these two points were not only very strongly resented, but opposed tooth and nail by so many Congress leaders and every Congress newspaper without any exception. I really cannot remember any Congress newspaper that did not oppose this portion of Mr. Amery's statement very vehemently,—I need hardly say, very unjustly from our point of view. Now, Sir, in this state of things, what can we hope to do? We find the position very very difficult indeed.

Then, we have our European friends. Well, they make speeches from time to time which leave no doubt as to what is passing in their mind. I have listened very carefully to the speech of my friend, Mr. Griffiths. We know that Mr. Griffiths is a man of action. We know that he is not only an ex-member of the Indian Civil Service, but he had the distinction of maintaining law and order in the troublesome district of Midnapore. It is open to Mr. Griffiths to bring forward any argument in support of this Bill as long as it does not give cause to other parties to suspect that what the European Group really wants is the old precious thing, namely, the exploitation of India and Indians. I do not want to be unjust to anybody, but I would like to quote Mr. Griffiths' own words. He said in reply to an interjection: "I am proud to be an Imperialist." I do not think I should say much about that point except this, that, after all, when statements of this character are made openly in this House, if they cause very grave offence to Indians, it will make Indians suspect that today they are humoured because they want their support, and not because the Europeans and Government care much really for the Indian opinion, but because they think that their goodwill and their opinion will help them in the prosecution of the war. Sir, this Imperialism has a most sinister

meaning behind it. Its associations are really more than unsavoury. Therefore, the least that our European friends can do is to endeavour to persuade this House to agree with them without saying anything which would make us suspect that after all the cat is out of the bag. I find there are only two members of the European Group present just at present, but let me tell them that we do not like Imperialism. I do not want to dilate at any length on this point, but it is really painful to me to find that the European Group or any member of that Group should consider it necessary to stoop to arguments of this character in order to promote the interest of this Bill.

Now, we know that a very serious effort is being made to organize and strengthen our industries and put them on a firm footing. Why is this effort being made? Is this effort being made in the interests of the war, or in the interests of India? If this effort is made in the interests of war, with the ultimate object of enabling India to benefit by this effort, there is no objection; but if history is to repeat itself, if the Government are going to treat our industries in the same way as they did during the last war, namely, a temporary filip was given to industries for the time being, that is, as long as the war lasted, and as soon as the war was over, those industries were treated in a step-motherly fashion, with the result that most of these industries were throttled. If your object is really to organise these industries and to establish new industries, simply with a view to obtaining victory in the war, we call it exploitation. You are doing nothing in the interests of India, you are doing something for your own purpose. On the other hand, if your object is that India should ultimately benefit, and, after the war is over, due attention and care should be paid to keep up these industries, then that won't be exploitation. What makes me suspicious on this question is a speech made by a member of the Eastern Group Conference before he arrived in Delhi. I believe the gentleman is a representative of the important Dominion of Australia. This gentleman, in one of his speeches before he arrived in Delhi, pointed out,—in fact, he emphasised,—that it is hardly necessary for the various Commonwealth countries to duplicate their efforts, to be engaged in the production of anything which is already produced under more favourable conditions, under better conditions in other Dominions. Sir, things like that really make us very uneasy. What is the object? Is it the object that no effort should be made in India to embark on the manufacture of aircraft or ship-building, because those industries have already attracted the attention of Australians, and Australia is already engaged in building aircraft and ships? So, that is the meaning of exploitation. I will ask my Honourable friends not to think of it, at least not to make a show of upholding Imperialism and its virtues on the floor of this House. The European Group, unfortunately, do not know Urdu, much less do they know Urdu poetry. If they did, I would have recited one couplet to them.

An Honourable Member: Please translate.

Sir Syed Raza Ali: I will translate. I will recite the couplet and then translate:

"Sher:"

W-afa-o jaur ki us waqt qadr ho malum,

Jo tu hai gar woh main hun, jo main hun tu ho jae."

"My friend, you could only know the respective values of faithfulness and oppression, if we were to change places, namely, if I were you, and you were me."

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Sir, I will not say more on this point.

I ought to be the last man to venture to say anything with reference to the attitude of the Congress Party, but I will just notice one thing in passing. My Honourable friend, Mr. Gadgil, asked today the Official Benches and the Europeans to get out of this country, to leave this country. He may be quite right in his demand, but all I can say is, if he will not take anything coming from me amiss, and if he looks upon what I tell him as coming from one who is as keenly interested in the main issue as he himself, namely, the freedom of India, I will only say that demands of this character made in the peaceful non-violent atmosphere of this Assembly hardly come with a good grace. Perhaps, one Congress Member from Bombay in any case is acquainted with Persian. May I recite a couplet from Urfi in connection with this demand?

"Shir :—

*Urfi agar ba giryah muyassar shudi wisal,
Sad sal mi tawan ba tamanna giristan.*

The translation would be this:

"Oh, Urfi, if I could win the affections of my sweetheart by weeping and crying, I could have gone on weeping and crying for a hundred years."

If you want to obtain freedom, you have to rely on yourselves. There is no use making such demands.

Sir Cowasji Jehangir: What has that got to do with a sweetheart?

Sir Syed Raza Ali: Government are the sweetheart of all of us, is it not?

Sir Muhammad Yamin Khan: Sweetheart is freedom, that is what he means.

Sir Syed Raza Ali: I will just say one thing more, and then propose to wind up my speech. I said something about our treatment by our Congress friends. I have said enough so far as our treatment by Government goes. May I mention only two facts, so far as our Congress friends are concerned, under this head? Enough has been said on the question of a Constituent Assembly. According to the Congress, that is the charm, that is the magic, the magician's wand which they propose to use. Any ill, any difficulty, any hardship, any inequality, any disadvantage,—if you have the Constituent Assembly, that disadvantage goes, that disability is removed. That is a patent thing which is a cure for all our ills. That is the panacea, which, if we Indians try to swallow, there would be no inequality, no trouble, no complaint in India from Peshawar to Cape Comorin, from Karachi to Chittagong. I entirely fail to see how this poor Constituent Assembly can solve the main problem, which is the outstanding problem of the day, namely, the communal question? I won't say more. I think, after all, if my Honourable friends take it in the spirit in which I use the word, to say that the Constituent Assembly is a thing which would solve most of our problems is a joke the like of which was never heard before. That is all I can say. The second thing is the offer to Mr. Jinnah through the *Daily Herald* to form the Cabinet and to make him the Premier. This, again, is a joke on a par with the previous joke

really because, after all, the offer was never made to Mr. Jinnah. Again, I will ask my Congress friends to consider this. Mr. Jinnah was in politics long before any one of the Congress Benches in this House, I mean purely Congress Benches, ever entered public life, and he is not a man who can be hoodwinked by offers of this character. The Constitution will be the old Act of 1919. It would remain in force. Mr. Jinnah will be the Premier, and who will form the Cabinet? Some will be Congressmen, others will be Mussalmans and there will be others belonging to other parties.

Sir Muhammad Yamin Khan: How can he be Premier under the Act of 1919?

Sir Syed Raza Ali: By convention. Let us accept it for the moment, although there are insurmountable obstacles. We will take the will for the deed. Mr. Jinnah becomes the Premier, and, after a month, we find that Mr. Jinnah is defeated by a vote of my Honourable friends in this House where they are in a majority, and what happens to Mr. Jinnah? He goes out. Mr. Jinnah will be at the mercy of my Honourable friends. They want to have a man who would be at their mercy, and he will have to take their behests and he will have to carry out their commands. That is the obvious meaning, if it has any meaning at all. That will be the result of that most generous telegram sent by the Premier of Madras, for which we, our children and our children's children will ever be grateful. We are grateful for that outburst of magnanimity shown by that veteran Madras Premier. He was Premier in Madras for 2½ years. May I know if he ever took into the Cabinet any Muslim Leaguer in Madras? I am waiting for a reply.

Mr. Sami Vencatachellam Ohetty (Madras: Indian Commerce): Mr. Yakub Hassan was a member.

Sir Syed Raza Ali: Surely my Honourable friend must know something of Muslim politics. That is all I can say. What happened to Mr. Yakub Hassan? He was expelled from the Muslim League. He is dead. So, I do not want to say any unkind thing. Surely my Honourable friend ought to know that. If my friend wants to deal flippantly with my point, he is welcome to do so, but surely I presume when I adduce serious arguments, it will be seriously listened to and dealt with in a serious spirit. So, Sir, that is the position.

Now, what are we to do and what should we do? That is the main question. I have already told you that there is an essential difference between our attitude and the attitude of the Congress. We have non-co-operated. In that connection, I will say that it was not open to Muslim Leaguers to join war committees and collect subscriptions or persuade people to enlist in the land, air and naval forces of His Majesty till the 1st September this year. Now, the Muslim League met at Bombay to consider that very important question, and the Muslim League came to the conclusion that having regard to what is being done by the Muslim community today, that Resolution is operating too harshly. Therefore, the Working Committee of the Muslim League, a little over 2½ months ago, modified that Resolution and left it open to any Muslim Leaguer that if he thought that by joining these war committees he

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would be doing any service, and if he thought that it would be a good thing to do so, the League said it would be open to any Muslim Leaguer to join the war committees. Now, in consequence of that, a large number of Muslims have joined war committees. I personally am not ashamed of saying that I have joined the provincial war committee in my own province. That is my attitude. That is the attitude of so many Muslim Leaguers. As a matter of fact, that is one of the things that we had to consider very carefully, namely, what is the position of Mussalmans with reference to war. I think my Honourable friends may say that it is a hopeless position, a wrong position. What is the position today? In two Muslim provinces, where Muslim ministries are functioning, they are helping the Government with men, money and material to carry on the prosecution of the war. That is the position. In the province of Assam, I speak subject to correction by my Congress friends, only a few months ago a motion was tabled by the Premier, who belongs to the Muslim League and who is the head of a Coalition Cabinet, recommending that a sum of 50 lakhs of rupees be granted from provincial revenues for war purposes. My recollection is that the motion was carried. I speak subject to correction. What is happening in Sind? That, again, is a Muslim province. There, again, we have a Coalition Cabinet with a Muslim Premier, and that Cabinet, again, is doing all it can to assist the prosecution of the war. So far as the minority provinces are concerned, I believe the attitude of Muslims is quite clear. They are helping the Government with money and men, and they are helping the Government in the supply of things which are essential for the prosecution of the war. That is the attitude of Muslims as a whole, but the trouble of my Party in this respect is this. After all, I am a free individual. If I want to give some money to the British Government, there is nobody who has a right to stand in my way. If I want to persuade young men, who have any regard for me, to enlist in the forces, there is nobody to take me to task; but if we cast our vote as a Party in favour of this Bill, the result will be that we would be compelling all those who come within the purview of the Bill to pay taxation, whether they like it or not. That is the difference. Therefore, we have stated very carefully these considerations. I do know what the attitude of our Party on this question will be, but the authoritative announcement will be made, as I said, by our Leader. All the same, let me tell this House and, through this House, the public outside, that if, at the voting stage, we decided to abstain from voting and keep neutral, nobody need be surprised. We do not want really, for reasons I have already stated, to be a party in this struggle between the Government and the Congress. If we thought that any of these parties—I am using the words in the sense in which they were used by Pandit Jawaharlal Nehru in 1937,—was reasonable and just and in a mood to come to reasonable terms with us and remove our just grievance, we would no doubt consider that question very carefully. But we find that both parties are riding high horses. Well, the Government are not in a position really to walk outside the long leg grown for them by their predecessors; red tape is the essential difficulty of all bureaucracies. That is the main difficulty of the British Government today, as it was, I believe, fifteen, twenty or twenty-five years ago. As for my Honourable friends of the Congress, they want to have our co-operation,—but on their own terms,—which, I can say, there is no

chance of their ever having unless they take the entire position into consideration and unless they are prepared to treat us as their full equals and partners. But that is our position, Sir. Therefore, if we took this position, namely, we said that we refused to be dragged into this question, I hope we shall be understood. If the Government want to find money, well, let the Government try to secure the co-operation of any large party in this House. But if the Government are not prepared to do it, if they think they are prepared to carry on in their own way and to have their own way, let them have their own way. On the other hand, if my Congress friends think that, "we will carry on"—well, Pandit Jawaharlal Nehru once said that Congress is the only political party, because the other party is the Government—and if they think they can dictate to us and they can assume the duties of a dictatorship—already there is more than one dictator in the Congress,—I won't, however, go into that—if they think that they can assume the duties and functions and the privileges of dictators, and dictate their own terms to us, let me assure them that they will find that they are dashing their heads against a stone wall. Sir, that is the position. The position is a very very difficult one. Nobody wants to frustrate the Government's efforts in prosecuting the war. I have already told them what my community is doing to help the Government, but looking into the position, as I said, if, when the division was called, we decided to keep in our seats, and if we decided to vote neither for this side, nor for that, nobody need be surprised or take us to task.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Mr. President, a humorist once declared that he could tell a man's character by what he eats. I am sure, I shall hate to think that any one of my friends, Mr. Satyamurti, Mr. Asaf Ali, Guru Sant Singh, or even the *enfant terrible*, Mr. Abdul Qayyum from the Frontier, the naughty Pothohar babe, has the temperament of a "nut"; for, as we all know, a nut is, at times, not only a hard thing to crack, but sometimes most difficult to understand and to digest. I have listened to the speeches from the opposite Benches, and the chief characteristic of these speeches is that there was no commonness of purpose and action in them; and, as for my friend, Guru Sant Singh, he indulged in so many Bulls that I did not know which bull he meant—did he mean the two bulls—Mr. Bhulabhai Desai and Mr. Jinnah pulling together the cart which the Sikhs would drive? He knows best what he means and wants. But it was remarkable what a diversity of views were expressed in the speeches we heard. But when one comes to think of it, with my friends on the opposite side demanding freedom of speech, let me assure them that in the Provinces which they once administered, they would never have allowed such freedom of speech. I look upon Bombay as evidence of that fact. They know that if they did not enjoy an immunity in this House, and if they had indulged in those speeches outside, they would probably have got free board and lodging at His Majesty's expense. I was very pleased with the temperate speech of my friend, Mr. Satyamurti, and, I am sure, his temperature never rose above two hundred degrees, for, although it was bitingly sarcastic and very egotistically hurtful in places, yet it was delivered in a non-provocative manner, despite his usual indulgence in such hackneyed phrases as "tommy rot", "bunkum", etc., etc. But when one listened to the bellicose, thunderous speech delivered by my Honourable friend, the

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chubby-faced Mr. Abdul Qaiyum, the *enfant terrible* from the Frontier Province, I thought a bomb had dropped. I was reminded of the naughty boy who had a habit of stealing jam, and his mother who caught him told him, when he was again tempted to steal always to say, "Get thee behind me, Satan". The boy was again found stealing jam, and when his mother questioned him, he said, "Mummy, I did say, 'get thee behind me, Satan', but Satan pushed me into the jam"; and so this *enfant terrible*, encouraged by his friends and pushed forward by the cheers of some of his colleagues, has become so inebriated by the exuberance of his own verbosity, pomposity and knowledge of international politics that I feel sure he has an Iron Cross and a Swastika hidden somewhere on his person ready for use on that day—in his opinion near at hand—when he hopes, as centre forward of a kidnapping team to goosetstep as the Hitler of the Frontier. In fact, I should like to call him Goering, but he is so very boring. But one really cannot take him seriously. How could one listen to such utter nonsense from a babe without wanting to spank him? That is what he really deserves. Anyhow, he is not such a terror outside the House, and that is saying a lot.

But, Sir, what is before this House? A specific Bill has been placed before us for our sanction for money for defence, and I have not heard one Member on the opposite side utter one word about the financial aspect of the Bill, except utterances from a platform consisting of two planks only, *viz.*, "independence" and "freedom of speech". Why did the Congress Party awaken from its sleep and attend this Session? It did not come here in the interests of the defence of India. It came here in the interests of "independence" or what they call "freedom of speech" or "true national democracy" as opposed to "stark naked Imperialism"—to quote my Honourable friend, Mr. Abdul Qaiyum. Sir, it is crystal clear that they have only one object in view and the object is this: if they win in the division, to force the Viceroy to certify this Bill; and after this had been done, to proclaim, by the process of lip-Hitlerism, to the enemy countries, particularly to America, which happily now has a better understanding of Indian politics, in short a message to the world that "Government did not consult them, Government ignored them and Government was forcing them to pay money for a war which they refused to join and that they were being bled white".

Sir, I claim to be as good a nationalist as any man on the opposite Benches. I do not claim to be an irrational nationalist; I claim to be a practical nationalist. I am one who desires India to be put on a good constitutional basis and on a self-respecting and self-governing basis. I want India to be on equal terms with the other nations if not of this world, at least with the other parts of the British Commonwealth of Nations. This ideal has appeared to me for years as a noble and proper one. I know I represent a small party in this House but I disagree with the Congress members on many points. My friend, Mr. Gadgil, shouted today: "Clear the Europeans and also Anglo-Indians out of India; we don't want them." Let me tell Mr. Gadgil I shall not go out to please him or Congress, and that he will have to push me out; and if he ever tried to push me out, I would like him to have a five round contest with me in the Lobby, and I guarantee to give him the knock-out blow in the first round. I disagree entirely on the question of independence. No country can afford to be independent today, and every Member of this House knows that. Even the great German Nation knows, it cannot live an independent life, and this is the reason why it is flirting with various nations today, the recent one being

Russia. If we are to get Dominion Status, I cannot understand how we can be a part of the British Commonwealth of Nations or a comity of nations, and, at the same time, be independent. These are incompatible factors. The Congress wants freedom of speech. How can this freedom of speech be allowed when you know that England has her back against almost the whole of Europe? Then, they want independence. If England did give India independence, it would not have the life of a day. Nor is this the time to ask for Dominion Status. As for the freedom of speech, I wonder if Congress were in power whether they would allow the same freedom of speech they have indulged in this House today?

Sir, we have heard the usual catalogue of heinous charges brought against the Government. One of the Congress Members even uttered a threat of revolt with a hit at mass non-violence. I know the claims of the Congress has grown yearly. We first of all had the Nehru report, then Dominion Status, then it became a Constituent Assembly and now it is independence, and till that is granted freedom of speech is demanded. And why is it that the Congress desires this freedom of speech? It is to dissuade people from giving any help in any way to England during the war. I wonder which Government would allow them to use such freedom of speech especially an England engaged in a life and death struggle. The Congress knew that the Viceroy would refuse this demand, but it made this demand as a means to an end, and, today, we are witnessing what that end is. I am sorry, Mr. Asaf Ali is not here. Mr. James called him a Storm Trooper. I would have liked to call him the Congress Himmler. He criticised all the British administrators in India from Lord Clive till to date, dubbing them a set of thieves. He said that the present inefficient Government was unworthy of continuing in office. I believe, Mr. Asaf Ali, for whom I have a high regard, was once employed in the Government of India. And as I listened to his sensational oration, the dramatic performance of his head and spectacles, I felt sure that the Government had deteriorated since he left it. He wants freedom of speech, but let me tell him that if he had made his speech in another country, say Germany or Italy, he would have found himself in a concentration camp or instantaneous death would have been his fate, six feet under the soil and probably remembered not as 'the Unknown Warrior' but 'the Free Speech Hero'. I would tell my friend the political babe from the Frontier who seems to be absolutely indifferent whether the British or the Nazi or the Ghazi or the Fascist Government rule India that I am prepared to bet my last dollar, if the Nazi Government were to rule in India, he would be the first to run across the Frontier into Afghanistan in world's record time with a Nazi behind him. Or failing this, he would try to spend the rest of his days in a shelter. It is all very well for him to come to this House and indulge in an international dissection as to what Turkey, Egypt, Palestine and Syria are doing or will do in their relationship with England. It may sound very brave to the outside public, particularly to those very few who know English in the Frontier, to read that their representative said Turkey "would not touch England with the end of a barge pole". It is very brave for him to say that. But he says that England has done nothing for India. Let me remind the House of a few benefits India owes to British administrators—the Railway administration one of the best in the world, the Posts and Telegraphs which gives you your letters so regularly and last but not least take the Engineering Department, its irrigation branch. Millions of acres of land that were barren and desert a few years ago are today converted into fertile fields from which Indians are benefiting. Is

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this not a record of which England can be proud? Will you deny the fact that we who come from various parts of India are able to sit here and talk in a common *lingua franca*, the English language? This is something for which you have to thank England. Put your hand on your heart if you have got one and answer this question: Is not the defence of India, the security of your hearths and homes your own concern? Put aside, for a moment, the errors of the Government. Put aside for a moment your desire for "independence" and "freedom of speech" and concentrate solely and entirely on the gravity of the present position which faces the Empire of which India is an integral part, and ask yourselves honestly and squarely: Is this the time or the occasion to trot out the past evils and shortcomings of Government and for these reasons to non-co-operate? Is it fair, is it sportsmanlike, to refuse to co-operate with England in her hour of dire need and in her single-handed endeavour to destroy the horrors of this brutal Nazism? Would it not be more to the credit of Congress to sink these differences, to come off their pinnacles of sentiment and injured feelings and to come down to bed rock practical facts and help the Government in its hour of trouble? Surely they do not want the future historian, especially if England should win the war, as it will, to say that, because they were denied freedom of speech, they refused to help England to win this war? For, remember it is only those who show the spirit of service and sacrifice today, will be entitled to share the benefits of the morrow, when peace comes. Surely the protection of their own land, India, and of their families and houses should not be bargained for from the cheap platform of a *quid pro quo* co-operation. You say, as Mr. Satyamurti said in his speech, that the offer of England to give us Dominion Status after the war is all "bunkum". In other words, you call the British Parliament, who have promised you Dominion Status after the war is over, a pack of liars. And as "independence" after the war and "freedom of speech" today have not been given to you now and at once, you refuse to co-operate; and incidentally, as we have heard during this debate, if this is refused you threaten the Government with dire consequences. May I remind the Congress of the words of their great leader, the revered Mahatma Gandhi, who said: "Of what use is freedom of speech and action if England fails?" And I ask that same question to Congress. What have you done? You have placed the entire responsibility of non-co-operation on the shoulders of that great man, aged 73, and you have asked him to bear this burden. It is only his cementing factor that holds you together and you know that as well as anybody else; you know that acute divided opinions exist in your High Command on this very point and you also know that but for the magnetic and dynamic personality and inhibitory influence of this great man, disruption awaits the Congress. Why shut your eyes to this blatant fact? If this bargaining attitude is to continue and if England wins in the end, will not England be right if she turns round and says to Congress: "since you never trusted me, how can I trust you? and what guarantee have I that you will co-operate during and after the war?" Nothing can be built on a spirit of mutual distrust. Negotiations have gone on for years between Government, the Congress and the Muslim League. But surely my Honourable friends must realise the dangers that lie ahead of us and will they not now again reconsider, and will not the Congress, for the time being, replace their demand of freedom of speech and independence with active co-operation with England and help in the defences of India for which the Honourable the Finance Member asks for money? None of us.

not even the bitterest opponent, can shut our eyes to the actual fact that war is the central figure in half the civilised world. Every day brings us nearer and nearer to the dangers of war. You know what it means to India if there are reverses for England in the Far East or in the Middle East. It means that India will be brought nearer the scene of action. It means no India. Who will deny that Burma is within bombing distance of Japan. This means that the enemy is at our very doors. This position is enhanced, this danger is made greater by the gyrations of Russia today. Yet the Congress, consisting as it does of the best brains in India, still wish to bargain for their help and co-operation. Its one desire at present seems to be to drive England to a position, more perilous than it is today and then to force or stampede England to agree to the terms it demands. May I remind the Congress, in the words of that great Prime Minister of England, Mr. Churchill, that, if England were conquered, the theatres of war for the defence of the British Empire will move from possession to possession, from sea to sea and who will deny that India may yet one day be the great and central theatre of war against the Western powers. If the Congress refuses to share the responsibility of financing the country to prepare itself in its defences, I ask, when the day of reckoning comes and they stand before the tribunal in the near future, when peace is declared and they are asked to prove what right they have for the claims they make today of independence or even of Dominion Status, what answer will they give and what will they deserve and get? I ask them seriously to consider this matter.

I am prepared to agree with the Congress and with other speakers in this debate who have pointed out certain defects of our present day government, the sins of omission and commission which the Government of India have perpetrated, but no Government can be perfect. The Anglo-Indian community have their own complaints against this Government. You may not know it. My own community has, at times, been treated very badly. We can never forget the time when Lord Valentia doubted the loyalty of the community and fearing a second Santiago wrote to the Board of Directors in England denying us any positions in the army, civil or naval forces of the Crown. When the call came during the Mutiny, we came back to the Flag to a man. What have we given? We have given, in the words of Mr. Churchill, our blood, our sweat, our tears and our toil. But what have we got in return? While we are grateful for enlistment into army departments we have been refused an Anglo-Indian unit or Battery of artillery or even a mechanised unit. In short, we are still used by Government as its sacrifice on India's political expediency and we feel very bitter against this Imperialism. Let me forget these today. We have our complaints and grievances, but this is not the time to talk about them. We have determined to sink them for the time being. Today is the day when we should unitedly drown our grievances and answer the call of the Mother country, to come forward and help the Government. It is very easy to be arm-chair critics, it is very easy to rake up the dead past and accuse the Government. This will do no good either to India or to us. Does the Congress realise what is happening in England today? Since the last war and the signing of the Treaty of Versailles, does the Congress know how England has suffered? Does it know how her people are daily facing death? England has suffered from the inefficiencies and the deception of its governments and its Ministers. One after the other, its Ministers assured the British public that, everywhere, the British army and the navy and air force were on a parity with

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the enemy countries and there was no cause for anxiety. Minister after Minister, Cabinet after Cabinet refused to listen to the prophetic words of warning of Mr. Winston Churchill who was anathema to all of them and England was left in a sense of pseudo-security, but when the war broke out, the hollowness, the unpreparedness was exposed and the naked truth was laid bare. Don't you think the English people had every right indeed more than you—to stand up in open revolt and call for redress from those Prime Ministers and Cabinets also who were responsible for her plight when war broke out last September. The English people realised they were badly treated in the past and they were let down but they also realised that if they raked up the past, they would not only weaken the present but they would blur the future. No, Sir, every English man, woman and child made up their minds to defend their country. The Labour Opposition—the backbone of England—such as you are occupying in this House today, the Labour Party which had greater grievances with the British Government than you have today with the Government of India agreed to sink their differences and formed a Coalition government. With what result? Daily and daily England's power increased, daily and daily her air power and navy increased, as also the Royal Air Force, every man of which Force I look upon as a national hero, with the result that, today, even you will have to admit that Germany has been defeated in its air attacks in England. That is what the English people have suffered and here they have won the greatest air battle in the world and upset Hitler's plans of conquering England and the world. They did not whine, they did not ask for independence, or freedom of speech. No, they buried their differences.

I ask my Honourable friends of the Congress Party to show that they too do possess the same ideals and realities which the English possess and that they too are prepared to sink their differences and rise to the occasion. Surely this is not the time to cry over spilt milk. It is idle if you think that India is immune to attack or it will be spared by any of the enemy countries. For arguments sake, if India were given independence and separation meant the withdrawal of the British garrison and the guardians of the sea, the Navy, then will any one in this House deny that it would only be a question of whether the new invader would come from the West or the North or the East. What chance would the Indian people have, and even the valourous Frontier Babe, the *enfant terrible*, Mr. Abdul Qaiyum, have, to withstand the onslaughts of modern mechanised warfare on land, air and by sea by using the bare and useless weapons of 'patriotism' and 'valour' or even of 'non-violence' such as seem to be the sole weapons of the Congress party today?

I do beg of my Honourable friends opposite to put aside the question of their injured prestige for the moment, because the continuation of such an attitude is only stirring up difficulties, and I make bold to say that, in some ways it has antagonised the Muslims, it is alienating the Princes and it is making the minorities suspicious, apart from the fact that it is injuring and threatening the security of the British Empire. Surely if your purpose is not to act but only to possess this unusual claim for freedom of speech of what use is it except to satisfy a feeling of pique and injured sentiment? What use is it to the Congress or to the Empire to keep alive an embittered controversy of past years? In doing so you cannot strengthen your hands

you can only strengthen the hands of the aggressive dictators and imperil victory for England.

I sympathise, as I said before, with the views held by some of the Members and the grievances they have mentioned against Government—I agree that controversy at the proper time is wholesome; and politicians should have definite principles and they should be entitled to hold those principles strongly, to express them freely and to fight for them tenaciously. By all means demand sufficient machinery to scrutinise the expenditure on war so as to ensure no waste of money. That is the right of the House. I also agree that we should minimise the letting in of foreign capital under the guise of war efforts, and wherever practicable, India should be given the first opportunity of supplying it. But today we are all facing a common danger, common to England and India—indeed the whole Empire when all ideals and grievances must be submerged and suspended. The need for national unity is paramount and is called for urgently. When imminent peril hung over Great Britain its various parts joined together to fight. If they had not done so England would have been lost today. Surely the Congress leaders, after such a long and continuous agitation, must realise that the same duty is paramount with them and they must perform it now and not in terms of bargained co-operation. Why carry on a controversy which will continue the deadlock that exists today.

If there is a will for a settlement, a settlement there would surely be and the present crisis in the world's history demands it. Remember, "Yesterday is dead, forget it. Today is here, use it. Tomorrow may never come". Two wrongs never made a right. The position of the Congress is very different from any of the political organisation except, perhaps, the Muslim League. The Congress has a hoary tradition behind it. If properly administered it enshrines in its bosom the future of India. At times it has rendered great service to India. I ask every Member sitting on the opposite Benches who has come here with the sole purpose of rejecting this Bill: is the India, which they and we envisage, to be democratic in the true sense of the term, or is it to be only a battle ground for contending and warring factions, paving the way for dictatorship, be they between government and the people or be they between Muslims and Hindus? I ask every Muslim friend of mine and every Congressman to answer this in his personal conduct and by his vote on this Bill. May be my appeal will fall on deaf ears, I hope not. After all each one of us is anxious to lead India towards the goal of Dominion Status. There is no use crying. "We do not trust England and therefore we will not help her in the defences of India; let England first of all give us what we want and then we will co-operate". May I, in reply, add: Remember, mistrust, even a vestige of it, engenders mistrust, while trust has the opposite effect. Cannot the Congress trust England the same as England is prepared to trust the Congress? Cannot the Congress, as sons of this great sub-continent of India, realise the sacrosanctity of the duty they owe to the shores and frontiers of their own country, to their homes and families, and, for the time being sink all political differences and whole-heartedly join the Government? I know, Sir, what my Honourable friends on the opposite Benches, and they will pardon me if I call them a "conquered race", have, at times, suffered. No one knows better than I do how they have suffered and how just are some of their complaints. No one is more sorry for the imprisonment of Pandit Jawaharlal Nehru than I am. I am truly sorry that he should have been given such a long term of imprisonment. But let us come down to

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tin tacks and face each other as man to man. I ask you on the Treasury Benches and you the Congress on the Opposition Benches to face each other as men to men. You—the Government—blame the Congress for wilful opposition and I join you in that charge for it is quite true, but are you altogether blameless? Are you so perfect in all you do—are you so infallible that no one could or should find fault with you? I thought this was the prerogative of the Congress. If you think you are infallible let me tell you that your mirrors are astigmatic and your vision distorted. If you say to the Congress "You are our enemies in the present struggle", I readily say with you "Yes"; but are you the Government—not your own enemies to a certain extent? For nearly two centuries you have paid more attention to your "vested interests" or what Congress and your detractors call "Imperialism" or what I would prefer to call your "untouchability" than to the industrial development of India to make her self-supporting. You have discouraged, with the convenient excuses of "uneconomical" and "unnecessary", any advancement made in the major industries of India with the result that India, though it has its raw materials, is still compelled, in the interests of your Imperialism, to send them to England, later to be returned as finished articles for use in India. You have demanded an Imperialistic hall-mark for degrees in the various sciences and Government employment. You compel our lads to go to Europe and spend thousands of rupees to receive an education to enable them to come back to their own country to practise it. You refuse to recognise the quality of Indian degrees. In short, you believe that the Almighty when He distributed grey cerebral cells, had given it in plenty to the West and very sparingly to the East. As a result, you have indulged in invidious distinctions leading to the development of superiority and inferiority complexes. Take the unfair distribution of civil posts to Indian and European I. M. S. officers. But let me come nearer home—the present war. For years we have been crying out for opportunities to build our own military needs in India, and also our locomotives. But, year after year we have been refused this as being either unnecessary or uneconomical. What is the result? We see it in India today at every turn in our lives anxious as we are to help our King and country in this war. We see an India unable to supply us with our military needs. We find India with a plentiful supply of both officers and men as good as any in the world, ready to serve and patiently waiting to do their bit, but we have no means of adequately equipping them to meet a modernised army—no artillery, no aeroplanes, no tanks, no steamers, no navy, and we have the enemy knocking at our very shores and frontiers. For years we were not considered fit to be officers, either in the army, air or navy. But today, with England with her back against the wall, fighting an unequal fight alone, unable to spare a single plane or cannon, you suddenly discover that India can supply suitable officers and men and many classes whom you once dubbed as "non-martial" you find today are suitable for the army. But from where are you going to equip them—these fine specimens of manhood are hungry, are thirsty to help England, but cannot; and I cannot see how they will be able to do so for at least another 12 or 15 months, if not longer. This is what you have done in the bigotry of your vested interests—your untouchability to the industrial ruin of India, shorn, as she finds herself of most major industries which are still the perquisites of England and Europe.

Mr. President (The Honourable Sir Abdul Rahim): It is five o'clock now. How long does the Honourable Member want to continue?

Lieut.-Colonel Sir Henry Gidney: I think about ten minutes, Sir.

Mr. President (The Honourable Sir Abdul Rahim): The Honourable Member can resume his speech tomorrow.

STATEMENT OF BUSINESS.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, the last date on which you have hitherto directed the Assembly to meet for the transaction of official business is Thursday in this week. If, as is hoped, the Honourable the Finance Member's motion for reference of the Excess Profits Tax (Amendment) Bill to Select Committee is reached on Wednesday or Thursday, it is proposed to specify Monday next as the date by which the Committee will be instructed to report. I would, therefore, request you, Sir, to direct a meeting to be held for the transaction of official business on that day. I should explain in this connection that it is important that the Bill should become law this Session inasmuch as it affects assessments which must be made before the House next meets. The effect, I may add, on assessments will, to a preponderating extent, be in the interests of the assesseees. If the Bill is to be passed during this Session, further meetings will become necessary, but for the present I confine myself to asking you to direct a meeting to be held on Monday next. I would add that the only remaining business for the Session, not included in the current list, is the discussion of the report of the Public Accounts Committee and possibly the consideration and passing of a Bill (not yet introduced) to make provision in connection with the coffee industry.

Mr. President (The Honourable Sir Abdul Rahim): I fix Monday the 25th November for official business.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 19th November, 1940.

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