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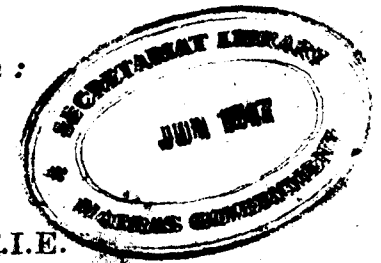
Council of State

President :

THE HONOURABLE SIR MANECKJI DADABHOY, K.C.S.I., K.C.I.E.,
LL.D., BAR.-AT-LAW.

Panel of Chairmen :

THE HONOURABLE MR. P. N. SAPRU.
THE HONOURABLE SIR A. P. PATIL, K.C.I.E.
THE HONOURABLE MR. M. N. DALAL.
THE HONOURABLE SIR RAHIMTOOLA CHINYOY, KT.



Secretary :

THE HONOURABLE MR. SHAVAX A. LAL, C.I.E.

Committee on Petitions :

THE HONOURABLE RAJA CHARANJIT SINGH, *Chairman*.
THE HONOURABLE SIR RAMUNNI MENON.
THE HONOURABLE PANDIT HIRDAY NATH KUNZRU.
THE HONOURABLE MR. M. N. DALAL.
THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB
BAHADUR.

} *Members.*

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THE COUNCIL OF STATE DEBATES

(OFFICIAL REPORT OF THE TWELFTH SESSION OF THE FOURTH
COUNCIL OF STATE)

VOLUME II—1942

COUNCIL OF STATE

Monday, 21st September, 1942

The Council met in the Council Chamber of the Council House in New Delhi at Eleven of the Clock, being the First Day of the Twelfth Session of the Fourth Council of State, pursuant to section 63D (2) of the Government of India Act. The Honourable the President (the Honourable Sir David Devadoss) was in the Chair.

MEMBERS SWORN :

The Honourable Sir Mahomed Usman (Posts and Air Member and Leader of the House).
The Honourable Sir Jwala Prasad Srivastava (Civil Defence Member).
The Honourable Sir Jogendra Singh (Education, Health and Lands Member).
The Honourable Sir Satyendra Nath Roy (War Transport Secretary).
The Honourable Mr. C. Maci. G. Ogilvie (Defence Secretary).
The Honourable Mr. C. E. Jones (Finance Secretary).
The Honourable Mr. H. C. Prior (Labour Secretary).
The Honourable Mr. Ammembal Vittal Pai (Indians Overseas Secretary).
The Honourable Mr. Vishnu Sahay (Nominated Official).

DEATH OF H. R. H. THE DUKE OF KENT, DR. E. RAGHAVENDRA RAO AND SIR KURMA VENKATA REDDY NAIDU.

THE HONOURABLE THE PRESIDENT: Honourable Members, it is my painful duty to refer to a loss which the Empire in general has sustained in the death of His Royal Highness the Duke of Kent. Born in the purple he never spared himself to do good to all of His Majesty's subjects. His public career is well known and it is not necessary for me to mention it in detail. When the war broke out he did his part with unflinching courage and his death was in the course of the discharge of his duty. His life and death are a lesson to all.

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[Mr. President,]

that however exalted one's position may be, it is his bounden duty to do his best for his King and Country. In a sense such men do not die, for as the scripture says: "Though dead yet speaketh". He succeeded His Royal Highness the late Duke of Connaught as the Grand Master of British Free Masonry and as Grand Master he gave an inspiring address in April last and if one reads between the lines, one could feel that His Royal Highness was expecting a call soon for higher service. The whole Empire mourns a most beloved member of the Royal Family and it is our humble duty to express our sympathy with His Imperial Majesty the King Emperor and the noble Duchess of Kent in their great bereavement.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Mr. President, Sir, I beg to associate myself with what you have said just now. In the death of His Royal Highness the Duke of Kent the British Empire has lost a very popular and distinguished member of the Royal Family and a very public-spirited and charming personality, absolutely selfless and thoroughly devoted to duty. I request you, Sir, to convey to His Majesty the King Emperor and Her Royal Highness the Duchess of Kent the sympathy of this House in their very great loss.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I associate myself with the feelings expressed by the Honourable the President and the Honourable the Leader of the House. I had the privilege and pleasure of meeting His Royal Highness when I was in England and I found in him a high and a very charming personality. We all deeply mourn his loss.

***THE HONOURABLE MR. HOSSAIN IMAM** (Bihar and Orissa: Muhammadan): I also associate myself, Mr. President, with the statement made by yourself and the Honourable the Leader of the House. The whole Empire mourns the loss which the King Emperor and the Royal Family has suffered in his death.

THE HONOURABLE MR. M. N. DALAL (Bombay: Non-Muhammadan): Mr. President, I rise to support the Motion so eloquently moved by you and the Honourable the Leader of the House. As a man engaged in active service of his country His Royal Highness the Duke of Kent has passed away in a manner befitting his position as one who, though of Royalty, had proved himself to be one of us both in spirit and purpose.

THE HONOURABLE RAJA CHARANJIT SINGH (Nominated Non-Official): Mr. President, I beg to associate myself with what you have said about the sad and untimely death of His Royal Highness the Duke of Kent.

THE HONOURABLE MR. R. H. PARKER (Bombay Chamber of Commerce): Mr. President, I beg to associate myself with what you have said and what has fallen from other Honourable Members.

(The Motion was adopted, the Council standing.)

THE HONOURABLE THE PRESIDENT: Honourable Members, this Council is the poorer for the loss of the Honourable Dr. E. Raghavendra Rao who was one of our members for a few months. Dr. Raghavendra Rao was a

*Not corrected by the Honourable Member.

man of brilliant talents and character. He rose to eminence at a comparatively early age. He was twice Minister in the Central Provinces under the old constitution. Subsequently he was appointed Home Member and acted as Governor of the Central Provinces in 1936. He was elected to the Legislative Assembly under the new constitution in 1937 and was Chief Minister of the Central Provinces and Berar. He was appointed one of the Advisors to the Secretary of State in 1939. At the request of His Excellency the Governor General he left England and came here and became one of the Executive Councillors. He was in charge of the portfolio of Civil Defence. In spite of weak health he attended the meetings of the Council of State and did his work to the satisfaction of all. Simple in manners he fulfilled the highest offices with great distinction. He was trusted by everybody and never forgot what was best for the good of his country. "His sad and untimely death", to quote the words of the notification of the Government of India, "has cut short a career of brilliant achievements in the Provincial and all-India fields". His loss is all the greater at this period of India's history. I think Honourable Members would like to express their sympathy with the members of Dr. Raghavendra Rao's family in their bereavement.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Mr. President, I beg to associate myself with what you have said about the late Dr. Raghavendra Rao. In the death of Dr. Raghavendra Rao the country has lost a staunch friend, and the Government of India a very valued member. I request you, Sir, to convey to his family the sympathy of this House.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I also associate myself with the remarks that have been expressed by you and the Honourable the Leader of the House.

***THE HONOURABLE MR. HOSSAIN IMAM** (Bihar and Orissa: Muhammadan): Sir, in Dr. Raghavendra Rao we had a strong man but unfortunately his ill-health prevented, while he was in the Government of India, from making his presence felt as acutely as we would have liked but in him we have lost a strong and conscientious worker and a true friend of India.

THE HONOURABLE MR. M. N. DALAL (Bombay: Non-Muhammadan): Sir, the late Dr. Raghavendra Rao was one of India's constructive politicians, who also enjoyed a great reputation as an administrator. He had a ready grasp of political problems and his knowledge of men and events was impressive. I join in mourning the loss of a distinguished member of this Honourable House.

THE HONOURABLE RAJA CHARANJIT SINGH (Nominated Non-Official): Sir, I also associate myself with the tribute you have paid to the memory of the late Dr. Raghavendra Rao.

THE HONOURABLE MR. R. H. PARKER (Bombay Chamber of Commerce): Sir, I also wish to join in what has been said by you and by the other Honourable Members about the late Dr. Raghavendra Rao.

(The Motion was adopted, the Council standing.)

THE HONOURABLE THE PRESIDENT: Honourable Members, Madras mourns the loss of a true patriot and one of the noblest sons of India in the sudden death of Sir Kurma Venkata Reddy Naidu. He led the Bar in Ellore

*Not corrected by the Honourable Member.

[Mr. President.]

for a number of years and when the Montagu-Chelmsford Reforms were on the anvil came to Madras and took an active part in the non-Brahmin movement. He went to England in 1919 and represented the non-Brahmin cause there. He became a member of the Imperial Legislative Council in 1920 and made his mark here. He was Minister for Agriculture for three years and worked with the late Raja of Panagal. He went out as Agent of the Government of India in South Africa in 1929. He was a member of the Council of State in 1933 and 1934. He was appointed as a member of the Executive Council of the Governor of Madras in 1934 and continued as such for three years and acted as Governor of Madras for four months during the absence on leave of Lord Erskine. When the Congress Party which had a majority refused to accept office he formed a ministry at the request of the Governor and did very useful work. He accepted the Vice-Chancellorship of the Annamalai University in 1940 which office he held till his death. His high character and great talents enabled him to do all he did with thoroughness and sincerity. He always cared for the good of the country and never put his own interests above those of his country. He was never self-seeking. Sweet in disposition and amiable in manners, he won the love and respect of all who knew him. He did much good work in connection with the war effort. His loss is all the greater at this critical time in the history of India. I do hope you sympathize with Lady Kurma Venkata Reddy and her sons and daughters in their great and sad bereavement and wish me to convey to them our condolences.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Sir, I beg to associate myself with what you have said about the death of the late Sir Kurma Venkata Reddy Naidu. His death is a very great loss to the whole country, especially to the Presidency of Madras. For the last three years he had been wholeheartedly devoting himself to the war effort. As Chairman of the Recruiting Sub-Committee he has done wonderful work and it will be very difficult for anybody to step into his shoes as Chairman of that Committee. I would request you, Sir, to convey to his family the sympathy of this House.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I join in the expression of sorrow at the death of the late Sir Kurma Venkata Reddy Naidu.

*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Sir, I also wish to associate myself with what has been said by you and by the other Honourable Members about the late Sir Kurma Venkata Reddy Naidu.

THE HONOURABLE MR. M. N. DALAL (Bombay: Non-Muhammadan): Sir, I associate myself with what has been said about a distinguished member of this House.

THE HONOURABLE SIR A.P. PATRO (Nominated Non-Official): With your leave, Sir, I would like to associate myself with what you have said about the late Sir Kurma Venkata Reddy Naidu. We worked together for the last 43 years, both in public life as well as in service. We worked as Ministers together and he was always very helpful to his colleagues and to the Government. He was a self-made man and rose to the highest rank by sheer merit and service and his character was such that no one could demur in the matter

* Not corrected by the Honourable Member.

of his friendship and he would very willingly be of use and service to all those that came near and around him. During the last few years of his life and on his return from South Africa he fell ill. He sacrificed himself by going to South Africa and all that for the sake of carrying out the orders of Government. He was faultlessly loyal. He came from a loyal family of fighters. His ancestors were in the Madras Army and as such he continued to have that military spirit in him. In fact he always said that as President of the Recruiting Board his experience and the blood in him would enable him to appeal to the people of the Northern Sircars to enlist themselves freely. I am glad to say we succeeded very largely in our recruiting soldiers for the Indian Army. All the time he was busily engaged in spreading the war effort and popularising it, and only a few days before his death he addressed a meeting in Nellore and the taluqs in Nellore wherein he established the fact that there is nothing to be gained by fostering an anti-British spirit, appealed to the people to support the war effort and thereby gain what they all wished. Therefore, Sir, to me personally a great friend is lost. To our Province it is a very great loss and generally to the country a man like Sir Kurma Venkata Reddy is not easily replaced.

THE HONOURABLE RAJA CHARANJIT SINGH (Nominated Non-Official): Sir, I also associate myself with what has been said about Sir Kurma Venkata Reddy.

THE HONOURABLE MR. R. H. PARKER (Bombay Chamber of Commerce): Sir, I also associate myself with what has been said about Sir Kurma Venkata Reddy.

(The Motion was adopted, the Council standing.)

QUESTIONS AND ANSWERS.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Will you allow me, Sir, to put these questions on behalf of the Honourable Raja Yuveraj Dutta Singh?

THE HONOURABLE THE PRESIDENT: Has he requested you to do so?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: No, Sir.

THE HONOURABLE THE PRESIDENT: If he does not turn up in a day or two, I will consider your request. The only thing is I do not want to go against practice.

EXPLOITS OF INDIAN TROOPS.

1. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government make a statement relating to the war situation in general, and with particular reference to the exploits of Indian troops in the different theatres of war, subsequent to the statement made by His Excellency the Commander-in-Chief in reply to a question of mine in the last session of this House?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: The Honourable Member has on this occasion asked for a statement relating to the war situation in general, in addition to an account of the activities of Indian troops in the different theatres of war. I can add little to the review given most recently

by the Prime Minister Mr. Churchill to the House of Commons and to General Wavell's recent broadcast on the third anniversary of the outbreak of war. We are undoubtedly passing through what we all hope will prove the last critical phase from the point of view of the United Nations. It was fully anticipated that the present summer and autumn would see the supreme effort on the part of the Axis powers to snatch victory; or at least to gain vital strategic successes before the full offensive potential of ourselves and our Allies could begin to make itself felt. Taking all this into consideration, the situation is therefore not nearly as bad as might have been expected. In North Africa the Axis is still pinned to the desert. In the Mediterranean the astounding defence of Malta persists. In North Western Europe large Axis forces are maintained on the alert day and night, anxiously watching a coast line stretching from the Bay of Biscay to the Arctic, and uncomfortably conscious of the growing anger of oppressed peoples behind them. To Germany itself increasing hours of darkness are bringing raids by the Royal Air Force more and more often and on a scale the Luftwaffe never attained even in the Battle of Britain. To this the Air Arm of the United States is beginning to add its weight also. Despite heavy and grievous preoccupation far in the interior of their own land, the Soviet Air Force is also making Germany and its central European satellites conscious of the fact that they are beset on two European fronts. On Russian soil the unsurpassed gallantry of the Soviet Armies has preserved the fighting power of Russia despite immense losses in blood and territory. To the battle honours of the Russian Armies has been added yet another epic defence, that of Stalingrad, to be inscribed on the scroll of history with Leningrad, Moscow and Sebastopol. Today is September 21st, a fact of which the German High Command must be uncomfortably conscious. The enemy is also uneasily aware of the resources in men and material already expended without completing the destruction of Russia.

To the East we cannot look with complacency; but we have reason for a growing confidence. Japan's mad rush of facile conquest has been brought to a standstill; while by sea and air a heavier toll than is yet appreciated has been taken of the Japanese war machine. American and Australian forces have become increasingly offensive throughout the summer months and have occupied the Japanese War Lords to a degree which they cannot but find disconcerting.

India has had invaluable months to prepare defences on a scale never previously possessed or required in her history, and is today by air and land in a position to face any threat of direct attack with quiet confidence.

In regard to the second paragraph of the question, Honourable Members will remember that on February 18th of this year, in reply to a question by the Honourable Raja Yuveraj Dutta Singh, I gave a detailed account of the achievements of Indian troops in all theatres of war. I propose to pick up the story where I left off, and to give Honourable Members an outline of what has happened in the last six months.

My previous account of events in the Middle East ended with the escape of the 7th Indian Infantry Brigade from Benghazi—one of the most remarkable feats of the Middle East campaign. After slipping through the enemy's grasp with comparatively small loss, the Indian troops dropped back slowly along the coast road towards Tobruk. Strong South African forces relieved the 4th Indian Division at Gazala, and our men moved to the rear for a well earned rest.

An inter-divisional relief with the 5th Indian Division was planned, and a certain proportion of our 4th Division crossed to Cyprus. The pleasure

of our men in being again in a land of green grass and running water was reflected in their letters to their families in India.

Unfortunately the lull was of short duration. The enemy struck on the morning of May 26th, when Rommel opened his new battle with a characteristic panzer rush. A force of approximately 400 enemy tanks thundered across the southern end of the minefield which defined our front between Bir Hacheim and Gazala. His time-table called for him to be in Gazala in two days.

On the opening morning a single unit almost changed the course of the battle. The 3rd Indian Motor Brigade had just dug in on the south-easterly flank of the Fighting French at Bir Hacheim. By sheer weight of armour Rommel smashed through this Brigade, over-running it and taking several hundred prisoners. But, in this 45 minutes action, 54 German tanks were knocked out. Such was the effect on Rommel's plan that he was obliged to split his tank force into two columns and incidentally to leave nearly all his prisoners. Within 10 days the 3rd Indian Motor Brigade was refitted and ready for action.

I will not trouble Honourable Members with a chronological record of the confused and disappointing battle which followed at Bir Hacheim, in the areas known as Knightsbridge and Cauldron, at Acroma and Gazala. In that battle many Indian units played their part. At all times they proved themselves equal infantrymen to the enemy. Battalions representing nearly every Indian regiment and the Gurkhas stood in the van, on one day or another, of one of the fiercest battles of this war. Misfortune came upon many, but it was not the fault of either officers or men. The conditions of desert warfare are such that without air and armour protection infantry is naked. There was not lack of air support for our troops. From May 27th until July 3rd, the R. A. F. fought their second decisive battle in this war. By night and day, despite the increasing tempo of the battle, the Empire's air forces met every demand and triumphed in every crisis.

But we must recognize the bald fact that our armour failed. In the desert we have endured disappointment after disappointment in tank combat. I need not go into the pros and cons of tank strategy and construction. I need only say that we started from scratch, and that it has taken us a long time to overhaul the German lead. As a result, a battle which was progressing favourably suddenly took a disastrous turn during the week up to June 13th. In a fierce series of actions on and around the Acroma plateau, we lost a large portion of our tank strength. A withdrawal became necessary.

Prior to this our 5th Indian Division had felt the rigour of Rommel's panzer attack. After advancing splendidly in the area south of the Trigh Capuzzo on June 5th/6th, the 9th and 10th Indian Brigades were over-run by tanks. A gap was opened in our line, and heavy casualties ensued. The 29th Indian Brigade, thrown into the El Adem box, covered the withdrawal of other troops in the centre of the battle line. Afterwards, with many adventures, the Indians withdrew in conformity with the general plan. The 11th Indian Brigade was mustered into the Tobruk perimeter, and was posted on the eastern sector of the Tobruk defences.

Here another tragedy occurred. The story of Tobruk is not yet told but units of the 11th Brigade endured a repetition of the experience of the

9th and 10th Indian Brigades in the Trigh Capuzzo area. Striking on the morning of 20th June on a narrow front, Rommel forced his way through to the high ground commanding Tobruk town. Fighting was continued until all ammunition became exhausted. Thereafter surrender was inevitable. South Africans, British and Indians lost heavily in prisoners, but other casualties were not excessive.

Here I think I should interpolate that ever since the fall of Tobruk, individual Indian soldiers have been finding their way in the most incredible manner back through 400 miles of waterless desert to rejoin their units. Some of their stories are among the most amazing of the war.

Of the retreat from Cyrenaica I propose to deal only briefly. Indian units participated in the short holding actions on the frontier line around Halfaya. They then slipped away in the night. Twenty-four hours later they were manning the perimeter of Mersa Matruh. Here the battle swung to the southwards; and tribute must be paid to the hard fighting 5th Indian Brigade who went to the aid of their British comrades of the 50th Division. When the order to evacuate Mersa Matruh was given another Indian Brigade was holding the coastal perimeter and found themselves cut off as the 7th Brigade had been cut off at Benghazi. In the same manner they turned into the desert, broke through the German cordon, and fought their way back to safety.

When Tobruk fell, fresh Indian units were on the road moving up. When the Alamein line was gained, an Indian Brigade held a central position, with South Africans on one flank and New Zealanders on the other. On the Indian Brigade fell the weight of Rommel's first blow. Fighting hard, the Indian troops held their ground for 24 hours of incessant attack. It was only when Rommel's set piece—the massed rush of tanks—broke through that this Brigade withdrew to another position.

On July 1st, 2nd and 3rd, the enemy's momentum still continued, and it seemed possible that he would crash through the bottleneck between the Quattara Depression and the sea. The stand which the Indian troops made, together with their British, New Zealand and South African comrades, may prove to have been a decisive factor in the Middle East campaign.

Within sight of the sea, along Ruweisat Ridge, the Rajputs, the Rajputana Rifles, the Baluchis, the Punjabis and their British associates, the West Yorks, East Yorks, the Essex Regiment, and other units not only gave no ground, but sallied out in fierce thrusts against the enemy. This fighting spirit at the end of a retreat of over 300 miles was a magnificent example of determination and resource.

The corner had been turned. Our gun strength had then been greatly augmented. When Rommel tried his favourite tactics and threw a heavy force of tanks, guns and armoured cars against the thin line held by the Baluch Regiment and the Rajputana Rifles, on the western extremity of the Ruweisat Ridge, a British Armoured Brigade, moving rapidly to the support of the Indians, smashed the German attack by a hail of fire from the new six-pounders. The Indian Infantry were little more than spectators until night fall, when they had the pleasure of sending parties out to blow up some dozens of German tanks and guns which had been left derelict on their front.

Our troops still hold the same positions today. I can assure Honourable Members, and I have the word of a distinguished Indian who has just returned

from visiting them, that their morale is high, and their faith in ultimate victory unbroken. No one can prophesy in this war, but I venture to think that our Indian troops will not again be subjected to the vicissitudes of fortune which, through no fault of their own, cost them and their British comrades so dear in the battles between Tobruk and Alamein. New weapons, new methods of attack and defence, and heavy British reinforcements will, I feel certain, enable the Eighth Army to play their part in the battles of the future with every confidence.

To turn to another theatre of war in Burma our Army had to fight not only the Japanese but also a large number of enemy organized "Fifth Columnists", whose activities had to be carefully watched.

I would remind you that when the Japanese attacked Burma we had for the defence of that country only two Indian Infantry Brigades, and two Brigades of Burma Rifles, one of which contained a British Battalion. There was also one British Battalion for the defence of Rangoon. Additional reinforcements to reach Burma consisted of only a British Armoured Brigade, three British Battalions and four Indian Brigades. Thus it was that the front-line strength of the Burma Army never exceeded two weak infantry divisions and an Armoured Brigade. Honourable Members will recollect that the Eastern frontier of Burma, stretching from the Shan States to Victoria Point, had to be guarded. Provision had also to be made for guarding Rangoon and the vulnerable coast line. Insufficiency of communications precluded the possibility of concentrating forces rapidly at threatened points. The Japanese used about three divisions in the original attack on Burma, besides having the co-operation of Thai troops. In the later stages of fighting around Mandalay the enemy brought two more divisions into Burma, making a total of five. With the fall of Rangoon, we, of course, were without the possibility of any further reinforcements.

I think it only right to say that the reinforcements from India had been trained for an entirely different type of warfare in an entirely different theatre of war—consequently it took some time for the troops to accustom themselves to the peculiar conditions of fighting in intense jungle.

The Japanese, on the other hand, had long been preparing this particular portion of their army for the express purpose of fighting in Burma. It is noteworthy, however, that the further the army withdrew into Upper Burma, the more proficient our men became in taking on the Japanese at their own game.

I will give a few instances in which our Indian troops gave a good account of themselves. In the Pa-an area the 7th Gurkha Rifles showed particular enterprise. They maintained a post and patrols on the Japanese side of the river Salween and had several successful brushes with the enemy. West of Pa-an, the 10th Baluch Regiment fought almost literally to the last round and the survivors cut their way through enemy encirclement. At Martaban, a determined Gurkha bayonet charge resulted in a superior Japanese force dropping their arms and running to cover in panic.

In the fierce fighting at Sittang Bridge, the Duke of Wellington's Regiment, the 12th Frontier Force Regiment and the 4th Gurkhas especially distinguished themselves.

Many gallant rearguard actions were fought by our troops in the Yenangyaung area and the Japanese made several vain attacks to prevent the destruction of the oilfields.

At Shwegyin, on the Chindwin river, the Japanese made one last desperate attempt to cut off the Imperial Forces. They were defeated with heavy loss. After that our withdrawal was not interfered with.

Tribute must be paid to the Sappers and Miners who made it possible for General Alexander's army to withdraw to the Indian Frontier from Shwebo before the monsoons rendered the rough country track useless for heavy vehicular traffic.

During the last few days of the campaign, thousands of Indian refugees joined the Imperial Forces in the journey to the borders of Assam. British and Indian troops shared their meagre rations, gave lifts to the exhausted, to women and children, and to the old.

The Burma campaign can best be described as a large scale rearguard action in which our men put up an excellent fight against a better prepared and numerically superior enemy. Our withdrawal was a sad reverse, but our Army is still intact. In Assam it is ready, now more than ever before, to meet the Japanese. The Battle of Burma is not yet over.

ENCASHMENT OF BURMA NOTES.

2. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government state the situation arising out of the occupation of Burma by the Japanese, with regard to the encashment by the Reserve Bank of India?

(b) Have Government any information as to whether British Indian currency held by Indians in Malaya, Singapore and Burma is recognized by Japan as still legal tender at its face value, or at depreciated value?

THE HONOURABLE MR. C. E. JONES: (a) The attention of the Honourable Member is invited to Ordinance No. XXVIII and Notification No. D. 7440 (ii)-F./42, issued on the 5th June, 1942, and the press communiques issued on the 11th, 20th, 29th June, 1st and 23rd August, 1942, in connection with the encashment and import of Burma notes, copies of which are laid on the table.

(b) Government have no information.

(Published in the Gazette of India Extraordinary on the 6th June, 1942.)

ORDINANCE No. XXVIII of 1942.

AN

ORDINANCE

to regulate payments in British India by the Reserve Bank of India of the value of Burma bank notes.

WHEREAS an emergency has arisen which renders it necessary to make certain provisions regulating payments in British India by the Reserve Bank of India of the value of Burma bank notes issued by the bank and other matters pertaining thereto;

NOW THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance:—

Short title, extent and commencement. 1. (1) This Ordinance may be called the Burma Notes Ordinance, 1942.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

Definition. 2. In this Ordinance "Burma note" has the same meaning as in the Reserve Bank of India Act, 1934.

3. Notwithstanding anything contained in any enactment or rule of law to the contrary the Reserve Bank of India shall not after such date as may be notified in this behalf by the Central Government in the official Gazette pay the value of any Burma note except to persons to whom or in circumstances in which it may be authorized by the Central Government by general or special order to make such payments.

4. As from the date of the notification referred to in section 3 and until the Central Government by notification in the official Gazette otherwise directs references to ban notes in section 34 of the Reserve Bank of India Act, 1934, shall not include references to Burma notes.

NOTIFICATION.

No. D-7440-(ii)-F/42, dated 6th June, 1942.—In pursuance of section 3 of the Burma Notes Ordinance, 1942 (Ordinance XXVIII of 1942) the Central Government is pleased to fix the 8th day of June 1942 as the date after which the Reserve Bank of India shall not pay the value of any Burma note except to persons to whom or in circumstances in which it may be authorised by the Central Government by general or special order to make such payments.

Press Communique, dated the 11th June, 1942.

Burma notes will continue to be encashed by the Reserve Bank of India as hitherto. Owing to the Burma Notes Ordinance the encashment of such notes will now be on behalf of the Government of India who have authorised the Reserve Bank to continue the existing arrangements till further notice.

Press Communique, dated the 20th June, 1942.

PREVENTING SMUGGLING OF BURMA NOTES.

To prevent the possibility of Burma notes being smuggled into India by enemy agents it has been decided that from July 15, 1942, Burma notes will be encashed only for genuine refugees at the following places in Assam:—

Dibrugarh, Dimapur, Silchar, Margherita, Imphal.

and also at the offices of the Reserve Bank at Calcutta, Cawnpore and Madras. Permission to encash Burma notes will therefore depend on verification of the holders bona-fides and all persons in India now holding Burma notes should make certain to encash them at the nearest branch of the Imperial Bank of India before July 15, 1942.

Press Communique, dated the 29th June, 1942.

GENERAL ENCASHMENT OF BURMA NOTES, ONLY TILL JULY 14, 1942.

The public are warned that the present general encashment of Burma Notes at all Branches of the Imperial Bank throughout India will continue only till July 14, 1942, and that thereafter these notes will only be encashed for genuine refugees at Dibrugarh, Dimapur, Silchar, Margherita and Imphal in Assam and at the Offices of the Reserve Bank of India at Calcutta, Cawnpore and Madras in the rest of India.

Press Communiqué, dated the 1st August, 1942.

IMPORT OF BURMA NOTES.

The import of Burma notes into India has been prohibited with effect from the 1st August except that refugees coming by the direct land routes from Burma are permitted after verification to bring in any Burma notes in their possession. The encashment of these notes will be governed by the instructions already issued. Passengers travelling by air from China will be allowed to bring in such notes till the 4th August, if they were not informed of the prohibition before they left China.

Press Communiqué, dated the 23rd August, 1942.

ENCASHMENT OF BURMA NOTES.

Burma Notes were encashed at all branches of the Imperial Bank throughout India till the 14th July, 1942, but to prevent the possibility of their being smuggled into India by enemy agents, it was decided to restrict their encashment from the 15th July, 1942 only to genuine refugees at certain specified places in Assam apart from the offices of the Reserve Bank at Calcutta, Cawnpore and Madras. All persons holding Burma notes were, therefore, advised in the Finance Department press communiqué, dated the 20th June, 1942, and reminded in a subsequent press communiqué, dated the 20th June, 1942, to make certain to encash their holdings before the 15th July, 1942. In view of the reasonable notice which has already been given to all genuine holders in India for the encashment of Burma notes and to obviate the risk of notes coming through undesirable channels, it has been decided, in the interest of public safety, that after the 31st August, 1942, Burma notes will not be accepted for encashment anywhere in India unless the possession of such notes has been duly vouched for by a responsible Police Officer of the status of District Superintendent or a District Officer. Arrangements have been made for the encashment of such notes as may be brought in by genuine evacuees from Burma after that date.

UNITED KINGDOM COMMERCIAL CORPORATION.

3. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Is it a fact that the United Kingdom Commercial Corporation, which is being patronized and helped by the British Government has been operating in India for some time past; and that it enjoys a monopoly in the trade of certain commodities, such as sugar, wheat, oilseeds, oils, lorry tyres, etc.? If so, why should any monopoly be granted to this Corporation?

(b) Is it a fact that this Corporation gets high priorities through the Supply Department, and thus controls to a very great extent the export trade from India, and makes heavy profit?

(c) Will Government state the total value of the orders placed by Government with this Corporation since it came into existence in India; and also state whether orders for similar or higher values have been placed with any other Corporation or firm in India?

(d) Is it a fact that by virtue of the position which this Corporation occupies, Indian firms are compelled to deal through this Corporation?

THE HONOURABLE SIR ALAN LLOYD : (a), (b) and (d). The Honourable Member is referred to the Press Note regarding the activities of the United Kingdom Commercial Corporation in India published on the 6th August, 1942, a copy of which is available in the Library of the Legislature.

(c) Orders of the value of about Rs. 58 lakhs have been placed with the United Kingdom Commercial Corporation since it commenced operations in India. Orders for similar and or higher value have been placed with other firms in India.

DISCRIMINATORY TREATMENT IN THE GRANT OF ALLOWANCES, ETC., TO EVACUEES.

4. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Are Government aware that there are widespread complaints pertaining to discrimination in the treatment meted out to Indian and European evacuees from Burma in the matter of allowances, accommodation and employment?

(b) Will Government state separately the number of Indian evacuees, who have been given employment by the Government in India, and also the numbers of Burmese, Anglo-Burmese, and European officials evacuated from Burma into India?

(c) What are the maximum salaries given to the Indian evacuees, as well as the maximum salaries given to the Burmese, Anglo-Burmese and European officers evacuated from Burma?

THE HONOURABLE MR. A. V. PAI : (a) Government have seen reports in the press referring to the difference in the rates of monetary advances which were being paid on behalf of His Majesty's Government to European evacuees and those originally sanctioned by the Government of India as a charge on Central Revenues for Indian evacuees. The present scales brought into force since July last are however based on the pre-evacuation incomes of refugees, are applicable to all refugees irrespective of race and have done away with all distinction between Europeans and Indians in the matter of allowances. As regards accommodation, all refugees are expected to make their own arrangements from out of the advances granted to them, but some European and other evacuees who because of their unfamiliarity with the conditions in this country were unable to do so, have been housed in camps the cost of their maintenance being adjusted against the allowances otherwise admissible to them under general orders referred to above. In respect of the employment of evacuees, Government have already suggested to the appointing authorities that an Indian evacuee should be given preference over a non-Indian evacuee as far as possible.

(b) Information is not readily available.

(c) Scales of pay are attached to posts; evacuees appointed to particular posts draw the salary of these posts irrespective of whether they are Europeans, Burmans, Anglo-Burmese or Indians.

ESTABLISHMENT OF AN AUTOMOBILE INDUSTRY.

5. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government lay on the table copies of the scheme and proposals submitted to them, in connection with the proposed starting of an automobile industry in India, with the explanatory notes and correspondence that may have passed between Government and the Company concerned?

THE HONOURABLE SIR ALAN LLOYD : A copy of Commerce Department letter No. 43-T.(8)/41, dated the 24th January, 1942, to Sir M. Visvesvaraya, which describes the schemes placed before Government and the reasons why the Government of India have not been able to assist the development of this industry on the lines proposed in these schemes has been placed in the

Library. Practically all the previous correspondence was demi-official and confidential, and such detailed particulars of the main scheme as came into the hands of the Government were also supplied in confidence. It is therefore impossible to comply with the Honourable Member's request.

NEWMAN'S INDIAN BRADSHAW AND RAILWAY TIME TABLES.

6. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Have Government prohibited the export of copies of Newman's Indian Bradshaw and of Railway Time Tables to countries outside India? If so, to what countries?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: The answer to the first part of the question is in the affirmative. As regards the latter part, the export of copies of these publications to all countries outside India, except the British Empire and the United States of America, Russia and China (less such portions of territory as are in enemy occupation) and Afghanistan, Persia and Iraq, has been prohibited.

EXPORT OF FOODSTUFFS.

7. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Have Government banned the export of foodstuffs from India to foreign countries in view of the apprehended shortage of foodstuffs in India due to war conditions? Will Government explain their policy in this respect?

THE HONOURABLE SIR ALAN LLOYD: The export of foodstuffs from India is prohibited except to some neighbouring countries, which depend on India for their requirements. Exports to permissible destinations are regulated by a system of quotas which have been fixed in relation to the minimum essential requirements of those countries and to India's capacity to meet those requirements.

MUSLIM, SIKH AND NON-MUSLIM POPULATION IN CERTAIN DISTRICTS OF THE PUNJAB.

8. THE HONOURABLE MR. G. S. MOTILAL: What is the Muslim, Sikh and non-Muslim population of each tehsil in Lahore, Sialkot, Gujranwala and Sheikhupura districts of the Lahore Division ascertained in 1941 Census or otherwise and of each tehsil in Montgomery and Lyallpur districts?

THE HONOURABLE SIR MAHOMED USMAN: The Honourable Member is referred to the Punjab Census Tables, 1941, Volume VI; a copy of which is available in the Library.

MUSLIM AND NON-MUSLIM POPULATION OF EACH DISTRICT OF BENGAL AND ASSAM.

9. THE HONOURABLE MR. G. S. MOTILAL: What is the Muslim and non-Muslim population of each district of Bengal and of Assam ascertained in 1941 Census or otherwise?

THE HONOURABLE SIR MAHOMED USMAN: A statement showing the Muslim and non-Muslim population of the districts of Bengal is laid on the

table of the House. As regards Assam, the Honourable Member is referred to the Assam Census Tables, 1941 (Volume IX), a copy of which is available in the Library.

Statement showing the Muslim and non-Muslim population of each district of Bengal.

Division.	District.	Muslim.	Non-Muslim
Burdwan Division	Burdwan	336,665	1,554,067
	Birbhum	287,310	761,007
	Bankura	55,564	1,234,076
	Midnapur	246,559	2,944,088
	Hooghly	207,077	1,170,652
	Howrah	296,325	1,193,979
Presidency Division	24 Parganas	1,148,180	2,388,206
	Calcutta	497,535	1,611,356
	Nadia	1,078,007	681,839
	Murshidabad	927,747	712,783
	Jessore	1,100,713	727,503
	Khulna	959,172	984,046
Rajshahi Division	Rajshahi	1,173,285	398,465
	Dinajpur	967,246	959,587
	Jalpaiguri	251,460	838,053
	Darjeeling	9,125	367,244
	Rangpur	2,065,186	822,661
	Bogra	1,057,902	202,561
	Pabna	1,313,968	391,104
Dacca Division	Malda	699,945	532,673
	Dacca	2,841,261	1,380,887
	Mymensingh	4,664,548	1,359,210
	Faridpur	1,871,336	1,017,467
Chittagong Division Tr.	Bakarganj	2,567,027	981,983
	Tippera	2,975,901	884,238
	Noakhali	1,803,937	413,465
	Chittagong	1,806,183	548,113
	Chittagong Hill Tracts	7,270	239,783

CASUALTIES AND DAMAGE TO PROPERTIES IN THE RECENT DISTURBANCES AND COLLECTIVE FINES IMPOSED IN THIS CONNECTION.

10. THE HONOURABLE MR. HOSSAIN IMAM: Will Government lay on the table Province by Province a statement showing the following particulars of the losses due to the present subversive movement up to 5th September, 1942:—

- (1) Numbers of persons killed or died of gunshot wounds; numbers of policemen and soldiers killed and wounded; numbers of post offices and thanas burnt or destroyed; numbers of railway stations burnt or destroyed; numbers of places where telegraph and railway lines have been tampered with; and numbers of persons arrested and convicted and whipped?
- (2) The amount of fines imposed on areas, the classes exempted, and the period fixed for its collection?

THE HONOURABLE SIR MAHOMED USMAN: The detailed information required by the Honourable Member cannot be supplied, but I give below such

information as is in the possession of the Government of India. It must be realized that it is not complete although it is based on the most recent reports available :—

(1) Some 660 persons are believed so far to have been killed as a result of firing by the police and the military ; 31 policemen have been killed, and a very large number injured, while 11 soldiers have been killed and 7 wounded ; 53 post offices were completely burnt down and some 200 more seriously damaged, while some 70 police stations and posts were attacked of which about 45 were destroyed ; detailed information regarding the number of railway stations destroyed is not available, but some 250 stations appear to have been damaged to a greater or lesser degree ; detailed information is not available regarding the number of telegraph and railway lines tampered with, but in each case the number is very large ; information has not yet been received regarding the number of people arrested, convicted or whipped in connection with the movement.

(2) I have no information other than that derived from communiqués issued to the Press regarding the amount of fines imposed, nor the periods fixed for their collection. As regards the classes exempted, it would appear that the general practice in Provinces has been to treat each case on its merits and to exempt those persons who took no part in the events in respect of which the fine was levied.

THE HONOURABLE MR. HOSSAIN IMAM : Has the Government imposed any collective fines in the Centrally Administered Areas ?

THE HONOURABLE SIR MAHOMED USMAN : The Central Government has not done so.

THE HONOURABLE MR. HOSSAIN IMAM : Then, Sir, will the Government lay on the table a statement showing the loss of the railways at a later period when all the information is available ?

THE HONOURABLE SIR MAHOMED USMAN : The suggestion will be considered, Sir.

ARRANGEMENTS FOR THE SETTLEMENT OF KAZAKS.

11. THE HONOURABLE MR. HOSSAIN IMAM : Will Government lay on the table a full statement of the arrangements they have made for the settlement of the Kazaks ?

THE HONOURABLE SIR MAHOMED USMAN : (1) *Location.*—The Kazaks to a total number of about 2,700 together with 2,000 animals are temporarily settled in a tented camp at Tarnawa which is about five miles north-east of Taxila in the Hazara district of the North West Frontier Province.

(2) *Camp Administration.*—The following camp staff has been appointed to look after them :—

1 Camp Commandant.

1 Clerk.

1 Head Constable.

5 Constables.

1 Sub-Assistant Surgeon.

1 Veterinary Assistant Surgeon.

4 Forest Guards to direct grazing.

(3) *Rations.*—The Kazaks are supplied with rations at a cost of four annas daily for each person. For their animals a daily ration of two seers of maize or barley is provided for camels and ponies in addition to hay for the ponies and free grazing in Government forests.

(4) *Employment, etc.*—Government sanctioned a sum of Rs. 2,000 for the purchase of tools, materials, etc., to provide work in the Camp for about 140 families who are prepared to work as blacksmiths, carpenters, shoemakers and weavers.

(5) *Cost of camp.*—The total cost of the camp is estimated at about Rs. 1,30,000 a quarter.

(6) *Future settlement.*—A certain number of Kazaks have already been settled as tenants of certain Khans in the North West Frontier Province. The possibility of permanently settling the rest in certain States in India and in the Punjab and the North West Frontier Province is under examination. To facilitate their settlement, the Government of India have agreed to assist those who would settle down permanently by—

(a) a *takavi* loan of Rs. 300 per family,

(b) monthly maintenance loans of Rs. 15 per adult and Rs. 7-8-0 per child for a maximum period of one year, and

(c) an undertaking to advance funds for the purchase of new cattle to replace animals which in the event of the Kazaks being moved to an appreciable distance could not be taken with them.

RESTORATION OF RAILWAY STATIONS AND POST OFFICES DESTROYED IN THE RECENT DISTURBANCES.

12. THE HONOURABLE MR. HOSSAIN IMAM : Will Government state the policy they propose to pursue regarding the post offices and railway stations destroyed ? Do they contemplate penalizing the localities by withdrawing the offices ?

THE HONOURABLE SIR MAHOMED USMAN : Government intend to restore the destroyed railway stations and post offices as soon as practicable.

THE HONOURABLE MR. HOSSAIN IMAM : Is it a fact that in certain rural areas post offices have been abolished and removed from the centres in which they have been burnt ?

THE HONOURABLE SIR MAHOMED USMAN : I would like to have notice of that question, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Is it a fact that no railway mails are now going to the wayside stations throughout Bihar ?

THE HONOURABLE SIR MAHOMED USMAN : Again, I would like to have notice of that question, Sir.

PAYMENT OF INTEREST ON MALAYA AND HONG KONG GOVERNMENT AND MUNICIPAL DOLLAR LOANS.

13. THE HONOURABLE MR. M. N. DALAL : (a) Have the British Government decided to allow *ex gratia* payment of interest on the Malayan Government and Hong Kong Government obligations issued in their local currencies ?

(b) Will payment be made—

- (1) to individuals in British or Allied territories ? and
- (2) to organizations and corporations which have no establishment in enemy territory ?

(c) Will amounts be now set apart to be paid after the war—

- (1) to British subjects now in enemy territories ? and
- (2) to organizations and corporations which have establishments in enemy territories ?

(d) Have the British Government decided to allow *ex gratia* payment of interest on the Burma Government obligations to individuals and corporations mentioned in (b) above ? If not, why ?

(e) Have the British Government decided to allow *ex gratia* payment of interest on such obligations of any other British Colonies or Protectorates now under enemy control ?

THE HONOURABLE MR. C. E. JONES : (a) and (b). The answer is in the affirmative and I would invite the attention of the Honourable Member in this connection to the Finance Department Press Communique, dated the 29th August, 1942, a copy of which is placed on the table of the House.

(c) and (e). Government have no information.

(d) No occasion has arisen for such a decision on the part of the British Government since the Government of Burma still continue to function. The Burma Government have never floated a permanent loan but they have, however, made arrangements for the redemption in India of their Post Office Cash Certificates.

Press Communique, dated the 29th August, 1942.

The following statement issued by the Secretary of State for the Colonies, London, regarding Malaya and Hongkong Government and Municipal dollar loans is published for general information.

As announced recently in the House of Commons by the Under Secretary of State for the Colonies, it has been decided that, although there is no legal obligation for interest to be paid on such loans otherwise than in local currency in Hongkong or Malaya, payment in respect of interest will be made in sterling *ex gratia* in order to avoid hardship to individual stock holders not resident in enemy or enemy-occupied territory and to such organisations and corporations as have no establishments in enemy or enemy-occupied territory. Such payments will be subject to adjustment in any particular case, if that is found to be necessary. The encashment of Straits Settlements savings certificates in similar circumstances has also been approved.

2. Applications for the payment of interest in India on the above loans should be addressed to the Reserve Bank of India, Bombay, Calcutta or Madras. They will be forwarded to the Crown Agent for the Colonies, and if approved, payment will be made to the holders of such loans through the Reserve Bank.

3. In the case of savings certificates, arrangements already exist for their immediate encashment on the production of those certificates at the offices of the Reserve Bank of India in Bombay, Calcutta or Madras. In cases of doubt, however, applications will be referred to the Crown Agent for the Colonies.

INSTRUCTIONS TO ALL-INDIA CONGRESS COMMITTEE MEMBERS IN BOMBAY ADVOCATING SABOTAGE.

14. THE HONOURABLE MR. M. N. DALAL : (a) Are Government aware of a press report from Nagpur, dated 15th August, 1942, stating that instructions were issued to All-India Congress Committee members in Bombay in the form of cyclostyled copies directing the putting into effect of measures of sabotage designed to paralyze Government ?

(b) By whom were such instructions issued ?

(c) Will Government lay a copy of the instructions on the table of the House ?

THE HONOURABLE SIR MAHOMED USMAN : (a), (b) and (c). I have seen the press report referred to by the Honourable Member. Many cyclo-styled and printed instructions have been issued in the name or under the authority of Congress and I am not sure to which particular ones the Government of the Central Provinces was referring in the communiqué reproduced in the press report in question. I regret that I cannot therefore lay a copy of them on the table, but I have little doubt that the Honourable Member would be able to obtain the information he requires from the Provincial Government.

THE HONOURABLE MR. HOSSAIN IMAM : Have not Provincial Governments sent copies of such instructions to the Central Government ?

THE HONOURABLE SIR MAHOMED USMAN : I would like to have notice of that question, Sir.

TRAINING OF INDIAN OFFICERS FOR THE ARMY.

15. THE HONOURABLE MR. M. N. DALAL : (1) Are Government aware of a press note, dated July 21, 1942, stating that a new scheme for the training of Indian officers for the army is to be launched tightening up the standard of recruitment ?

(2) What is the proportion of the British and Indian Army officers in the officers' cadre of the whole Indian Army ?

(3) Have all the British officers been selected from the ranks, having had two years' training as soldiers ?

(4) Has any special consideration been given to the case of British officers serving in the Indian Army by way of granting permanent commissions in the Regular Army ?

GENERAL THE HONOURABLE SIR ALAN HARTLEY : (1) No, but there was a Press Conference at which they were informed of the new scheme.

(2) One Indian to 4½ British, approximately on 1st July, 1942.

(3) Those from home have all been in the ranks for varying periods. Those recruited under the N. S. A. go direct to O. T. Ss. but are regularly enlisted and remain in the ranks until commissioned.

(4) No.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Have the men who are coming from England and who are being trained as officers in the Officers' Training School passed through the ranks ?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I have already said that those have already been in the ranks for varying periods.

THE HONOURABLE MR. M. N. DALAL: May I, Sir, draw the attention of the Honourable Member to a Press Note from London, dated August 18, 1942, saying that British officers in the Indian Army are to be allowed to put down their names for permanent commissions in the British Army?

THE HONOURABLE THE PRESIDENT: What is the question?

THE HONOURABLE MR. M. N. DALAL: Is Government aware of this Press Note from London, dated August 18, 1942, saying that British officers in the Indian Army are to be allowed to put down their names for permanent commissions in the British Army?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I would like notice of that question, Sir.

MEASURES TAKEN AGAINST THE HURS.

16. THE HONOURABLE MR. HOSSAIN IMAM: Will Government give full details of measures taken against the Hurs in Sind, giving the numbers of killed, wounded, hanged, transported and otherwise punished?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: Martial law was proclaimed in parts of Sind on the 1st June to deal with the Hurs. A Martial Law Administrator has been appointed, and he has issued Martial Law Regulations. Additional troops have been sent to the martial law area. The first consideration has been to ensure the safe running of trains; thereafter, troops in conjunction with police forces have been employed in penetrating the areas in which the Hurs have had their main "hideouts" for many years, and in a series of operations for rounding up of gangs of Hurs in the eastern portion of the Province and in the areas bordering on the Rajputana desert. These operations are continuing, and it has been necessary from time to time slightly to extend the martial law area to prevent Hurs from escaping to the west of the Indus and carrying on their nefarious activities from there. The approximate figures are killed 45; wounded 30; hanged 50 and transported nil. In addition 3,000 Hurs have been captured, but information is not available as to how many of them have actually been sentenced.

THE HONOURABLE MR. HOSSAIN IMAM: Are they being punished under the martial law or under the civil law?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: Under martial law.

THE HONOURABLE MR. HOSSAIN IMAM: When do Government hope to get full details of convictions?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: They are dealt with at once under martial law.

MEASURES TAKEN AGAINST THE HURS.

17. THE HONOURABLE MR. HOSSAIN IMAM: Will Government state the numbers of troops and aeroplanes engaged in the Hur hunt and the

cost incurred? Is it a fact that Hurs were bombed, if so, when and what type and numbers of bombs were used?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I regret I am unable to give the information asked for in the first part of the question as it will be of value to the enemy.

As regards the second part, no H. E. (high explosive) bombs were dropped, but in certain desert areas incendiary bombs were used to destroy huts and encampments belonging to the Hurs.

THE HONOURABLE MR. HOSSAIN IMAM: Was I correct, Sir, in catching the Honourable Member as saying that the information will be of value to the enemy?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: Yes, Sir.

THE HONOURABLE MR. HOSSAIN IMAM: Is it the Hurs who are regarded as the enemy or the Germans?

THE HONOURABLE THE PRESIDENT: That you can decide for yourself.

THE HONOURABLE MR. HOSSAIN IMAM: I asked for information about internal affairs.

THE HONOURABLE THE PRESIDENT: What the Honourable Member says is that the information will be of value to the enemy and therefore it is not proper to give it.

THE HONOURABLE MR. HOSSAIN IMAM: I should like to know who are the enemies whom this information will help?

THE HONOURABLE MR. P. N. SAPRU: Do I understand the Honourable Member to say that the civilian population was also bombed by incendiary bombs?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: No, Sir. The Hurs.

THE HONOURABLE MR. P. N. SAPRU: They represent the civilian element in the population.

THE HONOURABLE MR. HOSSAIN IMAM: Is it a fact that paratroops also were used against these Hurs?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: They were, Sir.

RESTRICTIONS IMPOSED ON ALLAMA MASHRIQUI.

18. THE HONOURABLE MR. HOSSAIN IMAM: Will Government state under whose and what order Allama Mashriqui is detained? How long do Government propose to keep him under restraint?

THE HONOURABLE SIR MAHOMED USMAN: Allama Mashriqui is not detained. His residence is, however, restricted to the Province of Madras under the orders of the Central Government. These restrictions on his movements will be retained so long as the public interest so demands.

THE HONOURABLE MR. HOSSAIN IMAM: Will Government explain the reason why these restrictions have been put on Allama Mashriqui?

THE HONOURABLE SIR MAHOMED USMAN: I should just like to say this, that the whole question of the policy towards the Khaksar organization and their leader is now under the consideration of Government.

THE HONOURABLE MR. HOSSAIN IMAM: Can we hope, Sir, for an early statement on the reconsidered position?

THE HONOURABLE SIR MAHOMED USMAN: I have said that the question is under consideration. I cannot say either more or less.

NUMBER OF CANDIDATES OF DIFFERENT COMMUNITIES WHO APPLIED FOR ADMISSION TO THE I.C.S. EXAMINATION.

19. THE HONOURABLE MR. HOSSAIN IMAM: (1) Will Government give the following facts about the I.C.S. examination (a) the permanent quota of Hindus and Muslims to be admitted from each province; (b) the numbers of Hindus and Muslims from each province who applied this year; and (c) the numbers of Hindus and Muslims from each Province permitted to sit for the examination?

(2) Will Government give the figures separately for Hindus and Muslims of Bihar of M.A., B.A. (Hons.) and Ordinary B.A. (i) permitted and (ii) not permitted to sit for the examination?

(3) Will Government give similar figures for the United Provinces?

(4) Will Government state the reason for the rejection of Bihar Muslims?

THE HONOURABLE SIR MAHOMED USMAN: (1) (a) The quotas are fixed not on a communal but on a provincial basis, and are given in a statement laid on the table.

(1) (b), (c), (3), (3) and (4). The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justified in war time.

THE HONOURABLE MR. HOSSAIN IMAM: May I ask how the communal proportion is fixed when it is not fixed in Provinces?

THE HONOURABLE SIR MAHOMED USMAN: I would like to have notice of that question, Sir.

THE HONOURABLE MR. HOSSAIN IMAM: Will the Honourable Member accept short notice of the question as the session is to be a very short one?

THE HONOURABLE SIR MAHOMED USMAN: I am sorry I cannot.

Quota for admission to the Indian Civil Service examination.

Selection area.	No. of candidates.
Assam	6
Bengal	45
Bihar	23
Orissa	5
Central Provinces	11
Madras	50
Punjab	48
N. W. F. P.	6
Bombay	22
Sind	6
United Provinces	53
Total	275

ORDINANCES ISSUED SINCE SEPTEMBER, 1939, DURING THE SESSION OF THE LEGISLATURE.

20. THE HONOURABLE MR. HOSSAIN IMAM: Will Government lay on the table a statement giving the dates, subjects and reasons for promulgating Ordinances since September, 1939 during the time that Legislatures were in session?

THE HONOURABLE MR. SHAVAX A. LAL: Sir, I lay a statement on the table.

Statement regarding Ordinances issued since September, 1939, during the sessions of the Legislature.

Date.	Subject.	Reasons.
1st Sept. 1939	An Ordinance to restrict the transfer or acquisition of any interest in aircraft and seagoing vessels, registered in British India. (Ord. IV of 1939).	They were issued in the days immediately preceding and following the outbreak of war which coincided with the commencement of a session of the Legislature on the 30th August, 1939. These Ordinances were required immediately to meet the situation created by the war and the provisions contained therein could not have been left to await the normal legislative processes.
3rd Sept. 1939	An Ordinance to provide for special measures to ensure the public safety and interest and the defence of British India and for the trial of certain offences. (Ord. V of 1939).	
5th Sept. 1939	An Ordinance to provide for the detention of enemy ships in ports in British India. (Ord. VI 1939).	
6th Sept. 1939	An Ordinance to provide for the discipline of members of the Indian Air Force Volunteer Reserve raised in British India on behalf of His Majesty. (Ord. VII of 1939).	
13th Sept. 1939	An Ordinance to amend the Defence of India Ordinance, 1939, for certain purposes. (Ord. VIII of 1939).	

Statement regarding Ordinances issued since September, 1939, during the sessions of the Legislature—contd.

Date.	Subject.	Reasons.
30th Mar. 1940	An Ordinance temporarily to amend the Indian Post Office Act, 1898. (Ord. I of 1940).	Ordinance I of 1940 was necessitated by the fact that the Finance Bill of that year did not become law until after the 1st April and provision was required to cover postal rates for the few intervening days.
7th Mar. 1942	An Ordinance to constitute a Civil Pioneer Force for service in British India and to provide for the organisation, control and discipline thereof. (Ord. X of 1942).	The Civil Pioneer Force Ordinance, 1942, was issued because it was felt that the exigencies of the situation met thereby precluded the delay involved in the normal legislative process.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE SIR MAHOMED USMAN (Posts and Air Member)
Sir, I lay on the table copies of—

- | | |
|--|--|
| (1) Notification No. A-1-3594/41, dated the 21st March, 1942. | } amending the Coorg Motor Vehicles Rules. |
| (2) Notification No. A-3-4024/41, dated the 11th March, 1942. | |
| (3) Notification No. F. 12 (3)/42-General, dated the 11th March, 1942. | } amending the Delhi Motor Vehicles Rules. |
| (4) Notification No. F. 12 (31)/42-General, dated the 2nd April, 1942. | |
| (5) Notification No. F. 12 (40)/42-General, dated the 21st May, 1942. | } amending the Ajmer-Merwara Motor Vehicles Rules. |
| (6) Notification No. F. 12 (36)/42-General, dated the 8th June, 1942. | |
| (7) Notification No. F. 14-6-111, dated the 25th May, 1942. | |
| (8) Notification No. F. 14-6-111, dated the 13th July, 1942. | |

THE CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

No. A-1-3594/41, dated Mercara, the 21st March, 1942.

In exercise of the powers conferred by section 70 of the Motor Vehicles Act, 1939 (IV of 1939), and Notification of the Government of India, Department of Communications, No. R. 60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment in the Coorg Motor Vehicles Rules, 1940, issued with his notification No. R.F. 43/121-39, dated the 26th March, 1940.

Amendment.

At the end of Chapter V after rule 148 of the said rules, the following heading and rules shall be inserted, namely:—

Special rules applicable to motor vehicles using producer gas as a motor vehicle fuel.

148-A. In these rules, unless otherwise expressly stated, "producer" means the whole of the generator, pipes, coolers, filters and accessories necessary for the generation of gas and its supply to the engine.

148-B. On or after the 15th October 1941 no producer shall be fitted to a motor vehicle unless the producer—

- has been made by a manufacturer approved in this behalf by the Madras or Mysore Government and further approved by the Coorg Provincial Transport Authority as to its fitting on the vehicle and other details;
- is of a type or model approved by, and in accordance with specifications approved by, that authority for use on the type of vehicle concerned;
- has affixed to the generator in such a manner as to be clearly visible, a metal plate having legibly displayed upon it the name of the manufacturer and the manufacturer's serial number;

Provided that in the case of stage carriages or goods vehicles plying inter-provincially between Coorg and Mysore or Coorg and Madras, when it is proved to the satisfaction of the Coorg Provincial Transport Authority that the producer gas fitted to such vehicles has been approved in all respects by competent authorities of those provinces, no further approval by the Coorg Provincial Transport Authority shall be necessary.

148-C. (1) Any person seeking the approval of the Provincial Transport Authority under rule 148-B shall make application in writing to the said authority accompanied by duplicate copies of the specifications, of clear drawings or prints of the producer and of the instructions for working it, and shall state the type or model of motor vehicle and the size and horse-power of the engine for which the producer is intended.

(2) If so required by the said authority, a person who has made an application under sub-rule (1) shall furnish at his own expense a vehicle fitted with the producer for such test on the road (including a road journey of not less than 50 miles continuous) as the authority may specify.

148-D. (1) Before according approval to any type or design of producer the Provincial Transport Authority shall satisfy itself that the design and construction proposed are in accordance with the provision of these rules and in particular that—

- the design is reasonably simple and suitable to the type of vehicle for which it is intended and is such that it can be fitted to the vehicle in such a way that the driver's vision and control of the vehicle are not impeded, the convenience and safety of passengers is not endangered, the weight of the producer can be reasonably distributed over the chassis, and the filters, coolers, pipes and other parts requiring frequent cleaning and attention can be fitted in readily accessible places;
- the effective capacity of the generator, hopper and filters is sufficient to provide fuel to propel the vehicle for a distance of not less than 50 miles without re-charging the hopper or cleaning the filters;
- the producer is capable of providing gas to propel the vehicle by the gas alone along a level road with its full lawful load at a sustained rate of speed of not less than—
 - in the case of a goods vehicle not being a heavy transport vehicle, 20 m.p.h.,
 - in the case of a goods vehicle being a heavy transport vehicle, 15 m.p.h.,
 - in any other case, 25 m.p.h.
- the materials and methods of construction specified by the applicant are, save as otherwise declared by the applicant, calculated to withstand fair wear and tear for a period of not less than two years under the normal conditions of working of the type of vehicle for which the producer is intended.

(2) The instructions for the working of the producer shall be subject to the approval of the Provincial Transport Authority which shall cause to be endorsed thereon a statement of the materials and parts declared by the applicant not to be calculated to withstand two years' fair wear and tear.

148-E. Every producer shall be designed, manufactured, fitted and maintained with all reasonable care necessary to prevent danger from fire, gas poisoning, and burns, and in particular—

- all pipes, joints, valves and all covers to the hoppers, generators, cooling chambers, filters and other accessories shall be free from gas or air leaks; and
- if an escape funnel is fitted to the generator for use during the blowing of air through the generator, the mouth of the funnel shall be placed above the level of the roof of the vehicle.

148-F. (1) No part of any producer shall be placed so as to reduce the field of vision of the driver by means of the mirror prescribed in rule 96 or otherwise, or so as to impede the driver in his control of the vehicle.

(2) In a public service vehicle—

(a) no part of the producer shall be placed within the passengers' compartment ; and

(b) the generator shall be centrally placed in rear of the passengers' compartment, either completely outside it or recessed into the rear panel, and shall be insulated and have the clearance prescribed in rule 148-G :

Provided that notwithstanding the provisions of rule 88 (a) the generator and a reserve of fuel not exceeding one hundred and fifty pounds in weight may be carried on a trailer attached to a public service vehicle.

(3) No public service vehicle fitted with a producer shall have any opening or door in the rear end of the vehicle.

(4) In a transport vehicle other than a public service vehicle the generator shall not be placed forward of the rear of the driver's cab and shall be insulated and have the clearance prescribed in rule 148-G.

148-G. (1) On any motor vehicle, if any part of the generator is so placed as to be within a distance of six inches in a horizontal plane from any part of the vehicle, the vehicle shall be insulated from the generator by a sheet of asbestos one-eighth of an inch thick, or by such other insulating material as the Provincial Transport Authority may by general or special order in writing specify in this behalf, not less in height than the height of the generator (including the hopper) and of such a width as—

(a) where the generator is recessed, to completely line the recess ; and

(b) where the generator is not recessed, to project for a distance of not less than six inches on either side of the generator.

(2) No part of a generator shall have a clearance between it and the insulating material prescribed in sub-rule (1) of less than two inches.

148-H. (1) In the case of a goods vehicle the generator may be placed centrally at the rear of the vehicle as prescribed for a public service vehicle or, behind the driver's cab.

(2) When the generator is placed behind the driver's cab it shall be adequately enclosed in a separate compartment, and no goods shall be carried in that compartment.

148-I. No generator and no pipe connecting the generator to the gas filters shall be so placed that any part of the generator or pipe is within a distance of less than—

(a) two feet from any part of the petrol tank ; or

(b) four feet from the filling point or orifice of the petrol tank ;

Provided that if the filling point or orifice is screened off from the generator by an adequate partition, clause (b) shall not apply in relation to the generator.

148-J. On any transport vehicle the filters and gas coolers shall be so placed as to be readily accessible for cleaning at any time.

148-K. Every part of the producer shall be firmly and securely fixed in place, and all pipes, valves, joints and hopper lids or covers shall at all times be maintained in a gas-tight condition.

148-L. No driver or other person in charge of a motor vehicle to which a producer is fitted shall—

(a) at any time when there is fire in the generator, cause or allow the vehicle to stop or remain stationary at a distance of less than ten yards from any other motor vehicle or of less than 20 yards from any petrol pump or place where petrol is supplied in tins ;

(b) at any time when there is fire in the generator, pour petrol or cause or allow petrol to be poured into the petrol tank ;

(c) carry, or cause or allow to be carried, in the vehicle (save in the regular petrol tank thereof) any petrol or other inflammable or explosive substance ;

(d) clean or rake out the generator at any appointed bus stand or stopping place or within a distance of less than 20 yards from any other motor vehicle, or cause or allow the same to be done by any person ;

(e) where a park, bus stand, or halting place or a part of a park, bus stand or halting place is set apart for vehicles fitted with producers, allow the vehicle to stop or remain stationary in any other park, bus stand or halting place or other part thereof, as the case may be ;

(f) place the vehicle, or cause or allow it to be placed, in any garage or shed unless the garage or shed is provided with a permanent opening or openings for sufficient ventilation other than doors and windows that may be closed.

148-M. (1) The projection of any part of a producer beyond the rear of the vehicle shall be deemed not to be a part of the vehicle for the purposes of rules 108 and 110 of the Coorg Motor Vehicle Rules, 1940.

(2) No producer shall be fitted to any motor vehicle in such a way that the vehicle thereby contravenes the provisions of rule 107 or rule 109 of the Coorg Motor Vehicle Rules, 1940.

NOTE.—Every driver or other person in charge of a motor vehicle to which a producer is fitted is informed that the fitting of a producer gas plant is in effect an alteration for purposes of section 32 of the Act, and is advised in his own interest to have the vehicle inspected and the fact noted on the certificate of fitness before putting it into use.

J. W. PRITCHARD,
Chief Commissioner.

THE CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

No. A-3-4024/41, dated Mercara, the 11th March, 1942.

In exercise of the powers conferred by section 48 (d) of the Motor Vehicles Act, 1939, read with section 68 (2) and (2A) and the notification of the Government of India, Department of Communications, No. R. 60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment to the Coorg Motor Vehicles Rules, 1940, issued with his notification No. R.F. 43/121-39, dated the 26th March, 1940.

Amendment.

After Rule 56 (b), add the following :—

" 56(c). The Provincial Transport Authority may stipulate, if necessary, specific conditions for the carriage of mails in any stage carriage on any route."

2. In Part A of Form P.St.S.

Add the following, as item 15 :—

" 15. The permit-holder shall, if required carry mails, at such rates, as may be fixed by the Provincial Transport Authority, in consultation with the Postal Authorities concerned."

J. W. PRITCHARD,
Chief Commissioner.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 11th March, 1942.

No. F. 12 (3)/42-General.—In exercise of the powers conferred by clause (d) of sub-section (2) of section 70, of the Motor Vehicles Act, 1939, read with the notification of the Government of India in the Department of Communications No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment in the Delhi Motor Vehicles Rules, 1940, the same having been previously published with his notification No. F. 12 (3)/41-General, dated the 5th January, 1942.

Amendment.

In sub-rule (1) of rule 5-59 for the figures and words "225 pounds in weight unladen" the figures and words "1,100 pounds in weight laden" shall be substituted.

A. V. ASKWITH,
Chief Commissioner, Delhi.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 2nd April, 1942.

No. F. 12 (41)/42-General.—In exercise of the powers conferred by clause (za) in sub-section (2) of section 68 and clause (d) in section 48 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India in the Department of Communications No. R-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment in the Delhi Motor Vehicles Rules, 1941, the same having been previously published with his Notification No. F. 12 (3)/42-General, dated the 5th February, 1942.

Amendment.

After rule 4-18 the following shall be added, namely :

"4-18-A. The Provincial Transport Authority may attach to any stage carriage permit a condition that the holder shall, if required, carry mails at such rates as may be fixed by the Provincial Transport Authority in consultation with the postal authorities."

A. V. ASKWITH,
Chief Commissioner, Delhi.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 21st May, 1942.

No. F. 12 (40)/42-General.—In exercise of the powers conferred by section 70 of the Motor Vehicles Act, 1939, read with the notification of the Government of India in the Department of Communications No. R-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following rules the same having been previously published with his notification No. F. 12 (40)/42-General, dated the 4th May 1942.

2. The Chief Commissioner takes this opportunity of drawing attention to the provisions of section 32 of the Motor Vehicles Act, 1939, under which the owner of any motor vehicle who affixes a charcoal gas plant to it is required to report the fact to the Registering Authority within whose jurisdiction he resides.

RULES.

Title. 1. These rules may be cited as the Delhi Motor Vehicles (Use of Charcoal Gas) Rules, 1942.

Definition. 2. In these rules, unless there is something repugnant in the subject or context,

(a) "Board" means the Board constituted by the Chief Commissioner under rule 3 of these rules ;

(b) "Charcoal gas plant" means an apparatus for generating gas by the combustion of charcoal with a view to the use of the gas for the propulsion of a motor vehicle, and includes the whole of the generator, pipes, coolers, filters and accessories necessary for that purpose and for the supply of the gas to the engine of the motor vehicle.

3. (1) For the purpose of approving persons to serve as manufacturers of charcoal gas plants, and to perform the other functions which are to be discharged by the Board under these rules, the Chief Commissioner may appoint a Board, consisting of the Chairman of the Delhi Provincial Transport Authority and not less than two and not more than four other persons.

(2) In the event of a disagreement between the members of the Board the opinion of the majority shall prevail.

4. (1) Any person desiring to be approved as a manufacturer of charcoal gas plants shall make an application to the Board accompanied by specifications and drawings in duplicate of the plant or plants which he proposes to manufacture, an explanation of the type or model of motor vehicle to which each plant is designed to be fitted and a copy of the instructions, which he proposes to issue for the guidance of the person using the plant.

(2) If so required by the Board, a person who has made an application under sub-rule (1) of this rule shall—

(a) submit a model of the charcoal gas plant to such tests in such laboratory or workshop and by such person as the Board may specify, and

(b) provide at his own expense a vehicle fitted with the charcoal gas plant for such tests on the road as the Board may specify.

(3) After considering the papers submitted and subjecting the model charcoal gas plant to such tests as the Board deems suitable, the Board may at its discretion grant or refuse the application, and if it decides to grant the application shall issue a certificate to the applicant showing that he has been approved as a manufacturer of charcoal gas plants of a type or types to be specified in the certificate.

(4) Before according approval to any type or design of charcoal gas plant the Board shall satisfy itself that the design and construction proposed are in accordance with the provision of these rules and in particular that—

(a) the design is reasonably simple and suitable to the type of vehicle for which it is intended and is such that it can be fitted to the vehicle in such a way that the driver's vision and control of the vehicle are not impeded, the convenience and safety of passengers is not endangered, the weight of the charcoal gas plant can be reasonably distributed over the chassis, and the filters, coolers, pipes and other parts requiring frequent cleaning and attention can be fitted in readily accessible places ;

(b) the effective capacity of the generator, hopper and filters is sufficient to provide fuel to propel the vehicle for a distance of not less than fifty miles without recharging the hopper or cleaning the filters ;

(c) the charcoal gas plant is capable of providing gas to propel the vehicle by the gas alone along a level road with its full lawful load at a sustained rate of speed not less than—

(i) in the case of goods vehicle not being a heavy transport vehicle, twenty miles an hour ;

(ii) in the case of goods vehicle being a heavy transport vehicle, fifteen miles an hour ;

(iii) in any other case, twenty-five miles an hour ;

(d) the materials and methods of construction specified by the applicant are save as otherwise declared by the applicant, calculated to withstand fair wear and tear for a period of not less than two years under the normal conditions of working ;

(e) the plant is so designed as to cause no undue wear to the engine.

(5) It shall be a condition of every certificate issued under sub-rule (3) of this rule that the holder of the certificate shall in respect of every charcoal gas plant issued from his factory supply to the prospective user a set of instructions in terms approved by the Board for the working of the charcoal gas plant.

(6) Notwithstanding anything in this rule the Board may direct that any person who has been approved as a manufacturer of charcoal gas plants in any other Province or State in India shall be deemed to be an approved manufacturer for the Delhi Province subject to the conditions in force in the Province or State in which the person was first approved as a manufacturer and to such further conditions as the Board may think fit to impose.

5. On or after the first day of June 1942 no person shall drive a motor vehicle, and no holder of a permit shall allow the vehicle to which the permit relates to be driven, with a charcoal gas plant affixed thereto unless the charcoal gas plant has been made by a manufacturer approved by the Board under rule 4 of these rules : and has been specified by the manufacturer as being of a type suitable for use on the motor vehicle to which it is fitted :

Provided that the Board may by general or special order give permission for any charcoal gas plant which was in use on a motor vehicle before the first day of June 1942, to continue to be used on that vehicle even though it was not manufactured by a person approved by the Board under rule 4 of these rules.

6. (1) No person shall drive any motor vehicle, and no holder of a permit shall allow the motor vehicle to which the permit relates to be driven with a charcoal gas plant affixed thereto unless the requirements set forth in the Schedule to these rules are fulfilled in respect of the said plant and the vehicle to which it is fitted.

Conditions under which charcoal gas plants may be used,

(2) The driver or other person in charge of a motor vehicle to which a charcoal gas plant is fitted shall not—

- at any time when there is fire in the generator, cause or allow the vehicle to stop or remain stationary at a distance of less than ten yards from any other motor vehicle or less than twenty yards from any petrol pump or place where petrol is supplied in tins;
- at any time when there is fire in the generator, pour petrol or cause or allow petrol to be poured into the petrol tank;
- carry or cause or allow to be carried in the vehicle (save in the regular petrol tank thereof) any petrol or other inflammable or explosive substance;
- clean or rake out the generator at any appointed bus stand or stopping place or within a distance of less than twenty yards from any other motor vehicle or cause or allow the same to be done by any person;
- where a park, bus stand, or halting place or a part of a park, bus stand or halting place is set apart for vehicles fitted with charcoal gas plants, allow the vehicle to stop or remain stationary in any other park, bus stand or halting place or other part thereof, as the case may be;
- place the vehicle or cause or allow it to be placed in any garage or shed unless the garage or shed is provided with a permanent opening or openings for sufficient ventilation other than doors and windows that may be closed.

7. Nothing in these rules shall prohibit the use in the Delhi Province of a charcoal gas plant on a motor vehicle which is registered in the Punjab or the United Provinces or any other Province or State to which the Chief Commissioner may extend the applicability of this rule, provided that the requirements of the rules in force in the Province or State where the motor vehicle is registered in respect of the use of charcoal gas plants are fulfilled.

SCHEDULE.

I. Every charcoal gas plant must conform to the following general specifications:

- All pipes, joints, valves, and all covers to the hoppers, generators, cooling chambers, filters and other accessories shall be free from gas or airleaks.
- If an escape funnel is fitted to the generator for use during the blowing of air through the generator, the mouth of the funnel shall be placed above the level of the roof of the vehicle.
- The materials for the construction of generators including hoppers and outer shells if any, shall be of mild steel sheet and shall not be less than No. 16 B. W. G. (0.065 in. thick) with the exception that in the case of any updraft generators in which no refractory lining is used, the firebox shall be constructed of mild steel sheet not less than 11 B. W. G. (0.120 in. thick) for a distance of twelve inches above the grate or to the top of the gas offtake, whichever is less. In the case of crossdraft generators, where no refractory lining is used, the distance from the mouth of the tuyere to any part of the shell shall not be less than five inches. All generator cover and generator flange joints shall be made of heat-resisting material.

- The material from which coolers are made shall be mild steel, copper or brass sheet not less than 18 B. W. G. (0.049 in. thick). All coolers must be made so that they can be readily cleaned.

- The gas filtering system shall be in not less than three stages, of which the last stage shall be felt or other approved fabric, provided that the Chief Commissioner may by notification approve any filtering system. The materials from which filter casings and all gas piping up to the mixing chamber or carburettor are made shall not be less than No. 18 B. W. G. (0.049 in. thick). All filters shall be so placed as to be accessible to cleaning at all times.

- Flanges, fitted to piping shall be made of material not less than No. 11 B. W. G. (0.120 in. thick). Each flange shall be secured by not less than four bolts.

II. (1) No part of any charcoal gas plant shall be so placed as to reduce the field of vision of the driver by means of the mirror prescribed in rule 5.7 of the Delhi Motor Vehicles Rules, 1940, or otherwise, or so as to impede the driver in his control of the vehicle.

(2) In a public service vehicle—

- no part of the charcoal gas plant shall be placed within the passengers compartment, and
- the generator shall be centrally placed in rear of the passengers compartment, either completely outside it or recessed into the rear panel, and shall be insulated and have the clearance prescribed in paragraph III of this Schedule:

Provided that the generator and a reserve of fuel not exceeding one hundred and fifty pounds in weight may be carried on a trailer attached to a public service vehicle.

(3) No public service vehicle fitted with a charcoal gas plant shall have any opening or door at the rear of the vehicle.

(4) In a transport vehicle other than a public service vehicle the generator shall not be placed forward of the rear of the driver's cab and shall be insulated and have the clearance prescribed in paragraph III.

III. (1) On any motor vehicle, if any part of the generator is so placed as to be within a distance of six inches in a horizontal plane from any part of the vehicle, the vehicle shall be insulated from the generator by a sheet of asbestos one-eighth of an inch thick, or by such other insulating material as the Board may by general or special order in writing specify in this behalf, not being less in height than the height of the generator (including the hopper) and of such a width as—

- where the generator is recessed, to line completely the recess; and
- where the generator is not recessed, to project for a distance of not less than six inches on either side of the generator.

(2) No part of a generator shall have a clearance between it and the insulating material prescribed in sub-paragraph (1) of this paragraph of less than two inches.

IV. (1) In the case of a goods vehicle the generator may be placed centrally at the rear of the vehicle as prescribed for a public service vehicle or behind the driver's cab.

(2) When the generator is placed behind the driver's cab it shall be adequately enclosed in a separate compartment, and no goods shall be carried in that compartment.

V. No generator and no pipe connecting the generator to the gas filters shall be so placed that any part of the generator or pipe is within a distance of less than—

- two feet from any part of the petrol tank, or
- four feet from the filling point or orifice of the petrol tank:

Provided that if the filling point or orifice is screened from the generator by an adequate partition, clause (b) shall not apply in relation to the generator.

VI. Every part of the charcoal gas plant shall be firmly and securely fixed in place, and all pipes, valves, joints, hopper lids or covers shall at all times be maintained in a gas-tight condition.

VII. Where water is used, either for injection, or for cooling tuyeres, it shall be provided from a source other than the engine cooling system, and shall not be in circuit therewith.

A. V. ASKWITH,
Chief Commissioner, Delhi.

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 8th June, 1942.

No. F. 12 (36)/42-General.—In exercise of the power conferred by sections 21 and 41 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India in the Department of Communications No. R. 60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following rules, the same having been previously published with his Notification No. F. 12 (36)/42-General, dated the 10th April, 1942.

Rules.

1. Notwithstanding anything contained in the Delhi Motor Vehicles Rules, 1940, no fee shall be charged for the issue or alteration of certificates of registration relating to motor vehicles which are the property of the Personal Representative in India of the President of the United States of America and his staff.

2. If the Personal Representative in India of the President of the United States of America or any member of his staff has paid or shall hereafter pay a fee for the issue or renewal of a licence to drive a motor vehicle or for undergoing a test of competency to drive the fee shall on his application be refunded to him.

A. V. ASKWITH.

Chief Commissioner, Delhi.

ORDERS BY THE CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATION.

Abu, the 25th May, 1942.

No. F./14-6-III. —The Chief Commissioner is pleased to make the following amendment in the Ajmer-Merwara Motor Vehicles Rules, 1940, published with his Notification No. 1141/34-W/38-III, dated the 12th June, 1940, the amendment having been previously published in this Administration's Notification No. F./14-6-III, dated the 4th April, 1942.

In rule 5-56 (a) of Chapter V—Construction, Equipment and Maintenance of Motor Vehicles—for the figure and words “225 pounds in weight unladen” substitute the figure and words “1100 pounds in weight laden”.

By Order,

M. WORTH.

*Secretary to the Chief Commissioner,**Ajmer-Merwara.*

ORDERS BY THE CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATION.

Abu, the 13th July, 1942.

No. F./14-6-III. —The Chief Commissioner is pleased to make the following addendum to the Ajmer-Merwara Motor Vehicles Rules, 1940, published with his Notification No. 1141/34-W/38-III, dated the 12th June, 1940, the addendum having been previously published in this Administration's Notification No. F. 14-6-III, dated the 28th May, 1942.

Chapter IV.—Control of Transport Vehicles. After clause (b) of rule 1-18 insert the following new clause—

“(c) that the holder of a permit of a stage carriage shall, if required, carry mail at such rates as may be fixed by the Provincial Transport Authority in consultation with the Postal authorities concerned.”

By Order,

M. WORTH.

*Secretary to the Chief Commissioner,**Ajmer-Merwara.*

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE SIR MAHOMED USMAN (Posts and Air Member): Sir, I lay on the table the information promised in reply to parts (c) and (d) of question No. 103 asked by the Honourable Rai Bahadur Satyendra Kumar Das on the 17th November, 1941.

TELEPHONE OPERATORS.

(c) Arrangements have since been made to allow one day off in every four weeks to the telephone operators in the Chittagong and Narayanganj exchanges.

(d) Yes. It is part of the duties of senior operators to perform non-operative duty when required.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE SIR JOGENDRA SINGH (Education, Health and Lands Member): Sir, I lay on the table a copy of the notification of the Government of India in the Department of Education, Health and Lands, No. F. 15-21/41-A, dated the 12th May, 1942 making certain further amendments in the notification of the Government of India in the Department of Education, Health and Lands, No. F. 50-13 (20)/39-A, dated the 20th November, 1940 and the rules published therewith under sections 4A and 4D of the Destructive Insects and Pests Act, 1914.

(AGRICULTURE.)

No. F. 15-21/41-A., dated the 12th May, 1942.—In exercise of the powers conferred by sections 4A and 4D of the Destructive Insects and Pests Act, 1914 (II of 1914), the Central Government is pleased to direct that the following further amendments shall be made in the notification of the Government of India in the Department of Education, Health and Lands, No. F. 50-13-(20)/39-A, dated the 20th November, 1940, and the rules published therewith, namely:—

I. In the preamble to the said notification, and in rule 1 of the said rules, after the word “Punjab”, the words “the United Provinces” shall be inserted.

II. In the Note below the Schedule annexed to the said rules, clauses (b) and (c) shall be re-lettered as clauses (c) and (d) respectively and before clause (c) as so relettered, the following clause shall be inserted, namely:—

“(b) in the United Provinces, by the Entomologist to the Government of the United Provinces, or such other officer as may be authorised by the Provincial Government in this behalf.”

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE MR. C. E. JONES (Finance Secretary): Sir, I lay on the table copies of—

(1) Notification of the Government of India in the Home Department No. F. 9/6/30-Ests., dated the 6th April, 1932 and

(2) Home Department Office Memorandum No. 9/9/35-Ests., dated the 30th April, 1935.

as promised in the course of answers to question No. 33 asked by the Honourable Haji Syed Muhammad Husain on the 23rd February, 1942.

No. F. 9/6/30-Ests., dated the 6th April, 1932.—In exercise of the powers conferred by Rule 17 of the Civil Services (Classification, Control and Appeal) Rules, the Governor General in Council is pleased to declare that the following services shall, with effect from the 15th March, 1932, be included in the Central Services, Class II:—

- (1) Currency Department (Assistant Currency Officers).
- (2) Northern India Salt Revenue Service.
- (3) Bombay Salt Revenue Service.
- (4) Madras Salt Revenue Service.
- (5) Income-tax Services, Class II—
 - (i) Madras Income-tax Service.
 - (ii) Bombay Income-tax Service.
 - (iii) Bengal Income-tax Service.
 - (iv) United Provinces Income-tax Service.
 - (v) Punjab, North West Frontier and Delhi Provinces Income-tax Service.
 - (vi) Burma Income-tax Service.
 - (vii) Bihar and Orissa Income-tax Service.
 - (viii) Central Provinces Income-tax Service.
 - (ix) Assam Income-tax Service.
- (6) Calcutta Customs Appraisers Service.
- (7) Bombay Customs Appraisers Service.
- (8) Madras Customs Appraisers Service.
- (9) Burma Customs Appraisers Service.
- (10) Sind Customs Appraisers Service.
- (11) Calcutta Customs Preventive Service.
- (12) Bombay Customs Preventive Service.
- (13) Madras Customs Preventive Service.
- (14) Burma Customs Preventive Service.
- (15) Sind Customs Preventive Service.
- (16) Madras Out-ports Customs Preventive Service.

Copy of the Home Department Office Memorandum No. 9/9/35-Ests., dated the 30th April, 1935, addressed to all Departments of the Government of India (excluding the Legislative Assembly Department and the Railway Department).

In continuation of the Home Department endorsement No. F. 9/3/30-Ests., dated the 6th May, 1931, the undersigned is directed to say that in exercise of the powers conferred by the Direction which the Secretary of State for India in Council has issued in connection with rules 3 and 4 for the Civil Services (Classification, Control and Appeal) Rules, the Governor General in Council is pleased to direct that all rules and orders in existence on the 30th May, 1930 regulating the recruitment, conditions, of service, pay, allowances, discipline, conduct and pensions of personnel wholly excluded from the scope of the Classification Rules by or under rules 3 and 4 (1) of those Rules, including any rules and orders defining the powers of authorities sub-ordinate to the Governor General in Council in such matters, shall remain in operation except in so far as they may be specifically cancelled or modified by the competent authority, provided that amendments made from time to time

by the Governor General in Council to such rules or orders as are also applicable to persons governed by the Classification Rules and rules made thereunder shall *mutatis mutandis* apply to the personnel mentioned above.

THE HONOURABLE MR. C. E. JONES (Finance Secretary): Sir, I lay on the table a copy of Circular No. 14 of 1942 issued by the Central Board of Revenue as promised in the course of answers to question No. 173 asked by the Honourable Raja Yuveraj Dutta Singh on the 31st March, 1942.

CIRCULAR No. 14 of 1942.

C. No. 9 (1)-I.T./42.

CENTRAL BOARD OF REVENUE.

New Delhi, the 26th March, 1942.

CIRCULAR.

Collection of tax. Postponement of, in respect of incomes from sources in Burma, Malaya, Indo-China and other countries in the Far East occupied by the enemy.

1. In amplification of Board's telegram* No. 9 (1)-I.T./42, dated the 24th March, 1942, and in supersession of the instructions contained in Circular No. 8 of 1942, dated the 10th February, 1942, the following instructions are issued:—

- (i) Assessment proceedings in respect of the incomes in question for 1941-42 and earlier years are to be continued and completed.
- (ii) For assessment years subsequent to 1941-42, even though the assessee's previous year ended on a date before the territory in question was occupied by the enemy, no attempt should be made to assess income from sources in such territory. Such income can be assessed later under section 34. Income from sources outside such territory will continue to be assessed and tax will continue to be collected in the usual way.
- (iii) In the cases of Chettiers when account books are not available copies of accounts sent by agents will be accepted as a compliance with the notice calling for accounts.
- (iv) Further collection of taxes on all income remitted or unremitted—which accrued in these territories in the previous year for the 1941-42 assessment shall be postponed during the period of the war.
- (v) As regards assessment years prior to 1941-42 no attempt should be made for the present to collect tax on the income in question. Lists of such cases should be submitted to the Board by Commissioners with their recommendations as to stay of collection, having regard to the fact that our object is to avoid causing hardship to assessee.
- (vi) In order to assure that the collection of tax held in abeyance under these orders will not become time-barred under section 46 (7), payment should be allowed in two instalments—the first payable two years from the date of assessment and the second six months later. The time limit in section 46 (7) will count from the date of the second instalment.

2. The object of these instructions is to give relief to assessee who have suffered from enemy action. Income-tax Officers must keep that in mind and treat these assessee sympathetically. They should be given ample time in which to supply any information required by the Income-tax Officer and the question of imposing penalties on them for default should not arise save in very exceptional cases. These people have much to worry them besides income-tax and the Department must not add unnecessarily to their troubles.

K. K. CHETTUR,

First Secretary, Central Board of Revenue.

*23rd March, 1942 in the case of Madras.

THE HONOURABLE MR. C. E. JONES (Finance Secretary) : Sir, I lay on the table the information promised in reply to question No. 174 and part (c) of question No. 178 asked by the Honourable Mr. N. K. Das on the 31st March, 1942.

INCOME-TAX OFFICERS IN THE BIHAR AND ORISSA CIRCLE.

(a) 13.

(b) No, for the reason that these particular officers had been selected for retrenchment on grounds of inefficiency.

LIST OF OFFICERS RECRUITED TO THE APPRAISING SERVICE SINCE 1935.

Name.	Province or domicile.
Mr. H. M. Hafiez (by promotion)	Punjab.
Mr. R. N. Banerjee II	Bengal.
Mr. E. G. Connolly	Bengal.
Mr. C. Deefholts (by promotion)	Bengal.
Mr. A. Minto (by promotion), posted at Chittagong	Bengal.
Mr. S. C. Ghosh	Bengal.
Mr. Md. Abu Rashid (on probation)	Bihar.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE MR. C. E. JONES (Finance Secretary) : Sir, I lay on the table copies* of—

- (1) Appropriation Accounts (Civil), 1940-41 and the Audit Report, 1942.
- (2) Commercial Appendix to the Appropriation Accounts (Civil), 1940-41 and the Audit Report, 1942.
- (3) Finance Accounts, 1940-41 and the Audit Report, 1942.
- (4) Appropriation Accounts (Posts and Telegraphs), 1940-41 and the Audit Report, 1941.
- (5) Appropriation Accounts (Defence Services), 1940-41.
- (6) Audit Report—Defence Services, 1942.
- (7) Memorandum containing explanation of variations in the Central Government Appropriation Accounts (Civil), 1940-41 and the Audit Report, 1942, under the Sub-heads of accounts pertaining to the High Commissioner for India and the comments of the Auditor of Indian Home Accounts.
- (8) Commercial Appendix to the Appropriation Accounts of the Defence Services for 1940-41.
- (9) Appropriation Accounts (Railways), 1940-41, Part I.

* Not printed. Copies placed in the Library.

STATEMENTS LAID ON THE TABLE

- (10) Appropriation Accounts (Railways), 1940-41, Part II.
- (11) Railway Audit Report, 1942.
- (12) Capital Statements, Balance Sheets and Profit and Loss Accounts of State Railways in India for 1940-41.
- (13) Balance Sheets of Railway Collieries and Statements of all-in-cost of coal for 1940-41.
- (14) Memorandum showing explanations of variations between the grant and actuals under expenditure in England for 1940-41 of the Indian Posts and Telegraphs Department.
- (15) Corrections to the Appropriation Accounts (Posts and Telegraphs) for 1940-41.
- (16) Correction to the Appropriation Accounts (Railways) for 1940-41, Part II.
- (17) Amendments to the Audit Report, Defence Services, 1942.
- (18) Corrections to the Appropriation Accounts (Civil), 1940-41, and Audit Report, 1942.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE SIR SATYENDRA NATH ROY (War Transport Secretary) : Sir, I lay on the table the information promised in reply to (1) question No. 1 asked by the Honourable Kumar Nripendra Narayan Sinha on the 10th November, 1941, and (2) question No. 185 asked by the Honourable Pandit Hriday Nath Kunzru on the 31st March, 1942.

BALLAST, ETC., PURCHASED BY THE E. B. R. AND E. I. R.

(a) The answer to the first part is in the affirmative; the second part does not arise.

(b) The sums were paid in the years 1937 to 1940 in the case of the E. B. R. and in the years 1935 to 1940 in the case of the E. I. R.

(c) The materials supplied were suitable and conformed to the Railways' specifications. No special tests were, therefore, necessary.

(d) Yes; Contractor R. B. Seth Teomal has supplied the E. B. R. (now Bengal and Assam Railway) with materials also from quarries at Jainti, Dima and Chutiapara (on the M. G. section). The materials supplied were suitable and conformed to the Railway's specifications; so no special tests were necessary.

(e) A statement (I) is placed below which gives all the information that is available.

STATEMENT I.

Contractors (other than R. B. Seth Teomal) who supplied stone, etc., to the Railways.

Railway.	Names.	Remarks.
E. B. R.	(1) S. G. Bose (2) Seth Dharamdas (3) T. S. Samanta (4) Nanji Mowji (5) Kumbha Mowji (6) A. Sircar & Co. (7) Bhagwan Das	Since 1937 only. No information prior to this year.
E. I. R.	(1) S. G. Bose, Lessee of Rajgaon Stone Co. (2) Kalyanji Nogha and Kanwarji Kalyanjee. (3) Chatterjee, Shaw & Co.	
		Information prior to 1931-32 in case of (1) and (3) not available. In case of (2) no information prior to 1936-37 is available.

(f) Yes; A statement (II) giving such particulars as are available is attached.

STATEMENT II.

Contractors (other than R. B. Seth Teomal) who supplied materials from Pakur.

Railway.	Name of Contractor.	Address.	Quantity of materials supplied.	Amount paid.	Remarks.
			C.ft.	Rs.	
E. B. R.	(1) A. Sircar & Co.	7, Short St., Calcutta.	12,11,431	59,689	The information is from 1937 to 1940 only.
	(2) Bhagwan Das	Paksey, E. B. R.	3,09,369	13,148-3-0	
E. I. R.	(1) J. N. Banerjee	P. O. Saintia, Dist. Birbhum.	Not available.	27,448	(i) Quantities supplied prior to 1936-37 are not available. (ii) These supplies were made from Pakur quarry siding, and not from Pakur Station.
	(2) K. C. Banerjee	Pakur, S. P.	Do.	9,290	
	(3) Messrs. Chatterjee, Shaw & Co.	30/1, Bagh-bazar Street, Calcutta.	Do.	8,136	
	(4) B. B. Chatterjee.	Pakur, E. I. R.	Do.	1,374	
	(5) Goodware & Co.	Do.	Do.	211	
	(6) Seth Khia Mal	Pakur, E. I. R.	4,70,000	20,495	
	(7) A. Sircar & Co.	7, Short Street, Calcutta.	3,08,000	10,088	

(g) No.

(h) Does not arise.

DISCOURTESY SHOWN TO MR. G. S. KHABE WHILE ATTEMPTING TO ENTER A FIRST CLASS COMPARTMENT.

In reply to the Honourable Member's last supplementary on the above question, Government understand that after the passenger was admitted to the compartment, he was not pushed out.

GENERAL THE HONOURABLE SIR ALAN HARTLEY (Deputy Commander-in-Chief) : Sir, I lay on the table the information promised in reply to question No. 189 asked by the Honourable Pandit Hirday Nath Kunzru on the 2nd April, 1942.

ALLEGED TRANSFER OF SOME ENGINEER TROOPS FROM CALCUTTA, WITHOUT SUPPLY OF FOOD DURING THE JOURNEY.

(a) to (d). The facts are as follows :—

A draft of 104 men, mostly lascars, but also including some carpenters, left Calcutta on the 15th of March, for Deolali. It was in charge of an Officer and a Viceroy's Commissioned Officer. As far as is known, the men were not paid any advance in lieu of rations as they had only a few days back received their regular pay. This was a mistake.

The men approached the Viceroy's Commissioned Officer at Bilaspur, saying that they had no food. The latter then arranged for food to be given to them at the next station and also later on during the journey. It is not true, therefore, that the men approached the officer but had no redress.

Strict instructions have now been issued that men should be given an advance before each journey, irrespective of whether they had recently received their pay or not.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE MR. A. V. PAI (Indians Overseas Secretary) : Sir, I lay on the table a copy of the notification of the Government of India in the Department of Indians Overseas No. F. 35/42-O. S., dated the 20th June, 1942, amending the notification of the Government of India in the Department of Education, Health and Lands No. F. 33/39-Overseas, dated the 1st August, 1939, under section 30A(1) of the Indian Emigration Act, 1922.

No. F. 35/42-O. S., dated the 20th June, 1942.—In exercise of the powers conferred by sub-section (1) of section 30-A of the Indian Emigration Act, 1922 (VII of 1922), the Central Government is pleased to direct that the following amendment shall be made in the notification of the Government of India in the Department of Education, Health and Lands, No. F. 33/39-Overseas, dated the 1st August, 1939, namely :—

In the said notification, after the words "unless exempted by" the words "general or" shall be inserted.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE MR. A. V. PAI (Indians Overseas Secretary) : Sir, I lay on the table a statement containing further information promised in reply to question No. 121 asked by the Honourable Raja Yuveraj Datta Singh on the 10th March, 1942.

INDIANS IN ADEN.

Indian population in Aden as at last census in 1931	8,368
Number of Indians evacuated after the outbreak of war	1,678
Number of Indians since admitted into Aden (mostly evacuees)	1,676
Number of Indians now in Aden	Not known.

GENERAL THE HONOURABLE SIR ALAN HARTLEY (Deputy Commander-in-Chief) : Sir, I lay on the table the information promised in reply to part (d) of question No. 184 asked by the Honourable Pandit Hriday Nath Kunzru on the 31st March, 1942.

LOOTING OF ORANGES BY SOLDIERS AT KATOL.

Government have issued orders for appropriate disciplinary action to be taken against the offender.

As regards the second part of the question, orders have been issued for the provision of an adequate staff of officers in charge of troops in transit, and military police at railway stations where troops halt or change.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE MR. VISHNU SAHAY (Nominated Official) : Sir, I lay on the table copies of the declarations of exemption under section 6 of the Registration of Foreigners Act, 1939, as published with the notifications of the Government of India in the Home Department :—

- (1) No. 1/16/42-Political (E), dated the 14th April, 1942,
- (2) No. 1/3/42-Political (E), dated the 13th May, 1942,
- (3) No. 1/18/42-Political (E), dated the 21st May, 1942,
- (4) No. 1/38/42-Political (E), dated the 4th June, 1942,
- (5) No. 1/36/42-Political (E), dated the 11th June, 1942,
- (6) No. 1/3/42-Political (E), dated the 12th/16th June, 1942,
- (7) No. 1/38/42-Political (E), dated the 20th June, 1942,
- (8) No. 1/39/42-Political (E), dated the 27th June, 1942, and
- (9) No. 1/43/42-Political (E), dated the 12th August, 1942.

Declarations of Exemption.

No. 1/16/42-Political (E), dated the 14th April, 1942.—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, shall not apply to, or in relation to, Dr. M. C. Balfour, Regional Director in the Far East of the Rockefeller Foundation and Adviser to the United States Medical Commission to China.

No. 1/3/42-Political (E), dated the 13th May, 1942.—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, shall not apply to, or in relation to, the services personnel of the American and Chinese naval, military and air force arriving in India in the discharge of their official duties.

No. 1/18/42-Political (E), dated the 21st May, 1942.—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, Mrs. Lucile Graham Keating, an official attached to the Consulate for the United States of America at Bombay, so long as she is so attached.

No. 1/38/42-Political (E), dated the 4th June, 1942.—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, Messrs. S. H. Sih, D. Z. Lao, P. Chang, C. M. Sung and S. K. Shen, officials attached to the office of the Commissioner of China to India, so long as they are so attached.

No. 1/36/42-Political (E), dated the 11th June, 1942.—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. Alois Stefan, an official attached to the Czechoslovak Consulate in Bombay, and his family, so long as he holds a post in that Consulate.

No. 1/3/42-Political (E), dated the 12th/16th June, 1942.—In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), and in supersession of the Home Department notification No. 1/3/42-Political (E), dated the 13th May 1942, the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except Rule 8, shall not apply to, or in relation to, the service personnel of the American, Chinese, Dutch, Free French or other allied naval, military and air force arriving in India in the discharge of their official duties.

No. 1/38/42-Political (E), dated the 20th June, 1942.—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. C. C. Chuang, an official attached to the office of the Commissioner of China to India, so long as he is so attached.

No. 1/39/42-Political (E), dated the 27th June, 1942.—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, Mrs. Frances Ridgway Warden, an official attached to the Consulate for the United States of America at Bombay, so long as she holds a post in that Consulate.

No. 1/43/42-Political (E), dated the 12th August, 1942.—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. Albert Evans, Acting Director, American National Red Cross, China Relief Unit, so long as he holds this post.

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary): Sir, I lay on the table a copy of the notification of the Government of India in the Commerce Department No. 597-I (3)/41, dated the 14th March, 1942, making certain further amendments in the Insurance Rules, 1930.

INSURANCE.

No. 597-I (3)/41, dated the 14th March, 1942.—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following further amendments shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely:—

1. In the said Rules—

1. In rule 6, after the words "of the Act" the words, brackets, figure and letter "or a sale or investment under sub-section (9-A) of the said section," shall be inserted.

2. In sub-rule (3) of rule 9, after the word "purchase" in both places where it occurs, the words "or sale" shall be inserted.

3. In rule 11 to clause (c) of sub-rule (1), the following shall be added, namely:—

"but not including the proviso to sub-section (1) thereof".

4. For rule 13, the following rule shall be substituted, namely:—

"13. *Qualifications of elected directors of Insurance Companies.*—(1) A person shall be eligible for election as a director of an Insurance Company under section 48 of the Act, if he holds one or more policies of life insurance issued by the company and satisfying the provisions of the said section and both the following requirements, namely:—

(a) the policies shall insure either a total sum, including any bonuses that may have attached to them before the date of election, of not less than Rs. 3,000, where the company has at that date been carrying on life insurance business for not less than five years, or of not less than Rs. 1,000 in other cases, or annuities on human life of a total amount of not less than Rs. 250 *per annum* without regard to the age of the company; and,

(b) where the company has been carrying on life insurance business for more than two years, all the policies held in compliance with clause (a) shall have been in force for not less than one, two or three years, according as the company has at the date of election been carrying on life insurance business for not more than five years, for more than five but not more than eight years, or for more than eight years.

(2) If, at any date after election as a director, a person ceases to be a person holding one or more policies of life insurance satisfying the provisions of section 48 and both the requirements specified in sub-rule (1) he shall forthwith cease to be an elected director of the company."

5. In rule 14,—

(a) for sub-rule (1) the following sub-rule shall be substituted, namely:—

"(1) The election of directors under section 48 of the Act shall take place at a meeting (to be held at the place where the principal office of the company is situated) of the holders of policies of life insurance issued by the company, who are eligible to vote at such election and the first such election shall be held as soon as possible after the said section becomes applicable to the company";

(b) in sub-rule (2)—

(i) for the figures and word "28 days" the words "three months" shall be substituted;

(ii) for the words "in a newspaper published in a principal language of, and circulating in, that Province", the words "in a newspaper published in the English language and, if the company so desires, in a newspaper published in a principal language of that Province, both being papers circulating in that Province" shall be substituted;

(iii) in the first proviso, for the word "three" the word "six" and for the words "for attachment to their policies a slip setting forth those qualifications" the words "as modified upto date, a notice setting forth such modified qualifications" shall be substituted;

(c) in sub-rule (3),—

(i) for the figures and word "10 days" the words "two months" shall be substituted;

(ii) after the words "individually by post" the words, brackets and figure "to those policyholders who are eligible to vote and who apply for a certificate of admission under sub-rule (4)" shall be inserted.

(d) after sub-rule (3), the following sub-rule shall be inserted, namely:—

"(3A) An application sent under sub-rule (3) shall give the applicant's name and address and the numbers of and amounts of the sums insured by the policies by virtue of which he claims to be eligible for election."

(e) in sub-rule (4),—

(i) for the figures and word "15 days" the words "two months" shall be substituted;

(ii) after the words "issued by the company" the words "not less than six months before the date of election" shall be inserted;

(iii) for the figure and word "6 days" the words "one month" shall be substituted;

(iv) after the words "the relevant policy" the words, figures and brackets "and shall, in any case, be accompanied by a statement of the names and addresses of the eligible persons prepared to accept office whose applications have been received by the company under sub-rule (3)" shall be inserted.

(f) in sub-rule (5), after the words "whose presence is", the words "in the opinion of the Chairman," shall be inserted.

(g) in sub-rule (7),—

(i) after the words "appointing a proxy shall be in writing" the words, figures and letters "in Form IV-A" shall be inserted;

(ii) for the figure and word "6 days" the words "one month" shall be inserted;

(iii) after the words "the date of the meeting" the following sentence shall be inserted, namely:—

"No policyholder shall appoint more than one proxy irrespective of the number of policies he holds."

(h) in sub-rule (8),—

(i) after the words "on his own behalf" the words "irrespective of the number of policies he holds" shall be inserted;

(ii) after the words "any one candidate" the following proviso shall be inserted, namely:—

"Provided that a policyholder may, if he prefers, vote on one voting paper in respect of all the proxies he holds. In that event, the number of votes to be given on the voting paper shall not exceed the number of directors to be elected multiplied by the number of proxies held and the number of votes given to any one candidate on that paper shall not exceed the number of proxies held."

(i) after sub-rule (8), the following sub-rules shall be inserted:—

"(8A) If any policyholder is a lunatic or an idiot, he may vote by his legal representative; and if any policyholder is a minor he may vote by his legally appointed guardian, or any one of such guardians, if more than one."

(8B) If a policy has been proposed for, and taken out jointly by, more than one person having insurable interest between them, each such person shall be entitled to vote as a holder of that policy."

(j) to sub-rule (9) the following proviso shall be added, namely :—

"Provided that if the counting of votes is not likely to be completed by 7 p.m. on the date of the meeting, the Chairman may lock, seal and take charge of the ballot box in the presence of the meeting and postpone the counting of votes by not more than 48 hours. The opening of the ballot box shall be done by the Chairman and the counting shall be carried out by the same persons as are specified in this sub-rule for this purpose within the said 48 hours after reasonable notice of the time and place where the counting is to take place has been given to the candidates but no others except those whose presence is necessary for the purpose of making the counting and the declaration. Each candidate or in his absence his authorised representative shall be allowed to be present to witness the opening and the counting. The result of the ballot shall then be communicated by notice published in newspapers as in sub-rule (2) or individually by post to all policyholders who were present in person at the election or by both methods."

(k) for sub-rule (10) the following sub-rules shall be substituted, namely :—

"(10) For the purposes of sub-rule (3) of rule 15, a list shall be prepared of those of the unsuccessful candidates in whose favour any valid votes are cast in descending order of the number of such votes cast for each. If two or more such candidates have an equal number of such votes cast for them, they shall be placed in the list in the alphabetical order of their signatures in their applications under sub-rule (3). For the purposes of this sub-rule, no valid vote shall be deemed to be cast for a candidate if his own vote is the only vote cast for him.

(10A) No election shall be held at any meeting convened under these rules unless a quorum of policyholders holding certificates issued under sub-rule (4) is personally present at the time when the meeting proceeds to business. The number of such certificate holders who must personally be present to constitute a quorum shall be five times the number of directors to be elected at that meeting.

(10B) If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the policyholders present and holding certificates issued under sub-rule (4) shall be a quorum."

6. For rule 15, the following rule shall be substituted, namely :—

"15. *Period of office of directors, and filling of vacancies.*—(1) An election of directors under these rules (other than the first such election) shall be held not later than three years from the date of the last such election.

(2) At every meeting of policyholders held in pursuance of sub-rule (1), all the directors elected or appointed under these rules shall retire, but any director so retiring shall, if he remains eligible under rule 13, be eligible for re-election.

(3) In the event of a casual vacancy arising among the directors elected or appointed under these rules, the vacancy shall be filled by appointing the person highest in the list prepared under sub-rule (10) of rule 14, who remains eligible under rule 13 and is willing to act as a director.

(4) Any person in the said list who is not appointed in his turn under sub-rule (3) either because he has ceased to be eligible under rule 13 or because of his unwillingness to act shall be removed from the list.

(5) In the event of there being no person available for appointment under sub-rule (3), the casual vacancy shall be filled by the remaining directors (if not less than two in number) elected or appointed under these rules by appointing a person eligible under rule 13, or if such directors (or a majority of them) are unable to agree upon a person to be appointed, the appointment shall be decided by lot from amongst the persons eligible under rule 13 who have been considered for the appointment by the said remaining directors.

(6) In the event of there being only one or no such remaining director, the casual vacancy shall be filled by an election in accordance with these rules to be held not later than 6 months from the date on which the vacancy occurred, unless the company secures from the Central Government within two months from the said date an exemption for that purpose from the provisions of section 48 of the Act under clause (b) of sub-section (3) thereof.

(7) Save as provided in sub-rule (8), any person appointed or elected to fill a casual vacancy shall be subject to retirement at the same time as would have been the director in whose place he is appointed or elected.

(8) An election held in pursuance of sub-rule (6) to fill a casual vacancy shall not be reckoned as an election for the purpose of sub-rule (1), except when the total number of directors to be elected by policyholders under section 48 of the Act is only one.

(9) Nothing in this rule shall be deemed to affect the application of Regulations 78 and 79 in Table A of the First Schedule to the Indian Companies Act, 1913 (VII of 1913), to directors elected or appointed otherwise than under these rules."

7. After rule 16, the following rule shall be inserted, namely :—

"16A. An individual to whom a licence has been issued shall, if such licence has been lost, destroyed or mutilated, pay a fee of one rupee in the manner provided in clause (a) of rule 16 and send the receipt therefor to the authority who issued the licence with the request that a duplicate licence may be issued. He shall furnish a declaration giving full details regarding the issue and loss, destruction or mutilation of the licence and the mutilated pieces, if any, shall be returned to the aforesaid authority who may, after taking all reasonable steps to satisfy himself that the original licence issued has been lost, destroyed or mutilated, issue a duplicate licence in Form VI with an endorsement thereon that it is a duplicate."

8. After rule 17, the following rule shall be inserted, namely :—

"17A. The conditions to be satisfied by an insurance agent to establish that he is a *bona fide* insurance agent employed by the insurer for the purposes of the proviso to sub-section (1) of section 41 of the Act shall be the following, namely :—

(a) He must have secured policies on six different lives excluding his own.

(b) He must have been an insurance agent continuously from the time of his soliciting or procuring the first policy on each of such six lives or proposing for the policy on his own life whichever is earlier till the time when the policies on those six lives and the policy on his own life have all been issued."

9. After rule 19, the following rule shall be inserted, namely :—

"19A. Every provident society shall, commencing from a date not later than the 1st January, 1943, maintain at its principal office in British India the following registers in the forms specified below or as near thereto as possible, provided the information to be shown is not reduced thereby in respect of all its transactions subsisting on, or after that date, namely :—

(i) A register of members (but not including membership merely by virtue of being a policyholder), proprietors and share-holders.....in Form VI-A.

(ii) A register of directors, manager, secretary and other officers.....in Form VI-B.

(iii) A proposal register.....in Form VI-C.

(iv) A register of policies.....in Form VI-D in respect of all policies issued from a date not later than 1st January, 1943. (Separate registers shall be maintained for each contingency specified in or prescribed under sub-section (2) of section 65 of the Act in respect of which the society carries on business.)

(v) A premium register.....in Form VI-E.

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(vi) A lapse register showing the details in respect of each policy which is treated by the society as having lapsed in Form VI-F.

(vii) A register of claims not including annuities in Form VI-G.

(viii) A register of annuity payments in Form VI-H.

(ix) A register of agents in Form VI-I.

Provided that—

(a) any register printed after this rule is made and purporting to contain the information specified in any of the registers prescribed by this rule shall be in the Form prescribed therefor;

(b) if any of the registers required to be kept in accordance with section 79 of the Act, as it stood before the commencement of the Insurance (Amendment) Act, 1941, is not kept, or if any of the registers so kept is exhausted the society shall maintain forthwith the corresponding register or registers prescribed by this rule;

(c) if no registers are maintained corresponding to the registers prescribed by clauses (iii), (v) and (vi) of this rule, the society shall, commencing from a date not later than 1st April, 1942, maintain the registers prescribed by these clauses.

(d) it shall not be necessary to show the name of the life insured in addition to the policy-number in the register in Form VI-D, VI-E, VI-F, VI-G or VI-H, if the register concerned is prepared by mechanical means."

10. For rule 22, the following rule shall be substituted, namely :—

" 22. *Signatures to returns furnished by provident societies.*—Every return furnished to the Superintendent of Insurance under sub-section (2) of section 82 of the Act shall be signed in accordance with the provisions of sub-section (2) of section 15 of the Act."

11. In rule 25, after the word and figures " section 13 ", the words, figures, letter and brackets " or clause (e) of sub-section (2) of section 16 " shall be inserted.

12. After rule 27, the following rules shall be inserted, namely :—

" 28. The sub-classes of miscellaneous insurance business in respect of each of which a separate account of receipts and payments is to be kept as required under sub-section (2) of section 10 of the Act on and after the 1st January, 1943, shall be—

(1) Capital Redemption insurance business.

(2) Continuous Disability insurance business.

(3) Employers Liability insurance business.

(4) The business of insuring the payment on the happening of each of the contingencies (a) birth, (b) marriage, and (c) failure of issue, each contingency to constitute a separate business unless the contingencies are combined in a single contract, but not being business comprising insurance contracts which are terminable by the insurer at intervals not exceeding twelve months and under which, if a claim arises, the insurer's liability to pay benefit ceases within one year from the date on which the claim arose.

29. For the purposes of the Act, the business of an insurer shall be deemed to be transacted in India or British India according as the premiums in respect of those transactions are ordinarily paid in India or British India as the case may be.

Provided that if any question arises whether any premiums are ordinarily paid inside or outside British India or India, the Superintendent of Insurance shall decide the question and his decision shall be final."

11. In the Forms set forth in the Schedule annexed to the said Rules—
(a) for Form III, the following Form shall be substituted, namely :—

FORM III.

(See Rule 5.)

No. Sec.

RESERVE BANK OF INDIA.

SECURITIES DEPARTMENT.

CALCUTTA. 19 ..

Statement showing the particulars of deposits held on behalf of the

under section of the Insurance Act, 1938.

Loan.	Existing Deposits (excluding deposits withdrawn).		New Deposits. Received on		Total	
	Face Value.	Book Value.	Face Value.	Book Value.	Face Value.	Book Value.
Total Securities						
Cash						
GRAND TOTAL						

[Starting Deposits have been converted at 1s. 6d.]

Certified that the above agrees with the entries in the books maintained by the Bank.

To

The Superintendent of Insurance.

Department of Commerce, Government of India, New Delhi.

Manager.

(b) in Form IV—

(i) for the sub-heading.

" Name of the depositor ", the sub-heading " Name of the Insurer " shall be substituted;

(ii) after the column headed " Nature of deposits " a column headed " Total amount held to be in deposit being the total amount of cash and the book value of the securities deposited " shall be inserted.

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(c) after Form IV, the following Form shall be inserted, namely :

" FORM IV-A.

[See Rule 14 (7).]

Instrument of Proxy.

Insurance Company, Limited.

I..... of..... in the District of..... being a holder of policy/policies bearing the number/numbers..... issued by the..... Insurance Company Limited hereby appoint..... of..... who is also a holder of policy/policies bearing the number/numbers..... issued by the abovementioned company or in case the said policyholder fails to attend such meeting I appoint..... of..... who is also a holder of policy/policies bearing the number/numbers..... issued by the abovementioned company* as my proxy to vote for me and on my behalf at the meeting of the company to be held for the election of policyholders' directors on the..... day of..... and at any adjournment thereof.

Signed this..... day of.....
Signature.....

* Similarly for one further proxy if both the first mentioned proxies fail to attend."

(d) after Form VI, the following Forms shall be inserted, namely :

" FORM VI-A.

[See Rule 19A (i).]

Register of members (excluding membership merely by virtue of holding policies issued by the Society), proprietors and shareholders.

Serial No.	Date of becoming member, proprietor, or shareholder, as defined in heading.	Full name.	Address.	Occupation.	Date on which ceased to be a member, etc.	Remarks.
1.	2.	3.	4.	5.	6.	7.

FORM VI-B.

[See Rule 19A (ii).]

Register of Directors, Manager, Secretary and other officers.

Serial No.	Full Name.	Address.	Occupation other than in the service of the society.	Date when he commenced to hold the office in question.	Date of ceasing to hold the office in question.	Remarks.
1	2	3	4	5	6	7

NOTES :—

1. A separate page must be used for each title of office, viz., Secretary.
2. The 'Remarks' column should show the mode of vacating office, whether by death, resignation, retirement, etc.

FORM VI-C.

[See Rule 19A (iii).]

Proposal Register.

Serial No.	Date and Number of proposal.	Name and address of proposer.	How disposed of.*	Date of acceptance, if accepted.*	Number and date of policy.*	Date of despatch of policy.*	Remarks.
1	2	3	4	5	6	7	8

* NOTE.—In case a proposal is rejected or does not result in a policy, against columns 4 to 7 the amount of advance or deposit received, if any, and the date of its adjustment with reasons or the date of its refund should be stated.

FORM VI-D.

[See Rule 19A (iv).]

Register of Policies issued.

Serial No.	Number and date of proposal.	Policy number and date of commencement of insurance. Date and month of exit with cross reference to the register concerned.†	Name, occupation and address of insured.‡	Name and address of person paying the premium; if other than life insured and his relationship to life insured.‡	Name and address of nominee and his relationship to the policyholder and the date on which the respective notice was received.	Term of policy and full particulars of the Table under which the policy is issued.	Sum insured. §	Premium: Amount of each instalment and due date of final instalment.	Due date of all instalments in each calendar year.	If assigned name and address of each assignee and date on which the respective notice were received.
1	2	3	4	5	6	7	8	9	10	11

Notes:—

- * Cross reference should be given to other policies, if any, if the contingencies on the happening of which the sums insured are payable under those policies relate to the same person as under this policy.
- † The entries regarding exit should be shown in pencil, when the exit is capable of revival and erased on subsequent revival. When revival is no longer possible the pencil entries should be replaced by ink.
- ‡ In case of contingencies other than death, in columns 4 and 5, substitute for the words "the life insured", the words "the person to whom the contingencies on the happening of which sums are payable relate".
- § If the sum insured excluding bonus varies during the term of the policy, both the maximum and minimum of the sum insured should be stated.

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STATEMENTS LAID ON THE TABLE.

FORM VI-E.

[See Rule 19A-(v).]

Premium Register in respect of all premiums falling due during the month of 19 ..

Policy Number.	Name of the person to whom the policy was issued.	Due date of premium.	Date of payment of premium.	Particulars of any other payment as fees, fines, etc. realised on the policy during the month.
1	2	3	4	5

NOTES:—

1. The register should be closed at the end of each month and the closing should be completed within a month.
2. Separate registers should be maintained in respect of each of the contingencies specified in or prescribed under section 85 (2) of the Insurance Act, 1938.
3. A society may, if it considers necessary and desirable, maintain a separate register of the particulars specified in column (5), provided that the separate register gives also the information in columns (1) and (2) with full cross references with this register.

FORM VI-F.

[See Rule 19A-(vi).]

Lapse Register.

Date of entry in this register.	Policy Number.	Name of the insured.	Date of commencement of insurance.	Due date of first unpaid premium.	Amount of any loan granted on the security of the policy and date when the loan is written off.	Date of revival (if any).
1	2	3	4	5	6	7

NOTE.—The register should be closed at the end of each month and the closing shall be completed within a month.

FORM VI-G.

[See Rule 19A-(vii).]

Register of claims not including annuities.

Serial Number.	Policy Number.	Name of life insured.	Date of intimation of the happening of the contingency.	Name, Address and title of claimant.	Date of receipt of claim papers.	Date of payment.	Total sum insured with bonus additions up-to-date.	Net sum paid in cash.	Cause of difference if any between (8) and (9).	Date of and ground for rejection, if any
1	2	3	4	5	6	7	8	9	10	11

NOTES:—

1. Where there is a series of policies on the same life, each policy must be entered separately.
2. A separate register should be maintained for each class of contingency specified in or prescribed under section 65(2) of the Insurance Act, 1938, against which policies have been issued.

FORM VI-H.

[See Rule 19A-(viii).]

Register of claims for annuities or other periodical payments.

Serial No. Policy No.

Name of life insured.

Date of intimation of the happening of the contingency. Date of receipt of Claim papers.

Name } of claimant

Address }

Title }

Date of first payment. Date and ground of rejection.

Date and Cause of cessation of payments.

Due dates.	Amounts due.	Amounts paid in cash and date.	Cause of difference if any.
1	2	3	4

NOTE.—A separate register should be maintained for each class of contingency specified in or prescribed under section 65(2) of the Insurance Act, 1938, in respect of which a periodical sum is insured to be paid.

FORM VI-I.

[See Rule 19A-(ix).]

Register of Agents.

Serial Number.	Name, address and all other occupations.	Date of appointment.	Terms of remuneration.	Date when ceased to be agent.	Remarks.
1	2	3	4	5	6

(e) in Form VII, in the first column after the entry "7. Actuarial fees", the entry "8. Medical fees" shall be inserted and the existing entries numbered 8 to 13 shall be renumbered 9 to 14 respectively.

(f) in note 7 of the "Notes relating to the Revenue Account—(Form VII)" after the words "revenue account", the words, figures and letter "and a statement in Form VII-A of the particulars specified therein" shall be inserted.

(g) after the "Notes relating to the Revenue Account—(Form VII)", the following Form shall be inserted, namely :—

FORM VII-A.

Submitted by the

society

for the year ending

19 .

	Policies insuring money to be paid on death.		Policies insuring money to be paid only on survivorship.		Annuities.		Marriage policies.		And so on for each contingency specified in or prescribed under section 65 (2) of the Insurance Act, 1938, for which separate account is required to be prepared.
	No.	Sum Insured.	No.	Sum Insured.	No.	Sum Insured.	No.	Sum Insured.	
		Rs.		Rs.		Rs.		Rs.	
(1) Policies at end of previous years.									
(2) New policies issued as per Statement Form IX.									
(3) Old policies revived.									
(4) Old policies changed and increased.									
(5) Bonus additions allotted.									
Total									
Discontinued during year.									
(6) By death									
(7) By maturity or the happening of the contingencies insured against (Each contingency being shown separately).									
(8) By expiry of term									
(9) By surrender of (i) Policy and (ii) of bonuses.									
(10) By forfeiture or lapse.									
(11) By change and decrease.									
(12) By being not taken up.									
Total									
Total existing at the end of the year.									

(A) in Form VIII,

(i) after the sub-heading "Investments", the brackets and letter "(f)" shall be inserted ;

(ii) after clause (e) of the clauses in the "Footnotes to Balance Sheet—(Form VIII)" the following clause shall be inserted, namely :—

"(f) Where any part of the assets of a provident society is deposited in any place outside British India as security for the owners of policies issued in that place the balance sheet shall state that part of the assets has been so deposited and, if any such part forms part of the insurance fund in respect of any contingency specified in, or prescribed under, sub-section (2) of section 65 of the Insurance Act, 1938, shall show the amount thereof and the place where it is deposited."

N. R. PILLAI,

Addl. Secy. to the Govt. of India.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONOURABLE THE PRES. DENT : Honourable Members, I have a message from His Excellency the Governor General :—

PANEL OF CHAIRMEN.

"In pursuance of the provisions of sub-section (2) of section 63-A of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, I, Victor Alexander John, Marquess of Linlithgow, hereby nominate the following members of the Council of State to be on the Panel of Chairmen of the said Council of State :—

In the first place, the Honourable Mr. P. N. Saprú ; in the second place, the Honourable Sir A. P. Patro ; in the third place, the Honourable Mr. M. N. Dalal ; and lastly, the Honourable Sir Rahimtoola Chinnoy.

LINLITHGOW,

Viceroy and Governor General."

NEW DELHI ;

The 18th September, 1942.

COMMITTEE ON PETITIONS.

THE HONOURABLE THE PRESIDENT : Under Standing Order 76 of the Council of State Standing Orders, I am required at the commencement of each session to constitute a Committee on Petitions consisting of the Chairman and four members. The following members at my request have kindly consented to preside over and serve on the Committee. I accordingly have much pleasure in nominating as Chairman of the Committee the Honourable Raja Charanjit Singh and as members, the Honourable Sir Ramunni Menon, the Honourable Pandit Hirday Nath Kunzru, the Honourable Mr. M. N. Dalal and the Honourable Saiyed Mohamed Padshah Sahib Bahadur.

GOVERNOR GENERAL'S ASSENT TO BILLS.

SECRETARY OF THE COUNCIL : Sir, information has been received that His Excellency the Governor General has been pleased to give his assent to the following Bills which were passed by the two Chambers of the Indian Legislature during the Budget Session, 1942, namely :—

1. The Workmen's Compensation (Amendment) Act, 1942.
2. The Indian Merchant Shipping (Amendment) Act, 1942.
3. The Indus Vessels (Amendment) Act, 1942.
4. The Indian Medical Council (Amendment) Act, 1942.
5. The Indian Boilers (Amendment) Act, 1942.
6. The Multi-unit Co-operative Societies Act, 1942.
7. The Coffee Market Expansion Act, 1942.
8. The Indian Penal Code (Amendment) Act, 1942.
9. The Cotton Ginning and Pressing Factories (Amendment) Act, 1942.
10. The Indian Patents and Designs (Extension of Time) Act, 1942.
11. The Protective Duties Continuation Act, 1942.
12. The Indian Finance Act, 1942.
13. The Agricultural Produce (Grading and Marking) Amendment Act, 1942.

[Secretary of the Council.]

14. The Indian Tolls (Army) Amendment Act, 1942.
15. The Cantonments (Amendment) Act, 1942.
16. The Indian Limitation (Amendment) Act, 1942.
17. The Indian Companies (Amendment) Act, 1942.
18. The Weekly Holidays Act, 1942.
19. The Industrial Statistics Act, 1942.
20. The Motor Vehicles (Amendment) Act, 1942.

CONGRATULATIONS TO RECIPIENTS OF HONOURS.

THE HONOURABLE THE PRESIDENT: Honourable Members. I have much pleasure in congratulating in your name and on my behalf Sir Satyendra Nath Roy on his well merited Knighthood. He has been in our House for several years and we have seen his work. He acted for a short time as Communications Member with conspicuous ability. There is a bright future before him and I am sure further honours are in store for him.

THE HONOURABLE SIR SATYENDRA NATH ROY (War Transport Secretary): Sir, I am deeply grateful to you and the House for their congratulations on the Honour conferred on me, which I appreciate all the more as coming from friends and colleagues in this House with whom I have had the pleasure of working for the last five years. I thank you.

STANDING COMMITTEE FOR THE DEPARTMENT OF POSTS AND AIR.

THE HONOURABLE SIR MAHOMED USMAN (Posts and Air Member): Sir, I beg to move:—

"That this Council do proceed to elect, in such manner as the Honourable the President may direct, two non-official members to serve on a Standing Committee to advise on subjects, other than 'Roads,' dealt with in the Department of Posts and Air, during the year 1942-43."

Honourable Members would remember that at the last Budget Session a Committee was elected, for dealing with subjects other than "Roads" in the Department of Communications. The Department of Communications has ceased to exist. The Department has been divided into two Departments, the War Transport Department and the Posts and Air Department. Government have therefore decided that they should have a Committee elected for subjects other than "Roads" in the Department of Posts and Air.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern: Non-Muhammadan): I want to ask one question, Sir. What are the subjects with which this Committee will deal? I am not able to understand that.

THE HONOURABLE SIR MAHOMED USMAN: All subjects in the portfolio except "Roads."

THE HONOURABLE MR. P. N. SAPRU: For instance?

THE HONOURABLE SIR MAHOMED USMAN: Posts and Telegraphs, Meteorology, Telephones, Civil Aviation, etc.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA (Bihar: Non-Muhammadan): Sir, I just want to say one word. We have a large number of Motions for the formation of Committees like this one and we had one when the new portfolio of Information and Broadcasting was set up. A Committee was chosen from this House and I was one of the two representatives selected. More than a year has gone by but the Committee has never met. The Department is a new one but no advice of the Committee has been sought. It is a very poor compliment to the members of the House or to any electorate to be called upon to elect a committee and then to find that its representatives are never asked to meet.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Sir, may I endorse all that the Honourable Mr. Mahtha has said on the subject? The Committee to advise on Information and Broadcasting was appointed at the express request of Sir Akbar Hydari. He came to me and asked me the Committee should be formed at once so that it might begin to function very soon. But the Committee has not met even once. I brought this fact to the notice of the Government during the last session. I was told that the Committee could not meet as unfortunately the Department had no head. I suggested then that the official who was carrying on the duties of the head of the Department should be asked to convene a meeting of the Committee. I was told that what I had said would be conveyed to the Director General of Information and Broadcasting. I do not know whether this information, I mean what was said in this House, was conveyed to him or not. If it was, I suppose he thought it unnecessary to pay any attention to the views expressed in this House. If this is the way in which Government propose to treat Committees which they ask us to establish it is no use having Committees. Either make use of the Committees that you appoint, or don't insult us by asking us to choose Members for Committees.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official): Sir, the Honourable Members opposite seem to be under some misapprehension. So far as the Committee to advise the Department of Information and Broadcasting is concerned it was not actually formed. All that had happened was that the leaders were consulted by the late Sir Akbar Hydari, but, before any decision could be reached, he unfortunately died and I think the matter remained there. So they are under a misunderstanding if they believe that the Committee was actually formed but that no meeting was convened.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: Was not an election held here?

THE HONOURABLE MR. SHAVAX A. LAL: No, there was no election held.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: But Party leaders were asked to nominate members of their Parties. If Sir Akbar Hydari could not take any action action could have been taken by Government; they could have said that the members nominated should be formed into a Committee. The position of Government remains the same. I am concerned with Government.

THE HONOURABLE THE PRESIDENT: The Motion is:—

"That this Council do proceed to elect, in such manner as the Honourable the President may direct, two non-official members to serve on a Standing Committee to advise on subjects, other than 'Roads,' dealt with in the Department of Posts and Air, during the year 1942-43."

The Motion was adopted.

THE HONOURABLE THE PRESIDENT: With reference to the Motion which has just been adopted by the Council, I have to announce that nominations to the Committee will be received by the Secretary up to 11 A.M., on Thursday, the 24th September, 1942, and the date of election, if necessary, will be announced later.

RESOLUTION RE. AMENDMENT OF THE RULES GOVERNING THE GRANT OF TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF THE LEGISLATURE.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Sir

I beg to move:—

“This Council recommends to the Governor General in Council to amend the rules governing the grant of travelling and other allowances to Members of the Indian Legislature so as to suspend for the duration of the present emergency the right to draw free haulage of a motor car or of a carriage and two horses from the station nearest to the member's official headquarters or other place of residence to New Delhi and back and in addition a petrol or forage allowance at the rate of Rs. 75 per mensem for the period for which a member is entitled to draw daily allowance with the result of leaving all members to draw the conveyance allowance now admissible to a member who does not bring a conveyance for his own use.”

Similar Motions have been made before this House on more than one occasion. Last time a Joint Committee of both the Houses was appointed and nothing came out of it. When the Government came before this House last time it was for the sake of financial economy, this privilege costing about Rs. 50,000 per year. Now I have come before this House not for reasons of economy but for the reason of want of facilities. As Railways are mostly used now for military purposes it is very difficult now to get railway transport to enable Honourable Members to utilize this privilege. I want this right to be suspended only during the war emergency. When the war is over we shall revert to our former practice. This would only be a temporary suspension.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern: Non-Muhammadan): Sir, I would like, with your permission, to move an amendment and that amendment is this, that the whole matter be referred to a Select Committee of five members of the House. Sir, I quite recognize that owing to the difficulty in transport it is impossible for Government to give us the haulage allowance but they most appreciate our difficulties also. It is very difficult for us to get cars at reasonable rates in Delhi at the present time. I know, Sir, from personal experience that car drivers want as much as Rs. 20 or Rs. 25 a day without petrol for cars. Now obviously we get only Rs. 20 a day for our expenses here and we cannot be expected to spend much out of our pockets for our stay in Delhi. Also the price of foodstuffs and other commodities has gone up and the question as to what allowances should be paid to members requires to be carefully considered. If you are going to take away this privilege of having our cars brought to this place then you must provide us with some alternative means of communication and you must provide us with more adequate allowance or you must provide us with cars. Some alternative must be provided for us. We come here not for any private gain but for public business and therefore in making this demand we are not asking for anything unreasonable. Also, Sir, I understand that it has been usual for some members to leave their cars behind. They have three or four cars and

they leave just one car behind in Delhi and what about the haulage charges for these cars which they leave behind? I mean if they wish to take their cars back to Calcutta or to Bombay, and if they have left it here, will the haulage charge for that car be paid or not? Now these are all questions which require careful consideration and I would suggest, Sir, that a procedure similar to that which was adopted in the other House should be adopted in this House, that is to say, the matter should be referred to a Select Committee of the House. I hope, Sir, that the Honourable the Leader of the House will agree to this very reasonable suggestion.

THE HONOURABLE SIR MAHOMED USMAN: I have no objection, Sir.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras: Muhammadan): Sir, I just wanted to support the suggestion made by the Honourable Mr. Sapru but I submit, that since the Honourable the Leader of the House has agreed to having a Committee on the matter it is not necessary to have any discussion on the subject.

THE HONOURABLE MR. P. N. SAPRU: The Committee should consist of the Honourable Sir Ramunni Menon, the Honourable Mr. Hossain Imam, myself, the Honourable Mr. Parker, the Leader of the House and Secretary to the War Transport Department.

THE HONOURABLE SIR MAHOMED USMAN: May I suggest that the Finance Secretary, the Honourable Mr. Jones, may also be appointed to the Committee?

THE HONOURABLE MR. P. N. SAPRU: Yes, and the Honourable Mr. Muhammad Husain.

THE HONOURABLE THE PRESIDENT: It is formally proposed that a Committee be appointed to go into this question and that it should report at an early date before the session is over. Do you fix any date?

THE HONOURABLE MR. P. N. SAPRU: It should report to the House by the 27th.

THE HONOURABLE THE PRESIDENT: Then the Motion is that, a Committee be appointed to go into this question of allowances, etc. I do not think I need repeat names.

The Motion was adopted.

HEALTH OF SIR MANECKJI DADABHOY.

THE HONOURABLE THE PRESIDENT: Honourable Members, you would all wish to know about the health of our revered President, the Honourable Sir Maneckji Dadabhoy. He is, I am glad to say, very much better in health and is able to move about. We hope in a short time he will be quite all right and we all pray that he will be restored to perfect health and strength so that he may come and preside over the next session of the Council of State. I hope you will all agree with me in saying that we all pray and wish him a very speedy recovery.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern Non-Muhammadan): Will you convey to him, Sir, our good wishes for his speedy recovery?

THE HONOURABLE THE PRESIDENT: If you all agree, I will write.

STATEMENT OF BUSINESS.

THE HONOURABLE THE PRESIDENT: Owing to the Ramzan festival from now on, it is proposed that the Council should sit from 11 A.M. to 2 P.M., on all days.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Thank you, Sir.

THE HONOURABLE THE PRESIDENT: Tomorrow some of the Honourable Members have got a very important engagement. So it is proposed that the House should meet at 11 A.M. and adjourn at 1 P.M.; and in order to facilitate the business for tomorrow I propose that the questions put down for tomorrow be asked and answered on Wednesday, the 23rd. I think that will give us full two hours for the discussion of a very important matter.

The Council will now adjourn.

The Council then adjourned till Eleven of the Clock on Tuesday, the 22nd September, 1942.

COUNCIL OF STATE.

Tuesday, 22nd September, 1942.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL: Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meeting held on Monday, the 21st September, 1942, namely:—

A Bill further to amend the Indian Companies Act, 1913.

A Bill further to amend the Code of Civil Procedure, 1908.

A Bill further to amend the Code of Civil Procedure, 1908 (Second Amendment).

A Bill to repeal certain enactments and to amend certain other enactments.

DEATH OF RAI BAHADUR LALA MATHURA PRASAD MEHROTRA.

THE HONOURABLE THE PRESIDENT: Honourable Members, I am very sorry to hear of the sudden demise of one of our respected members, who was a member of this House for several years. I refer to the death of Rai Bahadur Lala Mathura Prasad Mehrotra. He always took a keen interest in the proceedings of this House. He was a fairly young man and his death is a great loss to the mercantile community of which he was an ornament and also to the province from which he came. I hope you will all agree with me in sending his family our condolences.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I associate myself with the remarks of the Honourable the President. The late Rai Bahadur was a distinguished member of our Party and we all deeply mourn his loss. He was our Chief Whip and was always working for the betterment of the Party and rendering valuable service to the general public.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Sir, I would like to associate myself with what you have said and I request you to convey to the bereaved family the sympathy of this House.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Sir, I had the privilege of working with the late Rai Bahadur. We

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were members of the same Party and he was one of our mainstays at times. Men of that type go to make the Party a success. I associate myself fully with the remarks that you have made.

THE HONOURABLE THE PRESIDENT: We will pass this Motion, standing.

(The Motion was passed by the Council, standing.)

MOTION RE POLITICAL SITUATION IN INDIA.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House):
Mr. President, I beg to move:—

“That the situation in India be taken into consideration.”

I am moving this Resolution for the purpose of giving the Honourable Members of this House an opportunity of discussing the present situation in this country.

Soon after the arrest of the Congress leaders on the 9th August there were concerted acts of violence and sabotage not only in Bombay but in Madras, Central Provinces, Bengal, the United Provinces and Bihar. They were specially directed against the railways, telegraphs, telephones, post offices, police stations and other Government buildings. The Provinces of the Punjab, Sind and North West Frontier were remarkably free from these attacks.

The extent of the damage done was very great. About 258 railway stations were destroyed, of which about 180 were in Bihar and the east of the United Provinces. Forty trains were derailed, as a result of which casualties to railway staff were one killed and 21 injured and casualties to other personnel in accidents arising from the disturbances were three killed and 30 injured among Government servants or troops and two killed and 23 injured among passengers. Great damage was done to the railway engines, the permanent way and the rolling stock. About 550 post offices have been attacked, of which 50 were completely burnt down and 200 seriously damaged. There have been till now about 3,500 instances of wire-cutting. About one lakh worth of cash and stamps were stolen from the post offices, and numerous letter boxes were removed and destroyed. Further, about 70 police stations and outposts and 140 other Government buildings were attacked, the majority of which were burnt or demolished. Attacks were also made on many municipal buildings and private property. The total damage done to the railways, posts and telegraphs, alone, taking into account the loss of earnings, would be much over a crore of rupees. The total damage done in the Nagpur district of the Central Provinces is estimated at Rs. 1,25,000, while in another case in the Central Provinces Rs. 3,50,000 were looted from a treasury (one lakh has since been recovered).

In the United Provinces a private doctor's dispensary was sacked with a loss of Rs. 10,000.

In Delhi, the total damage to buildings is estimated at Rs. 8,86,000. The situation has much improved though sporadic acts of sabotage and mob violence are still being continued.

To control and suppress these disturbances and to maintain law and order in the country, the following measures were taken:—

1. The Congress Committees were declared to be unlawful associations and important individuals who were likely to organize and lead mass movements and create disturbances with the object of paralyzing the administration were detained.
2. As this movement was intended to interfere in the prosecution of the war and to paralyze the war efforts, action was taken under the Defence of India Rules.
3. The Penalties Enhancement Ordinance, the Special Criminal Courts Ordinance and the Collective Fines Ordinance were put into operation.
4. Certain restrictions on the publication of news were imposed in the best interests of the country.
5. In the disturbed areas fullest use was made of the police who had on several occasions had to face very difficult situations and were forced to open fire on riotous mobs. As a result of this 390 people were killed and about 1,060 wounded. A large number of policemen were injured and 32 were killed.
6. British and Indian troops were used in aid of the civil power in about 60 places. They were forced on many occasions to open fire, the casualties being 331 killed and 159 wounded, and the military casualties being 11 killed and 7 wounded.
7. The Air Force was employed for reconnaissance and patrol.

The police and the military have been called upon to meet a very grave situation in various places. I should like to take this opportunity of expressing the appreciation of the Government of the excellent work done by them. It is a matter for congratulation that all ranks of Government servants have done their duty most faithfully and loyally—on many occasions under very difficult circumstances.

As in all engineered movements the general public had nothing to do with these disturbances. In several cases labour has been forced to take part in them. It is a matter for satisfaction that the Muslim community and the scheduled castes have as a whole stood entirely aloof.

The cutting of telephone and telegraph wires, removal of rails, demolition of bridges, impeding the war efforts and running a parallel government were all on the Congress programme of open rebellion as may be seen from the instructions issued by the Andhra Provincial Congress Committee which have been published by the Government of Madras.

Mr. Sankar Rao Deo, a member of the Congress Working Committee, who has been arrested and is now detained, speaking at Marol and Ghatkopar in the Bombay Suburban District on the 26th and 29th of July said that he thought the entry of Japan into the war should be an encouragement to Indians, who should and did, derive pleasure from the successes of the Germans. He went on to suggest that the mass civil disobedience movement would take the form of a general strike in all factories, mills, and transport undertakings which would cripple the war machinery.

The fact that the method adopted for interfering with communications was of the same pattern in all parts of the country and the selection of military areas and objectives for special attack seem to indicate a common guiding policy with the definite object of inviting Japan to attack India. No party which

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sincerely desires to rally the country wholeheartedly in resistance to the enemy could possibly, in any circumstances, have let the country in for what has happened since the 9th of August.

For all these disorders Congress cannot be absolved from responsibility as Mr. Gandhi and the other Congress leaders had been preaching for some time an open rebellion against the Government of the country, apart from the terms of the resolution passed by the All-India Congress Committee. Some say that Government have been hasty in taking action. If we had only delayed taking action, this dangerous movement to rebel against Government and to impede the war efforts would have taken such a tremendous shape as to cause an irreparable damage to this country. The Congress alone is responsible for the present situation and for the destruction of life and property during the last six weeks. By encouraging and promoting these acts of violence and sabotage, the Congress has done the greatest disservice to this country at a time when Japan is at the very doors of India. The measures taken by the Government are therefore thoroughly justified.

I beg to move the Motion :—

“ That the situation in India be taken into consideration.” (Applause.)

THE HONOURABLE SIR A. P. PATRO (Nominated Non-Official): Sir, after the graphic description of the tragic results that we see around us today, and that we saw lately, the Government ought in justice to the people to have stated or indicated also what has brought about the present state of things, what are the causes that have led to this disruption and disorder and destruction of property. It would have been very enlightening at this stage if we had indications of that from the Government. The absence of any allusion to that is indeed to be deplored. But, Sir, the Honourable Member has said that the object of this Motion is not so much to obtain the decision of this House as to afford facilities to elicit the opinion of the members. If that be so, then there is no use in long discussions and long debates. There have been long statements from various people, statements of various kinds in the press. We have known all that. It seems to me superfluous that we in this House should again debate the question at great length. It will serve, as I said, no profitable purpose, nor will it improve the present situation in any manner. The issues before the country are clear. There is no doubt as to what Indian political parties demanded. That being so, it seems to me the only way in which we could approach this problem is with a mind to solve it and with a desire to see how best it could be improved. To my mind the political or constitutional issues are not as important as they would be afterwards. At the present moment what we require is honest and sincere co-operation of every citizen, man or woman, with the Government here and in Britain in order to defeat the enemy. Thereafter we could have our full Swaraj. Until we defeat the enemy, until we gain the day, it is not reasonable for us to expect that anything could be done in the interval. When the enemy is knocking at the doors, when the enemy is threatening us with massing forces in the neighbouring country and when his arms are extending towards the borders of India, when he is holding our throat and when Great Britain is engaged in the most difficult war in the Middle East and in helping the East, in such a situation is it possible for any political party to have calm and peaceful thinking of the issues relating to this country, the political and constitutional issues? The only thing that the situation demands is that everyone must do his duty at any sacrifice to help the war effort and to defeat the enemy. That is the first and foremost duty of

everyone and every honest citizen, man or woman. Therefore, Sir, it seems to me that no long discussion or debate is necessary. As I said, reforms are bound to come after the war. I will not be a bad prophet if I say that Indian Swaraj is bound to be achieved soon after the war; after the cessation of hostilities there will be declaration of Indian Swaraj and there can be no doubt about it. If there was any doubt in the minds of the people of India or in my own mind at any time, it was dispelled completely by the definite assurance given by the Prime Minister of England speaking for the people of Great Britain in definite language, in unmistakable terms, that India will attain full Swaraj, full self-government, after the war and in the meanwhile provision has been made to enable people to come together and to formulate proposals which will be considered by them favourably and will be accepted by them if it is agreed upon by the people here. To my mind, therefore, the question of constitutional or political issues do not at all arise at present. But, Sir, what does India want? The political parties in India want that there should be a National Government, that there should be complete transfer of power from the officials to the non-official representatives. What has been done to meet that demand?

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA (Bihar : Non-Muhammadan): National Government, God forsooth, yes, but when? Now or after the war? Medicine, yes; but during or after the disease?

THE HONOURABLE SIR A. P. PATRO: Please do not disturb. You might answer me afterwards if you have anything to say.

You know, Sir, two great opportunities were afforded, two important occasions which could be taken advantage of by us in order to improve the situation. We could take it, utilize it, improve upon it and thereafter claim full Swaraj. That was two years ago on August 10th when His Excellency the Viceroy stated in simple terms, in great earnestness and sincerity, that India will attain full Dominion Status of the Westminster variety. It was not acceptable to the political parties. It is a great mistake; it is a great error of judgment that we Indians have made in not accepting the opportunity and utilizing it for a better advantage and for a better purpose. Now, Sir, the Viceroy has stated in his Declaration—it is perhaps worth repeating again—on the authority of His Majesty's Government that it is proposed to allow India to devise by agreement among ourselves the framework of India's future constitution in accordance with the Indian conception of social, economic and political conditions of our life. Who could know better than we Indians ourselves our own conditions and be able to prepare a constitution suitable to our social, economic and political conditions? Our political parties have not accepted the Constitution Act of 1935. They said it has not been prepared with the consent of or with the agreement of the people and therefore we should have a constitution which would be agreed upon by the people themselves. Here a definite assurance was given to us by the Viceroy that a constitution prepared by ourselves in accordance with the Indian conception of social, economic and political conditions of life would be given every help to enable it to be brought into conclusion with the least possible delay after the war and the Declaration also promised to help representative Indians to arrive at an agreement. Sir, our essential demand for the time was that we should have the right to prepare our own constitution; that nothing should be imposed upon us. The people themselves must agree to such a constitution. Now here an offer has been made to us to prepare a constitution by agreement among ourselves and yet what do we do? We summarily rejected that offer and we did not study the implications of that great Declaration, viz., the status after the Westminster Act. If we read section 5 of the Westminster Act as proposed it gives full right

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to the Dominions to be able to secede or to declare independence. Therefore when we have got that right given to us what was there to apprehend? Is this not independence? The independence which we sought, the freedom which we fought for is given to us in this Declaration, which would have been the first basis of the National Government. Sir, the Declaration of August 1940 assured Muslims and other important minorities that nothing would be done, nothing would be carried above their heads in a compromise with or in agreement with the Congress Party. The Muslims and other minorities will be protected by agreement. Therefore there was absolute protection given to all those important minorities and their interests were not neglected. Sir, the Viceroy assured that India will have a status as an equal partner in the British Commonwealth of Nations. I presume every one has read the Westminster Act and analyzed it in such manner that it discloses the right of secession. Even those members of the British Commonwealth of Nations to whom the Westminster Act is applicable have now asserted their independence. Britain has not demurred to it. The British Government has not objected to it. Therefore, I say that a great opportunity was given to us and we lost that opportunity. Sir, still further as an earnest for the period of the war it was suggested that within the framework of the Act of 1935 to associate representative Indians in the government of the country, that is, in their individual capacity and not in their representative capacity, but any wise and practical politician would now realize that representative capacity at present is a term that it is very doubtful whether it could be applied in its fullest sense and in its significance to the conditions of the country. Therefore the only alternative—perhaps the best alternative—was to take in the representative men, to take in the individual co-operation of representative men instead of representation of parties or communities. But, Sir, as we all know, as history teaches us lessons, that by convention, by experience, by coming together in work, all those defects that have been pointed out in the Declaration of the Viceroy of August, 1940 would have been smoothened by association, by contact, by experience. Convention is a great thing in parliamentary practice; conventions are like the rules and regulations and these conventions which have the binding force upon the Government and the people, these conventions could have been established by which joint responsibility and the veto power of the Viceroy could have been properly regulated. Sir, this power of contact would have brought into operation the real power for National Government, viz., that the power of veto would have been regulated and the right of members for independent vote would have also been established. All this joint responsibility which was objected to as one of the worst features of the Declaration of the Viceroy could best be established not by regulation but by convention. This was only a tentative measure, a provisional measure, which would have enabled the establishment of a full form of National Government in course of time. This, Sir, was not accepted by all parties. The non-acceptance by the political parties—I advocated then and I always asserted—the non-acceptance of this is a serious setback to the progress of political reforms in India.

Now, Sir, there was another opportunity. Another opportunity came and it was refused and when it came it was expected throughout the country that something would be established which would enable the country to stand on its own legs. When the new India Union to be created was not favourably considered it was a great disappointment to all thoughtful politicians; those that are outside the caucus of a party, those that are outside the cliques of parties all regretted that this should have been rejected and we do regret that this should have been done. It is a party caucus that has thrown out this

offer of new India Union. Sir, we have a greater elucidation of the Declaration of August 10, 1940. This offer contained a complete transfer of responsibility and a right to Provinces to stay out. Safeguards for minorities were also provided for. This was the position. What is it that we wanted? Even after throwing out and not accepting the Declaration of the Viceroy we agitated still further and said we want complete independence at once, immediately; independence to be able to carry out by a statesman. That is the kind of independence. Here is complete responsibility offered to Indians, enjoying equal rights and powers with the United Kingdom and the other Dominions. It is one of the principal features of the British Cabinet's proposals that India should have along with the United Kingdom and the other Dominions those rights and those powers. That was the principal feature of the British Government's proposals. They made also proposals for the early realization of self-government in India. The new Indian State would not be subordinate in any respect in its domestic and external affairs to Britain. Please mark this. The scheme was that India should have independence, and will have independence, not merely on paper, but in actual working. That was the position declared to us unmistakably. And what was the result in spite of the assurance that these proposals for full self-government would be realized as early as possible, that the Indian State would not be subordinate, that the future constitution would be framed by India; that His Majesty's Government undertook to accept and implement the constitution so framed subject to certain limitations? Sir, if we had accepted the Declaration of August, 1940 we would have had a national government working in practice two years ago. We would have seen difficulties in the scheme and would have modified and adjusted those difficulties, and by this time we would have been in a stronger position to say, "Here we have worked the scheme and we have tried to complete it or the scheme is a failure". Without attempting to work, without attempting to put it into practice, without facing the realities we said, "We do not care for it, we will not work it". Then again the new India Union to be created was proposed in all earnestness—that India should have self-government as early as possible after the war, and it is only during the war time that it is not possible for them to arrange things, and therefore they would have a provisional government, a government consisting of representative men: if only we had adopted to the extent that it was offered to us and built upon that, the whole of our energy, our intelligence, our statesmanship to attain the internal union, union among the Hindus and Muslims, union among the important minorities, what would have been the result? If we had strengthened that union it would not have been possible for any government in Great Britain or in India to refuse to us our right for freedom and to obtaining full self-government. We lost those two great occasions wherein we could have established a national government and could have strengthened our position. Those opportunities were lost not by the veto of the Governor General, not by any Ordinance of the Governor General but because we would not agree among ourselves as to how we should have to work. If constructive statesmanship was only forthcoming, then it would have been possible to approach each other in goodwill and in goodfellowship, in a give and take spirit. They should not have insisted on prestige, or on having their pound of flesh. It would then have been possible for the parties to be able to understand each other and work the scheme as a temporary measure so that in course of time it may be established that what they wanted was quite justified.

Now, Sir, it is a great pity. It is politically as I said a great error that the two parties could not come together; that there could be no comradeship between the two. The world has now witnessed the tragic results of the destructive and dangerous policy of the Congress Working Committee. It had the

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effect of encouraging the enemy abroad and of obstructing the war effort in India internally. It is a great pity that the Government have had to take steps. They were perfectly justified in adopting the measures with a view to control and suppress this disorder. There can be no doubt about it because the primary duty of the Government is to protect the person and property of every citizen and to maintain law and order, and peace and tranquillity in the country. If the Government fails to maintain peace and tranquillity in the country, it is not worth the name at all. It may well abandon governing the country. This primary duty is being discharged by the Government, and I am glad to say they are discharging it very successfully, and I hope that in course of time the forces of evil which are working in our midst will be completely subdued and peace will be restored in the country. I have seen some of the scenes in which these tragedies were enacted. It is heart-rending to see how people who have nothing to do with this mischief suffer. It is the poor villager, the poor man working on the railway lines, the poor man working on the post office lines, who suffered most. The poor man's property was destroyed. It is the poor wage-earner who lost, not the capitalist, not the money-lender, but these poor people, the masses, who suffer. They are sacrificed by these interested parties, and I have seen also how misrepresentation and falsehood is carried on by some irresponsible youths. All these should have been expected by the Government. As the Justice Party said two years ago, Government should be wise enough to understand how things are going on in the country, and they should adopt measures to prevent them; yet their voice was a voice in the wilderness. The Justice Party—oh no, they have got greater support and greater parties to deal with; and the greater parties have now answered the Government, and Government now receive support from the greater parties. Sir, again in Southern India, the South Indian Liberal Federation has been supporting the Government measures from the very beginning and they do still stand by the Government. What they ask the Government today is to devolve more powers on the peoples' representatives, that they should take the people into their confidence; yet they have been complacent. Sir, one more word. As I said, it is never too late. It is never too late for the Congress Party and the Muslim League to come together in fellowship and goodwill to the minorities, and agree upon the proposals. I am one with Mr. Rajagopalachari in asking that the Congress should take the hand of fellowship of the League and join hands with the League. Mr. Jinnah, the leader of the Party, has declared unmistakably in the Legislative Assembly a year ago:—

"I do not want Pakistan to be decided immediately. The question of Pakistan may remain to be decided when we take up the constitutional problem. But, in the meanwhile, I want equal representation; I want that there should be balance of power in the Centre between the Hindus and the Mussalmans. With that balance of power we can achieve a National Government".

He was prepared to accept proposals in this sense if they came from the Congress. The opportunity still exists open. The Congress Party should accept proposals in that form and by contact and conversation these proposals could be modified if necessary and this will solve the present situation. The Congress should accept the proposals of Mr. Jinnah as made in the Legislative Assembly. I do not refer to the numerous statements made by him in a controversial spirit in reply to statements made by several other organizations. But I refer to the statement he made in the Assembly, and I know he is very firm and does not move an inch from that. If good fellowship is established between these two parties and if the interests of the minorities are taken care of, I am sure that the present situation can be solved. I therefore say that as a temporary measure this

conclusion is necessary, and this concession to the Mussalmans is not one which is given away permanently but is one which could be revised and discussed as and when the new constitution is promoted. Once United India enters on government and exercises power, the existing conditions will gradually wear out to construct a new India Union, free and independent, and India will have no reason to regret the formation of such a new India Union.

THE HONOURABLE MR. M. N. DALAL (Bombay : Non-Muhammadan) : Mr. President, in the tide of this war there is a terrible warning for India, apathetic, disordered, truculent, sodden with communalism, her leaders fiddling in constitutional terms, when the very conditions under which these ideas are possible are faced with the threat of extinction.

The weakness of Indian Defence arises out of her unnatural political condition.

Before I come to the political situation in India let me add my voice of condemnation to the chorus of disapproval of the acts of hooliganism in several parts of this country during the last five weeks. I have myself been a witness to acts of hooliganism and sabotage in the city of Bombay, and let me state in the most emphatic terms that all those who are interested in the ordered progress of this country view them with feelings of horror and of determined resistance.

The British Government are pledged to grant complete independence after the war and what the major political parties want now is, not only a categorical declaration to that effect but certain steps during the war which would ensure it.

The transfer of power to an interim National Government, consisting of representatives of important political parties and interests, representing all the departments of Government including the Finance and Home portfolios, leaving only the operational control of the Defence Services in charge of the Commander-in-Chief as the head of the allied forces, is urged only in that light. A National Government is, moreover, essential not only for war effort but also for safeguarding India's economic and financial interests *vis-a-vis* His Majesty's Government and other countries, especially as it would secure an independent status for India at the Peace Conference, and because important questions which affect India's position both immediately and in the post-war period are even now under consideration, and form the subject of negotiations and decisions by the Government of India. Such a demand must be viewed with sympathy, especially when it is coupled with the desire of all political parties to fight the Axis menace.

We have heard it said that the Cripps scheme offers constructive solution of the present difficulty and India would do well to accept it. That scheme, Sir, offered nothing by way of transference of power during the war and it prejudged some of the issues which it would have been better to leave until after the war. For reasons which it is unnecessary to dwell on here, I for one, Sir, would suggest that the Cripps scheme should be regarded as out of date. Something else must take its place which would automatically remove the vestiges of doubt and mistrust that surround the Cripps mission.

The time has come for a supreme effort at internal settlement to make the country ready for the external menace. Malaya and Burma have taught us some lessons which we should profit by.

This debate will fail in its purpose if it is not to be followed by something constructive, something positive, which would herald not only a change of

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policy on the part of Government but a chance for India to fight the enemy and secure her freedom.

The Allied Nations are watching this country with very great interest and perhaps the Axis countries have their eyes on India. Mr. Churchill's statement on India has provoked reactions the significance of which, I am sure, has not been lost sight of by our Government.

I have been a life long friend of England and I sincerely hope the light of reason, justice and fair play will dawn on British statesmen.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern Non-Muhammadan): Mr. President, the Leader of the House has made a statement which might have been made by any District Magistrate or Superintendent of Police in any mufassil town. His speech shows that he is completely and absolutely oblivious of the currents of thought and feeling in this country, and of what is happening in this country. His speech shows an utter lack of statesmanship, ill-suited for a man occupying the position of Leader of the House. Never before in the history of Indo-British relationship has India had to face the situation which it is facing today. At a time when the international situation is such as to cause real anxiety to those who believe in the principles of democracy and social justice, at a time when the international situation is such as to cause real pain to all those who wish to see a better world, free from the taint of all imperialism, British or non-British, at a time when people wish to see a world based on principles of justice emerge out of this war, Government and Congress nationalism have engaged themselves in a deadly contest which is not calculated to increase India's capacity to defend herself against Axis aggression. For, it would be stupendous folly on the part of any patriotic Indian to deny the extreme gravity of the present situation. Following the arrests of Mahatma Ghandi and other Congress leaders, the country has witnessed both repression and widespread disorder on an unprecedented scale. No man outside the lunatic asylum thinks that violence, arson, looting and murder can do the country any good. I do not, therefore, hesitate to denounce violence and hooliganism with all the strength of which I am capable. No one conversant with the situation in the provinces and districts can also deny that in maintaining order not all officials high and low, have adhered to the maxim that the force used must not exceed the necessities of the situation, that in restoring public peace care must be taken to see that the innocent do not suffer along with the guilty, that things are not done which are likely to excite racial passions that people are made to feel that the object is not to humiliate them or any particular section of them but merely to assert the majesty of the law. We live, Sir, in a period of firing, *lathi* charges, collective fines and whipping. The great Mr. Amery has discovered the virtues which the Allied Nations should take note of in this punishment of whipping in the Indian Penal Code. Many things have occurred in this country which have made many thoughtful Indians ask, many patriotic Indians ask, whether there is any essential difference between Nazi methods of administration in occupied countries and British methods of administration in British India. Be that as it may, the question which I consider important is whether the conflict in which the Government and the Congress have entered was or was not avoidable and whether the main responsibility for the present disorders, whether the main responsibility for the present unrest, whether the main responsibility for the growing estrangement between Great Britain and India—and let there be no mistake about it that the estrangement between Great

Britain and India is growing and increasing in intensity every day—whether the main responsibility for this growing estrangement rests or does not rest with the British Government.

But before I go on to answer these questions, let me state in the plainest terms possible that I do not agree with the view which was put forward by the Leader of the House that these disturbances are merely engineered in the sense that there is no popular sympathy with the rioters. I am not in a position to speak about the Muslim community. The Honourable Mr. Hossain Imam will dispute my claim to speak for the Muslim community, though I have heard many Muslims express sympathy with the rioters, I have heard many Muslims express sympathy with civil disobedience and I have heard many Muslims express horror at the things that have been done by officials in putting down disorder. But I am more in touch with the Scheduled Castes. I do not know, Sir, that there is such a community as the Scheduled Castes. The Hindu caste system represents a hierarchy which it is difficult for an Englishman to understand. I am not quite sure, Sir, that the name of the great representative of the Depressed Classes, Dr. Ambedkar, is known to these Depressed Classes; and if I may judge from the results of the last election I find, Sir, that except in Bombay, the Congress had the majority of the Depressed Class seats in all the Legislatures. The real problem before statesmanship today is that people feel alienated from the law and they so feel alienated as they find that Government has been preparing them not for the freedom that they desire but for perpetuating a *status quo* which they intensely hate, which they intensely dislike. In a normal community, popular sympathy is always with the law, because law in a normal community is the expression of the popular will and there is a consciousness in the community of identity between it and the State. That feeling is *entirely* absent in this country. Government, notwithstanding the fact that its 11 Indian supporters, 11 members who have now been discovered by the great Mr. Churchill to be "wise and patriotic", does not rest upon popular support or upon the will of the people. It is an imposition from without, not a growth from within. It is obviously difficult in these days of strict press censorship when even factual news cannot be objectively written for or published in newspapers to comment with knowledge upon all that has happened in various parts of the country. But I will not conceal from the House that in my humble judgment even though the attitude of Government had been extremely, extraordinarily provocative, Congress nationalism would have been well advised in thinking in terms of sanctions other than those which one associated with direct action and mass action. An objective study of the situation has convinced me that the main responsibility for the present unrest in the country rests mainly, if not entirely, upon the Government of this country. Let us examine how the situation has developed. A constitution was working when the war broke out which had not generated a feeling that power had really been transferred. The demand for Indian freedom which had been gathering strength for many years was pressed by leaders of almost all parties just after the war started, and why should it not have been? You said that it was a war for freedom. What about our freedom? You wanted to fight German imperialism. What about your imperialism? It was emphasized by Indian parties that a satisfaction of India's legitimate aspirations was needed to put heart into the Indian people who wanted to fight—there was an absolute offer of complete, wholehearted, co-operation—as *equals* in a war which was represented to be a struggle against the soul-killing tyranny of Nazi Germany. Britain in the answer which she gave through the Marquess of Linlithgow and the Marquess

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of Zetland was unable to indicate any definite time, if ever, within which India would achieve her objective of self-government; and in the early stages of the war there was even reluctance on the part of the authorities in this country and in England to admit an Indian element, a political element, into the Viceroy's Executive Council. I will not go over the ground which has been covered by me in previous speeches on the constitutional issue in this House. But I will content myself with saying that it was not until after the collapse of France that the notorious August offer was made, and that, as we know definitely, turned down the main demand not only of the Congress but of the Liberal Party also that there should be a National Government in charge of all portfolios at the Centre. All that the Indians were offered by that Declaration in the immediate present was an expanded Council with a larger Indian element. So far as the future is concerned, it was made clear that Britain's obligations—and this is my answer to my friend Sir A. P. Patro—it was made clear that Britain's obligations to this country would not allow her to part with full or effective control over Defence and External Affairs, that the functions of an Indian Dominion would not necessarily correspond with those of the British Dominions and that even this measure of constitutional advance Indians could only have if they were able to agree among themselves (a) as to the character of the body which would form the constitution and (b) as to the nature of the constitution they desired to live under. In other words, the Declaration gave a complete veto to all sectional interests over future constitutional progress. The Declaration, therefore, in our opinion, gave the most direct encouragement to communal intransigence and it became clear to many Indians that Britain was merely using the Muslim League for denying freedom. She has no particular love for the Muslims; she only wants to utilize them for her own purposes. It was evident that Britain was merely using the Muslim League for the purposes of delaying Indian freedom. The period between the August Declaration and the Cripps Mission was marked by symbolical civil disobedience, expansion of the Executive Council, release of political prisoners, serious—and I want to emphasize this word "serious"—British reverses in the Far East, collapse, moral and military, of Britain in Malaya, Singapore, Burma and a growing feeling in the country that Britain was not in a position to defend this country, that Britain was not proving equal to the task of defending her Empire in India. The entry of the Soviet Union, the unprovoked attack by Japan on the United States and the declaration of China as an ally by Mr. Churchill were factors which were definitely helping Britain but British statesmen were, for one reason or another unwilling to utilize this fund of goodwill which was available in this country. It was in this atmosphere when Burma was almost collapsing that Sir Stafford Cripps, who had a reputation for radicalism, came to this country with an offer which is now known as the Cripps' Offer. The Cripps proposals were divisible into two parts: (1) those relative to the immediate present and (2) those relative to the future. The proposals relating to the future were open to the objection that they were calculated to weaken the forces making for the integrity of this country. I could, by a clear analysis of them, show that they were so devised as to keep India permanently within the British sphere of influence. The demands of the League would have been irreconcilable with the demands of the Indian States and the Indian Union would not have materialized and Britain would have functioned in this country through the Indian States. Even so, Indian political parties with a realism which does them credit were prepared to let the future take care of itself provided in the immediate present power was visibly transferred. The Cripps proposals in regard to the immediate present did not go even as far as the proposals of the Non-Party Conference and Sir Stafford

Cripps made it clear beyond any possibility of doubt that even with the position of the Commander-in-Chief safeguarded, Defence would not be transferred into Indian hands; it would not be transferred even into the servile hands of my friend Sir Firoz Khan Noon. All that he was prepared to do was to put certain secondary functions of the Defence Department into Indian hands and the acceptance by him of Colonel Johnson's formula did not make him alter his plan of keeping Defence effectively in British hands. He made it abundantly plain that even if all the parties agreed, and that means that even if the Muslim League had been willing to come to terms with the Congress, Defence would not be transferred into Indian hands. Therefore it was not the absence of any communal settlement that made him adopt that attitude; it was rather a distrust of Indians that made him take that stand. Is it to be wondered at that these proposals conceived in a spirit of perfect distrust of the people did not rouse any enthusiasm in Indian hearts? If, so argued Indians, Britain is not prepared to trust them in this hour of their and Britain's trial, where is the guarantee that in her hour of triumph she will not forget her pledges to this country? India could not forget that Mr. Churchill had refused to associate himself so far as this country is concerned with the Atlantic Charter and it could not forget that no Allied statesman except Marshal Chiang Kai-Shek had dared to say, one word to Mr. Churchill. India could not forget that neither President Roosevelt nor Mr. Cordell Hull had ever spoken directly to Mr. Churchill, at all events in public about India.

Well, it must not be forgotten that, notwithstanding their many defects, the prospects of the Cripps proposals being accepted were not at one time too bad and actually the negotiations broke down over a question of the conventions that would govern the Viceroy's relationship with the Executive Council. The Congress demanded that the Viceroy should give an assurance that he would not interfere with the decisions of the Executive Council. Sir Stafford Cripps refused as a constitutional jurist to entertain any such proposals as, in his opinion, the Congress proposal was tantamount to the setting up of a dictatorship of the majority community. The question of the proportions that the various communities were to have in the composite government that was then contemplated was not ever discussed with the communities and therefore I do not see how Sir Stafford Cripps could talk of a dictatorship of the majority community. Obviously, therefore, it was wrong to assert that Congress or any Hindu organization was certain to secure majority rule or a majority dictatorship. The Cripps proposals were never put before any joint assembly or gathering of Indians. Mr. Churchill and Sir Stafford Cripps have suddenly discovered that the Congress has no influence. Sir Stafford Cripps, when he came out to this country, made it abundantly plain that the only parties he cared for were the Congress and the Muslim League and I congratulate Sir Stafford Cripps and Mr. Churchill on the sudden discovery that the Congress is an organization of little influence in the country. They have also discovered a love for the Indian Members of the Executive Council. At the time the Cripps mission was in this country I was hearing whispers that the Indian Members of the Executive Council were resenting the way in which they were being ignored by Sir Stafford Cripps. Surely, seriously speaking, it was possible, as is admitted even by Professor Coupland, for Sir Stafford Cripps to indicate how normally the new government would operate. It was possible for the Head of the State to say that he would make it a custom to deal with his Council as far as possible as if it were a Cabinet. Professor Coupland had obviously written his book for his American readers, and he wishes them to infer from what he says that Sir Stafford Cripps said anything of this kind. He did not even say that normally, subject to the protection of minorities, the

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Executive Council would be allowed to have its own way. Sir, Professor Coupland says that if such a declaration were made, then to the extent that the Governor General would act normally his position would correspond to that of the British King. No such declaration was made by Sir Stafford Cripps and therefore I am not prepared to assume that if any such assurance had been made by either the Viceroy or by Sir Stafford Cripps or any meeting had been arranged between the Viceroy, Mahatma Gandhi, Mr. Jinnah and Pandit Jawaharlal Nehru, a settlement would not have been arrived at on the basis of the Viceroy normally accepting the advice of the Cabinet. Therefore, the attempt of Professor Coupland can only be regarded as propaganda for the United States. Then what happened? The Cripps offer was suddenly withdrawn and Sir Stafford for whose leftist views I had respect at one time left in temper for England. He proved to be a bad negotiator. While he was here, he consistently ignored all organizations except the Congress and the Muslim League, and after reaching England his one effort has been to misrepresent India and the nature of the offer he brought out to this country. He has, for example, in his broadcast to the great American people said that the Viceroy's Council is very much like the body which helps and assists the President in administering the United States. This is obviously, and I use these words deliberately, an untrue statement, unworthy of a Member of the British Cabinet. The Governor General is not elected by the Indian nation. He owes no responsibility like the President of the United States to the Indian people. He was once described by one of the greatest of India's Secretaries of State, Lord Morley, as an agent of the Secretary of State, and I think his constitutional position, so far as the Government of India is concerned, remains exactly the same. He and the Government of India are, as an examination of the Act of 1935 will show, under the general direction and control of the Secretary of State, and this control has been described by those who have worked the Indian constitution as real—visible and invisible, but real. The transitional provisions of the Government of India Act have made the position of the Executive Council even worse than it was before the Act of 1919. Law and order today is the sole responsibility of one single individual, the Governor General. Well might Hitler and Mussolini who have at all events party machines to consider envy the position of the Governor General?

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Hear, hear.

THE HONOURABLE MR. P. N. SAPRÚ : Before the Act of 1935 the Government of India was responsible for the Indian States. Today, the Governor General, as Crown Representative, has the sole responsibility for these States now. The Ordinance-making power—any number of Ordinances have been made, and we were told by the Law Member the other day that the Government of India had nothing to do with Ordinances—he did not know anything about them—the Ordinance-making power resides with the Governor General. He can now put Ordinances on the Statute-book not only for a period of six months but for an indefinite period, for the period of the war. Even though a number of Ordinances have been issued, while this House has been consulted in regard to the present situation, those Ordinances have not been put before this House or the other House. The Government of India, therefore, is both in law and fact a subordinate branch of His Majesty's Government; and under the law the Governor General can act in the name of the Council with the help of only one Member of the Council. The position, therefore, of Members of the Executive Council, whatever they in their vanity might say—and we Indians are prone to vanity—is no better than that of

glorified Secretaries. In fact, I think the Secretaries are more powerful because, I think, they know more about their departments than the new incumbents. Is it to be wondered at in these circumstances that Indian political parties have refused to associate themselves with an Executive Council which is subordinate to the electorate of another country? The position of the Governor General, let me remind the House, has been further strengthened by the emergency legislation passed by Parliament in 1940. It is no answer to say to Indian political parties that nothing can be indicated at this stage as to the manner in which the Executive Council will work. Personally, I agree with the view which was expressed by Lord Samuel in the House of Lords that there ought to be a distinction between the Governor General as the Head of the State and the Prime Minister. The Governor General, he suggested, ought not to be his own Prime Minister. I further agree with the suggestion of Sir Tej Bahadur Saprú and Mr. Jayakar that the India Office, which is the most reactionary office in the British Empire, should be abolished, and that India should be placed under the charge of the Foreign Office or the Dominions Office. It is important to bear in mind that the Cripps offer did not represent a decision of His Majesty's Government as regards the manner in which the Indian constitution shall be drawn up by Indian political parties. Let me explain this. It merely represented a suggestion by His Majesty's Government for acceptance by Indian political parties. The position, therefore, today is not, as Sir A. P. Patro said, that Britain is committed to full self-government after the war. The position today is that Britain is not committed now or within any definite period to full self-government for this country. It is only committed to giving full opportunity to India to realize her destiny, consistently with her obligations to her numerous creeds, interests and races. It is against this background that the original cry of "Quit India" by the Congress must be judged. "Quit India" is just an answer to the theory of trusteeship and obligation which has been trotted out by Britain. After the failure of the Cripps mission and after it had been made clear by Sir Stafford Cripps that no further initiative would be taken to break the Indian deadlock, the situation rapidly deteriorated. It was clear to every one who followed the proceedings of the All-India Congress Committee at Allahabad that the country was in for stormy days. The Mahatma was writing week in and week out in the *Harizan* that in view of the attitude of the British Government he would not be able to maintain his policy of non-embarrassment of the war effort. The Congress Working Committee at Bombay passed a resolution which, in effect, stated that if India's demand for independence was not conceded, the Congress would resort to mass civil disobedience. Between the 7th July, on which date the resolution was passed by the Working Committee, and the 7th August, on which date the resolution was ratified by the All-India Congress Committee in a modified form—I wish to emphasize these words—in a very much modified form—for, there is no demand for withdrawal of allied troops in the resolution; on the other hand, there is an offer of full co-operation with the war effort in that resolution—what was this wonderful Government consisting of 11 Indians doing? There was a clear indication in the resolution of the 7th August that the Congress was prepared fully to co-operate with the war effort if the principle of independence was conceded. Indeed, Pandit Jawaharlal Nehru, whom the documents which were seized by the police disclosed to be a cent. per cent. supporter of the United Nations, described the resolution as one of offer of full co-operation with the war effort. He did not wish it to be regarded as an ultimatum. It contemplated certain action in the event of its not being accepted. Why was the suggestion that Mr. Amery should encourage the idea of a round table conference, why was the suggestion that the Viceroy should convene a round table conference, why was

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the suggestion that the Indian Members, failing the Viceroy, should convene a round table conference, ignored by this wonderful Government of 11 Indians? Why was no effort made during this period of one month to break the deadlock, mobilize reasonable opinion behind the Government and take constructive steps to endow India with a National Government? Why was the Government of India sitting with folded hands? What Government was doing in this period—Government was fairly active—was to represent to the world that Mahatma Gandhi was either pro-Japanese or at all events inclined to make peace with Japan, independently of the United Nations, on dishonourable terms. So far as the notes of the Assistant Secretary of the Congress are concerned, they have been explained by Mahatma Gandhi and Pandit Jawaharlal Nehru and their word is final for their countrymen. But, assuming that there is defeatist talk in the ranks of the Congress, may I ask if this defeatist talk is entirely absent in official circles? I heard one of the highest officers of the land a man occupying a position not inferior to that of the Leader of the House, tell me in Kashmir, just after the collapse of France, that "We won't be able to last this autumn". He thought that defeat was staring England in the face. I disagreed with his estimate of the situation. He met me at Firpo's in Calcutta last September. We reminded each other of that conversation and he said that I had proved to be right. Would my Honourable friend the Leader of the House be prepared to describe him as a fifth columnist or defeatist? If he wishes to know his name, I can give it to him privately and he can verify my facts from him. It is nonsense to say that Indians are either pro-Japanese or defeatists. We have been fighting for our independence. We do not wish to go under a foreign and new imperialism, perhaps more ruthless than British imperialism. The fact is that your prestige in the East has suffered on account of the reverses that you have sustained in the East. We are full of admiration for the heroic and epoch-making stand which our valiant friends of China, that great Eastern country with great possibilities, whose friendship we greatly value, whose friendship is one of our most cherished treasures, has been making. We are full of admiration for the resistance of the brave people of the Soviet Union with whom many of us have shared many ideals. We have nothing but the most genuine admiration for the great American people who are fighting this war with clean hands, who did not get anything out of the last war, and who are combating aggression in the Pacific with great heroism. But you must not blame us if we do not think that Singapore, Tobruk and Rangoon constitute victory. If you think that we would be prepared to make peace with Japan if power is transferred to us, you are entirely mistaken. I have heard many Indians say that rather than fight to the finish, Britain will make peace with the Axis on imperialist terms. I do not share that view. It is, therefore, a tragedy that you have interned Indian leaders who are definitely and wholeheartedly opposed to Axis aggression. You rely on Rai Bahadurs and people of that type. I think it is easier for them to transfer their loyalty, than for people who have an anti-imperialist ideology. It is a tragedy that a large number of people who were willing and eager to help you in putting up a very strong resistance, have had to keep aloof from the war effort on account of the Government attitude. It is nonsense to say that the Congress is fifth columnist or is pro-Axis. A free India would have been able to render the maximum help she was capable of to China, the Soviet Union and other countries. What you have done is to deprive these countries, by your policy, of the maximum help that they could have obtained if you had settled with the Congress and the League. The

paradox of this war is that you can and will win this war if you de-imperialize yourself and assume the moral leadership of a community of free nations, equal in status and functions, one with another. It is India's misfortune, it is Britain's misfortune, that Britain has as her Prime Minister one who is so entirely devoid of imagination, one who is so absolutely racial in his outlook as Mr. Churchill. He has made a speech full of venom against the people of this country. Even the *Times* had to remind him that the Congress was not a negligible factor in Indian politics and such is the arrogance of this statesman that he actually boasts, while fighting a war for freedom, that there are more white troops in this country at this time than at any period in Indian history. It is, therefore, impossible, having regard to this background, for any thinking Indian to support the policy culminating in the arrests of Mahatma Gandhi and the Congress leaders. The Mahatma's offer to talk over matters with the Viceroy before starting civil disobedience was spurned with scorn and I cannot act on the assumption that had the Viceroy met him and had he made an offer which went beyond the Cripps proposals the Mahatma would have been unreasonable. I cannot persuade myself to believe that the Mahatma is anything but a pacifist and pacifists as my old friend Mr. Wilfred Roberts said the other day in the House of Commons often find themselves in difficulties in war time. I cannot agree with the view that the country or the Congress or the Hindu community is pro-Japanese. We have been fighting for our independence, not for the purpose of going under a new imperialism but for the purpose of giving a higher standard of living to our people, for the purpose of giving them a more tolerable mode of existence. Surely the progressive front today is one and indivisible and commonsense ought to teach Government that Indians cannot be so foolish as to wish for the defeat of the progressive front. Therefore what emerges out of all I have been saying is that Government has fired the first shot, that they have taken the initiative and opened the long looked for second front in India and we cannot accept the view that if Government had stayed its hands until it had tried conciliation and definitely failed its position would not have been stronger. I cannot accept the view that it would have been difficult to restore order if Government had delayed action. Popular feeling would in that case have been more favourable to Government than it is today. Reasonable people would have said if Government had tried and failed that Government had gone as far as it could; what more could it do? These Congress folk are unreasonable. That is not what people say today? It is no use saying that you could not negotiate with parties which are threatening direct action. You negotiated with Irishmen, with Griffiths and Cosgrave, while there was open rebellion in Ireland. You negotiated after you had fought with Generals Smuts and Botha; General Smuts is one of your pillars today. You gave responsible government to Canada at a time when Canada was seething with internal disorder. You salute the American flag of independence today with reverence. You speak of George Washington who must have appeared to the statesmen of his days as a rebel as a great American patriot. You negotiate with trade unions and labour organizations which hold out threats of strike and even a general strike and you think it is all right. And it is all right. But you refuse to negotiate with an organization which is definitely anti-Axis and anti-Fascist, which is pro-United Nations and which is prepared to support you if its plea for independence of the country, is recognized and a provisional Government consisting of representatives of all communities formed and power entrusted to this composite Government to frame a machinery for devising the future constitution of India. Why? The reason is obvious. The reason is that you are not prepared to part with the reality of power now or in any foreseeable future. You are not prepared to part with it even if all the communities agree. Your

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policy therefore has led to frustration with all its terrible consequences. While I would have had India adopt a different strategy, the strategy of adjustment and compromise with various interests and groups, I am, howsoever much I may differ from those who have resorted to civil disobedience, at this juncture not prepared to give you and your Government, your wise and patriotic Indians, an atom of support in the policy of mere negation which they have embarked in this country. Neither can I persuade myself that you are not using your influence to divide communities in this country.

Just one word about the minorities. In the speeches and resolutions of the All-India Congress Committee, there was an effort to evolve a constructive policy towards the minorities. The principle that the residuary powers shall reside with the province has been conceded by the Congress. In simple language, the concession of this principle means that the Provinces shall have the status of Sovereign States and that the transfer of power shall proceed from the Provinces to the Centre. The Congress went to the length of stating that it has no objection to power being transferred to the Muslim League, but transfer power in any case. The Mahasabha has taken the sensible line that while it stands for the integrity of India, it would welcome the minorities problem to be settled by the United Nations if it fails to arrive at an agreement with them. For good reasons the United Nations have become interested in India. India is a vital part of their defence system. By taking the stand that the Sabha is prepared to abide by international arbitration, it has definitely proved that it is not a Hindu imperialist organization out to dominate the minorities. Speaking for myself, while I firmly believe in the integrity of the country, I recognize that the unfortunate propaganda of the Muslim League aided and abetted as it has been by Amery & Co. Unlimited has made it essential for us to consider with an open, impartial and even sympathetic mind, the question of self-determination for provinces, rearranged and regrouped in a more intelligible manner than at present. It may be that for the purpose of strengthening the unity of the country which we all desire a new approach to the problem is needed. Hindus should realize and Muhammadans should realize that the British Government is merely out to exploit our differences. Nationalism cannot at one and the same time fight on all fronts and there is no humiliation in negotiating with one's own countrymen. Both Hindus and Muslims are the inheritors of ancient cultures and it ought to be a matter of shame for them that they are a subject people without any international status. Therefore it is in the friendliest spirit possible that I make the suggestion that an earnest effort should be made to compose our differences and that failing that the United Nations should intervene and arbitrate so far as this country is concerned. It is impossible for any one to look at the suggestion that the fate of the Provinces should be decided by a communal referendum. The position therefore as it has crystallized itself is that all parties are agreed that there should be freedom. We all want a declaration of freedom now. I do not see why it cannot be made when an Anglo-French Union could be proposed at the time when France was collapsing, why can't you make a declaration of freedom now, here? We must be given a National Government. For enabling the problem to be considered in a fresh light, it is necessary that Government should release the Congress leaders, but if it is not going to release them—it has not allowed the Mahasabha leaders nor that good liberal-hearted Englishman, the Metropolitan of India, a truly Christian Englishman, to visit the Mahatma—why is it not possible for it to negotiate with the Mahasabha and the Muslim League? Why cannot a National Government composed of representatives of these organizations capable of giving full

support to the war effort be formed? It must be left to this new Government to release the Congress leaders and negotiate with them. The present state of affairs is intolerable. You gave the Communal Award! Why cannot you seek the aid of the United Nations to give a new award if we fail to arrive at a settlement? The feeling in the public is that Indian Members are not pulling their full weight in the Council and mere Indianization will satisfy no one. Indeed I sometimes think that Indianization unaccompanied—and this will interest my friend the Honourable Mr. Hossain Imam—I sometimes think that Indianization unaccompanied by popular control, either of this House or of organizations, is at times a curse.

THE HONOURABLE MR. HOSSAIN IMAM: Hear, hear.

THE HONOURABLE MR. P. N. SAPRÚ: Witness, for example, the activities of the Indian Embassy at Washington today. The question is not, therefore, one of Indianization but of the powers the Indian Members will enjoy and of the control either of organizations or of the Legislatures under which they will work. This may be a jaded Legislature but the present House of Commons is also a jaded Legislature.

THE HONOURABLE MR. HOSSAIN IMAM: Not this House, Sir. There is no restriction yet.

THE HONOURABLE MR. P. N. SAPRÚ: It is unfortunate that the American Press has chosen to criticize us so freely. I am not sure why they are doing this. We have not had some news from America for some time. No statesman in charge of American affairs has considered it necessary to say one word of encouragement, one word of sympathy, to the Indian people. We have looked at that great country for support. We know its heart is sound and it will not fail us.

Sir, for the reasons which I have given I would loathe myself, detest myself, if I were to give an atom of support to this Government. The responsibility for maintaining order is not mine; the remedy for the present situation is not in my hands. I am not even being consulted in regard to the Ordinances which are being promulgated by the Governor General; they have not come before this House. Therefore, Sir, for these reasons I am not prepared to give any support to a policy of mere negation, on which the British Government has embarked. It may have the support of eleven wise and patriotic Indians but let them remember that these wise and patriotic Indians are not pulling any weight in their own country.

COLONEL THE HONOURABLE SIR HISSAMUDDIN BAHADUR (Nominated Non-Official): Mr. President, Sir, the Leader of the House whom I accord a cordial welcome has delivered a speech which I am sure will command general support and acquiescence.

The Motion before us has a significance of its own, as it shows a readiness on the part of Government to take the House into their confidence and to afford, on its own initiative, an early opportunity to express its views on the present political situation in the country.

I have heard with interest and attention the different shades of opinions and angles of vision put forward by Honourable Members. Sir, we are passing through very critical and serious phases of the world war and war clouds are gathering very close to us. For the safety of our country it behoves us to do

[Colonel Sir His-amuddin Bahadur.]

nothing likely to hurt the cause of Allied Nations or obstruct efficient prosecution of the war. In my opinion no useful purpose would be served by blaming and accusing each other and thereby embittering feelings which lead us nowhere. Let us imbibe the spirit of forgive and forget. Let us appreciate and face the realities of the situation.

His Excellency Lord Linlithgow and his Honourable Executive Councillors, the majority of whom are Indians, deserve to be congratulated for the prompt and swift measures taken by them to preserve law and order in the country, by temporarily detaining the leaders and dealing effectively with the unruly mobs. As they say in Persian:—

“ Sar-i-chasma shayed griftan ba mil
Chū purshud na shayed guzash tun ba pil ”.

The movement with which we are faced is of a most sinister and subversive character. The manifold acts of sabotage, destroying and looting of public property, burning of post and telegraph offices, railway stations, derailments, tampering with means of communications in the country, burning of police stations and murdering loyal public servants, will not bring about that freedom and independence which the Congress professes to seek to achieve. In fact such acts disgrace the sacred name of freedom. My sympathies go out to the innocent victims of the unruly mobs.

Thank God, the present movement has not affected in the least the loyalty of the classes who are the backbone of the army; recruitment is going on with increased tempo and I can personally vouch for this fact, as I have myself enlisted about 3,000 recruits, who are coming forward willingly.

Sir, I read in the papers the other day that an increase is contemplated in the pay of soldiers in the Indian Army. To me an old soldier, with 41 years connection with the army, this is great news indeed. It has been my long-cherished desire that the pay of Indian soldiers should be substantially raised. I firmly hope that this happy consummation will be achieved by the efforts of His Excellency the Commander-in-Chief.

Thanks to the statesmanship and prudence of Mr. Jinnah and other prominent leaders the 90 millions of Mussalmans have kept aloof from the present movement, otherwise the consequences would have been too disastrous. The Government should be grateful to the Mussalmans not only in words but in graceful deeds too.

In regard to the imposition of collective fines at certain places connected with the present movement, I would request the Government to penalize only those who were and are responsible for misdeeds and exempt the innocent Mussalmans who remained peaceful, calm and loyal.

It will not be out of place to mention that certain Provinces have kept up the loyal tradition at this critical juncture. The North West Frontier Province has been conspicuous in maintaining law and order under the inspiring leadership of His Excellency Sir George Cunningham whose statesmanship and noble deeds have won the admiration of all, and whom I have had the privilege of knowing personally since he was Private Secretary to Lord Irwin—now Lord Halifax. Sir George has a unique influence on all classes and clans in the Frontier, and they would do anything for him. The Punjab has also maintained its law and order wonderfully well, which I must say, is all due to the influential personality of Sir Sikandar Hayat Khan.

The Indian States, which comprise one-third of India, have been immune from the repercussions of the Congress movement; and the respective Ruling Princes have handled their respective situations admirably well.

To my dear countrymen, Hindus, Muslims and Sikhs and all, I had appealed in a Press statement on the 21st July, 1942, i.e., soon after the resolution of the All-India Congress Working Committee and I take this opportunity to appeal again for co-operation, mutual tolerance, and forbearance, when the enemy is knocking at our gates. The momentary lull in the activities of the Japanese on our border is due to their being engaged in consolidating their positions in the occupied countries, making preparations and reorganizing their forces. We should not only get ready to defend our country but to strike them in their country and dislodge them from the occupied countries. Their attack must be a very surprising one, and we should not be taken unprepared and unaware as before. Let us be up and doing and contribute in men, money and material to the Allied cause and win this war—a war of good against evil, a war of justice against oppression, a war of freedom against slavery and above all a war to uproot the evils of Nazism from the surface of this world and to uphold the structure of a liberal and humane civilization.

I am confident that at the victorious end of the war India will get her coveted freedom and emerge as an equal partner in the comity of free and democratic Nations of the world.

Sir, I support the Motion.

The Council then adjourned till Eleven of the Clock on Wednesday, the 23rd September, 1942.

COUNCIL OF STATE.

Wednesday, 23rd September, 1942.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

QUESTIONS AND ANSWERS.

PAYMENT OF COMPENSATION FOR GOODS LOST IN ENEMY-OCCUPIED TERRITORIES.

21. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state their proposals with regard to the question of granting compensation for goods abandoned by owners, and goods seized by the enemy in enemy-occupied territory?

THE HONOURABLE MR. A. V. PAI: The Honourable Member will appreciate that it will be for the Government of Burma in the case of goods lost in Burma and for His Majesty's Government in respect of other British colonial territories occupied by the enemy to consider the question of compensation for such losses. The Government of Burma have expressed their willingness to receive and record such claims in respect of Burma whether the goods are covered by their War Risks Insurance Scheme or not. The Government of India have also been receiving and recording claims relating to all such enemy-occupied colonial territories in order to facilitate the transmission of claims to the appropriate registering authority though they cannot of course undertake any commitment regarding their settlement.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Have the Government of India made any representations to His Majesty's Government on this subject?

THE HONOURABLE MR. A. V. PAI: No, Sir.

RECRUITMENT OF VOLUNTEERS FROM THE BRITISH FIRE SERVICE TO STRENGTHEN THE INDIAN FIRE-FIGHTING ORGANIZATIONS.

22. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that volunteers from the British Fire Service have been imported into India to strengthen the Indian fire-fighting organisation? If so, will the expense involved fall upon the British or Indian Exchequer?

THE HONOURABLE SIR JWALA PRASAD SRIVASTAVA: Yes, the expense will be borne by the authorities in India who employ the officers.

N.B.—Questions against the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Pandit Hirday Nath Kunzru.

NUMBER OF CASUALTIES IN THE INDIAN ARMY.

23. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state approximately the number of Indian soldiers under arrest by the enemy in various theatres of war, as well as the numbers killed and wounded?

THE HONOURABLE MR. C. MACI. G. OGILVIE: The latest figures give the total number of Indian Army casualties in all theatres of war as follows:—

Killed 2,096, wounded 8,521, prisoners of war 2,938, missing 84,833.

A statement shewing the distribution of casualties among the various theatres of war is laid on the table of the House. I may explain that the figures for prisoners of war include only those about whom official information has been received from the enemy. The figures shewn in the table as estimated missing represent those about whom no official report has been received.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Does this total of 84,000 missing include the troops in Malaya?

THE HONOURABLE MR. C. MACI. G. OGILVIE: Yes. In fact, it is largely composed of those. There are some 70,000 troops still unaccounted for in Malaya and the Far East generally and about 12,000 in Libya. The names of these will it is hoped be received in due course.

Statement of Indian soldiers killed, wounded, missing and prisoners of war in the various theatres of war.

	Killed.	Wounded.	Missing.	P. of W.
I.—Egypt	608	2,275	12,158	2,475
II.—Sudan and Eritrea	708	3,943	7	1
III.—Palestine and Syria	81	282	..	..
IV.—Iraq and Iran	59	89	4	..
V.—Somaliland	9	28	..	..
VI.—France & U. K.	4	8	..	327
VII.—Burma	417	1,173	3,327	1
VIII.—At Sea	4	1	..	118
IX.—Malaya:—				
Official	208	721	4,051	16
Estimated	..	..	61,099	..
X.—Hong Kong:—				
Official	..	1	..	..
Estimated	..	..	4,187	..
Total	2,096	8,521	84,833	2,938

GRAND TOTAL of all casualties—98,388.

VALUE OF CONTRACTS PLACED BY THE SUPPLY DEPARTMENT.

24. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that the total amount of war orders placed in India both by the Government of India and the British Government is about Rs. 300 crores only, whereas it is recorded that in Canada alone the value of similar orders placed with Canadian firms by the Canadian and British Governments since the commencement of the war amounts to over 1,100 crores?

(b) Is it a fact that Indian steel production in spite of the war remains practically where it was before the war, that is, about 1½ million tons a year?

(c) Will Government state in brief the specific fillip given to the Indian industries, as a result of the opportunity afforded by the war?

THE HONOURABLE MR. C. MACI. G. OGILVIE: (a) The total value of contracts placed through the purchase organizations of the Department of Supply between 3rd September, 1939, and 31st July, 1942, was Rs. 367·8 crores. These contracts were placed on behalf of the Government of India, Provincial Governments, and Overseas indentors. The total does not include local purchases, purchases made through commercial channels, or the value of goods manufactured in Government factories. Government has no official information of the value of contracts placed with Canadian firms by the Canadian and British Governments since the commencement of the war.

(b) No, the present production is about 50 per cent. more than it was before the war.

(c) I am not sure what information the Honourable Member requires. Many industries, such as the jute, cotton textiles and woollen industries, have received a great stimulus through war orders, but without necessitating an appreciable expansion of capacity. Others, such as the steel, non-ferrous metals, and leather industries, have expanded both capacity and output. Indian shipyards are building small seagoing vessels, and there has been great activity in all engineering workshops which are expanded on the production both of munitions components and of engineering stores. A complete list would be a long one, and if the Honourable Member will ask for more definite information I will see if I can supply it.

SUPPLY OF NECESSARY CLOTHS TO THE CIVIL POPULATION OF INDIA.

25. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state what arrangements have been made for the supply of necessary cloths to the civil population of India, in case of apprehended breakdown of the normal source of supply due to War situation?

THE HONOURABLE SIR ALAN LLOYD: The Government of India have introduced a scheme for the production and distribution of Standard cloths, under which the Provincial Governments can indent for such quantities as they may require, either for current consumption, or for building up reasonable stocks to meet any emergency.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: How far has this scheme been successful?

THE HONOURABLE SIR ALAN LLOYD: Progress has been rather slow owing to certain difficulties we have experienced in connection with negotiations with the Provincial Governments on whom the primary responsibility for the welfare of their people lies. The points at issue were discussed at the recent Price Control Conference and I hope that before long we shall have appreciable progress. Certain quantities have actually been asked for by Provincial Governments. If the Honourable Member wants further information regarding those quantities I must ask for notice.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Have the mills begun producing standard cloth in the quantities which Government desire?

THE HONOURABLE SIR ALAN LLOYD: It is impossible to estimate the quantities which Government desire until we have cleared up the position with the Provincial Governments. It is they who will express the desire.

THE HONOURABLE MR. HOSSAIN IMAM : Have the Provincial Governments sent any requisitions to the Central Government ?

THE HONOURABLE SIR ALAN LLOYD : Yes, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Has Bihar sent any requisition ?

THE HONOURABLE SIR ALAN LLOYD : I must ask for notice, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : May I know if the mills that are manufacturing standard cloth are in working order or are there strikes there ?

THE HONOURABLE SIR ALAN LLOYD : I cannot answer that question, Sir.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Are the requisitions sent by the Provincial Governments being honoured now ?

THE HONOURABLE SIR ALAN LLOYD : I have no information, Sir.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Are the Local Governments expected to negotiate directly with the textile manufacturers or through the Central Government ?

THE HONOURABLE SIR ALAN LLOYD : Through the Central Government.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Then why is it—

THE HONOURABLE SIR ALAN LLOYD : I must ask for notice if the Honourable Member wants further information about the details.

SILK INDUSTRY.

26. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government state, so far as they can without disclosing secret information, the main details of the scheme for expanding the filature reeling of silk in India for the manufacture of parachutes in this country ? What approximately is the capital cost of the scheme, who will bear the cost, and how far the scheme has progressed ?

THE HONOURABLE MR. C. MACI. G. OGILVIE : A scheme for installing 2,486 additional basins in Mysore, Bengal and Madras has been sanctioned. They will be put up partly by the Governments concerned and partly by selected private parties. It is expected that this will increase India's existing reeling capacity by about 7,60,000 lbs. a year. His Majesty's Government will buy all the silk that remains after meeting India's essential war requirements. The capital cost of basins to be installed by the Governments concerned is estimated to be about Rs. 7 lakhs and will be financed by His Majesty's Government. In addition loans will be granted to private parties who are selected to participate in the scheme. The source from which the loans will be advanced is still under consideration. Construction work has already started.

EXPENDITURE INVOLVED IN THE ESTABLISHMENT OF THE GOVERNMENT OF BURMA IN INDIA.

27. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will any part of the expenditure involved in the establishment of the "Government of Burma" in India fall upon Indian revenues ?

THE HONOURABLE MR. C. E. JONES : The answer is in the negative.

CIVIC GUARDS.

28. THE HONOURABLE MR. M. N. DALAL : (1) Will Government give detailed information of their scheme to expand and strengthen the Civic Guards ?

(2) What is the minimum size of a unit ?

(3) Is the total strength of the Civic Guards the same in every Province ?

(4) What proportion of the present strength of Civic Guards has been armed with shotguns ?

(5) Have all the guns in the hands of licensed dealers been requisitioned for the purpose ?

(6) Have Government made an appeal to the public to lend or sell their guns for the purpose ? If so, with what result ?

(7) Is it the policy of Government to arm all the Civic Guards ?

(8) What is the arrangement in rural areas and villages where Civic Guards units cannot be formed ?

(9) Have Village Defence Parties been formed ? If so, under whom are they working ?

THE HONOURABLE SIR MAHOMED USMAN : (1) The Government of India have not prepared any regular scheme for the purpose, but Provincial Governments have been requested to take suitable steps to increase their strength and to improve their training.

(2) The matter has been left to the Provincial Governments and the unit differs from province to province.

(3) No.

(4) Exact information is not available, but I believe only a small proportion possess shotguns.

(5) No.

(6) So far as the Government of India are aware, an appeal has been made by the Government of Bombay in the sense stated, but I have no information as to the response to that appeal.

(7) No—but they have no objection to members of the Civic Guards providing their own firearms or other weapons.

(8) Provincial Governments have been advised to assist in organising Village Defence Parties in rural areas.

(9) Village Defence Parties have been formed in most Provinces. The local authorities and the National War Front assist in their organization.

THE HONOURABLE MR. HOSSAIN IMAM: With regard to the answer to part (4) of the question, have the Central Government adopted any policy to be followed by all the Provinces with regard to the arming of the Civic Guards?

THE HONOURABLE SIR MAHOMED USMAN: I must ask for notice of that question, Sir.

ARREST OF CONGRESS LEADERS.

29. THE HONOURABLE MR. P. N. SAPRU: Will Government state (a) whether the arrest of Mahatma Gandhi and other Congress leaders was decided upon after taking into consideration the resolution passed by the All-India Congress Committee at Bombay on the 7th August and (b) whether the offer of wholehearted co-operation made by the Congress, if freedom is conceded, embodied in the resolution was noted by them?

THE HONOURABLE SIR MAHOMED USMAN: Yes.

THE HONOURABLE MR. P. N. SAPRU: Am I to understand that the Government noted down the Congress offer of whole-hearted co-operation with the war effort if freedom was conceded and that action was taken by the Government after noting down this whole-hearted offer of co-operation?

THE HONOURABLE SIR MAHOMED USMAN: Government did not attach any importance to that statement, because no party which had sincerely desired to offer whole-hearted co-operation could possibly have involved the country in what has happened since the resolution was passed.

THE HONOURABLE MR. P. N. SAPRU: Am I to understand that the whole-hearted offer of co-operation on the part of the Muslim League with the war effort too is regarded by this Government, of which my Honourable friend the Leader of the House is an illustrious Member, as insincere?

THE HONOURABLE SIR MAHOMED USMAN: The question about the Muslim League does not arise.

THE HONOURABLE THE PRESIDENT: Next question, Mr. Sapru.

FORMATION OF A PROVISIONAL COMPOSITE GOVERNMENT AT THE CENTRE AND TO LIFT THE BAN ON THE CONGRESS ORGANIZATIONS.

30. THE HONOURABLE MR. P. N. SAPRU: Will Government state whether they propose (a) to reopen negotiations for the formation of a Provisional Composite Government at the centre with Indian political parties, and (b) to lift the ban on Congress organizations?

THE HONOURABLE SIR MAHOMED USMAN: (a) This is a matter primarily for His Excellency the Governor General and His Majesty's Government, rather than the Government of India. I would remind the Honourable Member of repeated statements on behalf of His Majesty's Government, renewed so late as September the 10th by the Prime Minister, that the broad principles of the Declaration which formed the basis of Sir

Stafford Cripps' mission to India must be taken as representing the settled policy of the British Crown and Parliament, and that these principles stand in their full scope and integrity.

(b) No.

THE HONOURABLE MR. HOSSAIN IMAM: Do we take it that the formation of the Central Government is not a matter for the Governor General in Council but that of the Governor General acting in his discretion?

THE HONOURABLE SIR MAHOMED USMAN: It is a matter for His Excellency the Governor General and His Majesty's Government, and not for the Executive Council.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Are we to understand that the Government of India has no concern with the subject and that it does not consider itself called upon to make recommendations on the subject for the consideration of His Majesty's Government? If this is its view, what is it for? What are these wise and patriotic men in the Viceroy's Executive Council for?

THE HONOURABLE SIR MAHOMED USMAN: It does not fall within the normal jurisdiction of the Executive Council.

THE HONOURABLE MR. P. N. SAPRU: Am I to understand that the sole responsibility for advising His Majesty's Government as regards the nature of the constitution that should be worked in the interim period rests exclusively with the Governor General and that the Governor General in Council has no voice whatever in regard to this matter? Is that the position which the Indian Members of the Council have accepted?

THE HONOURABLE SIR MAHOMED USMAN: If the Governor General consults his Executive Council, he gets its opinion.

THE HONOURABLE MR. P. N. SAPRU: Am I to understand further that the Indian Members of the Executive Council have no desire to offer on their own initiative any advice to His Excellency the Governor General in regard to the manner in which the future Government of India should be composed?

THE HONOURABLE SIR MAHOMED USMAN: The Government of India Act does not recognize the position of Indian Members of Council as such.

THE HONOURABLE MR. P. N. SAPRU: Am I to understand that by becoming Members of the Executive Council Indian Members of the Executive Council have ceased to be Indians?

THE HONOURABLE SIR MAHOMED USMAN: We have not ceased to be Indians; absolutely not.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is it the accepted view that the Governor General in Council has got nothing to do with questions of policy, particularly those relating to constitutional changes?

THE HONOURABLE SIR MAHOMED USMAN: The functions of the Executive Council are described in the Government of India Act.

THE HONOURABLE MR. P. N. SAPRU : Disgraceful !

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : We were told the other day in the other House that the Executive Council had all the powers that its critics desired it to possess.

THE HONOURABLE SIR MAHOMED USMAN : Certainly ; if the Governor General brings any subject before the Council, we tender our advice.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Are you at liberty or not to initiate discussion on a subject ? Is the Government of India competent to consider proposals relating to constitutional changes or the character of the interim Government or not ?

THE HONOURABLE SIR MAHOMED USMAN : If the subject is brought before the Executive Council by His Excellency the Viceroy.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I want to know if the Members of the Executive Council can bring up such a subject ?

THE HONOURABLE SIR MAHOMED USMAN : I have nothing to add.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Am I to understand that they cannot ?

THE HONOURABLE SIR MAHOMED USMAN : The Honourable Member can infer anything he likes.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The Honourable Member should elucidate the policy of Government and not leave us to imagine what it is.

THE HONOURABLE MR. HOSSAIN IMAM : May I clarify the situation ? Could the Leader of the House enlighten us under what particular section of the Government of India Act is the question of policy of expansion debarred from the Governor General in Council ? It should be included in a specific list of subjects which are the exclusive jurisdiction of the Governor General acting in his discretion. As far as I remember, Sir, it is not so included.

THE HONOURABLE SIR MAHOMED USMAN : It is a matter primarily for His Excellency the Governor General and His Majesty's Government.

THE HONOURABLE MR. HOSSAIN IMAM : Quote to us the section of the Government of India Act.

THE HONOURABLE SIR MAHOMED USMAN : I must ask for notice.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The decision may rest with His Majesty's Government, but cannot you set the ball rolling ?

THE HONOURABLE THE PRESIDENT : Go on to the next question, please.

TOTAL NUMBER OF ARRESTS EFFECTED IN CONNECTION WITH THE CIVIL DISOBEDIENCE CAMPAIGN AND THE RECENT DISTURBANCES.

31. THE HONOURABLE MR. P. N. SAPRU : Will Government state the total number of arrests so far effected in connection with (a) the civil disobedience campaign and (b) the recent disturbances ?

THE HONOURABLE SIR MAHOMED USMAN : Government have not yet received complete information, nor is there any hope of obtaining this information before the end of the present session.

THE HONOURABLE MR. P. N. SAPRU : Am I to understand that the Honourable the Leader of the House made a statement to the House in the absence of complete information ?

THE HONOURABLE SIR MAHOMED USMAN : No, Sir. I was able to give the figures that were available in the records. Therefore I cannot say more than what I have said yesterday.

THE HONOURABLE MR. P. N. SAPRU : You could have repeated those figures.

THE HONOURABLE SIR MAHOMED USMAN : I do not think I have given figures about arrests.

THE HONOURABLE MR. HOSSAIN IMAM : Is it a fact that Provincial Governments are arresting people on their own initiative or under the orders of the Government of India ?

THE HONOURABLE SIR MAHOMED USMAN : The maintenance of law and order is a Provincial Subject.

THE HONOURABLE MR. P. N. SAPRU : Has the Government of India anything to do with law and order ?

THE HONOURABLE SIR MAHOMED USMAN : Under the Government of India Act the maintenance of law and order is a Provincial Subject.

THE HONOURABLE MR. P. N. SAPRU : Do the Government of India have ultimate control over the Provincial Governments ?

THE HONOURABLE SIR MAHOMED USMAN : Yes, the Government of India have, under the Defence of India Act.

THE HONOURABLE MR. P. N. SAPRU : That is the sort of Leader we have !

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Under which section of the Defence of India Act do the Government of India supervise the Provincial Governments ?

THE HONOURABLE THE PRESIDENT : The Honourable Leader is not sitting for an examination. Next question, Mr. Sapru.

EXTENT AND NATURE OF DAMAGE DONE TO PUBLIC PROPERTY AND OBJECT OF SYSTEM OF COLLECTIVE FINES.

32. THE HONOURABLE MR. P. N. SAPRU : Will Government state (a) the extent and nature of the damage done to public property by the recent

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disturbances, (b) the object of the system of collective fines, and (c) the basis on which calculation is made in imposing the fines?

THE HONOURABLE SIR MAHOMED USMAN: (a) Government's information on this subject is as yet incomplete. I would, however, refer the Honourable Member to the reply given to Mr. Hossain Imam's question No. 10 on the 21st September, 1942.

(b) The imposition of collective fines is aimed particularly at crimes, such as sabotage, the difficulty of preventing which and of detecting and apprehending those actually concerned in their commission is greatly increased if the inhabitants of the area in which the offence is committed do not fully co-operate with the authorities. It is the duty of every citizen to resist mob outrages against the public peace and property, and the public must realize their collective responsibility in this matter. In areas where the public have failed in this duty, and have allowed sabotage to be committed and mob outrages to take place, Government are justified in bringing home to them their responsibility by the imposition of collective fines.

(c) The relevant section in the Ordinance is:

"The District Magistrate, after such enquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants."

THE HONOURABLE MR. HOSSAIN IMAM: As no collective fine has been imposed in the Centrally Administered Areas, do we take it that in the Centrally Administered Areas people are co-operating with the Government in accepting collective responsibility?

THE HONOURABLE SIR MAHOMED USMAN: That is asking for my opinion.

THE HONOURABLE MR. HOSSAIN IMAM: No, Sir. I mean in the Centrally Administered Areas no collective fine has been imposed. I want definite information whether the people in the Centrally Administered Areas are co-operating with the Government and accepting the position of collective responsibility.

THE HONOURABLE SIR MAHOMED USMAN: I must ask for notice of that question, Sir.

STRIKE AT TATANAGAR.

33. THE HONOURABLE MR. P. N. SAPRU: Will Government state whether it is a fact that there was a strike in Tatanagar as a protest against the policy of Government towards the Congress and whether in order to force the workers to get back to work, the water supply of that town was cut off?

THE HONOURABLE MR. H. C. PRIOR: It is not in public interest to name or particularize industrial undertakings in which cessation of work occurred as the result of the present political situation in the country. So far as Government are aware no case has occurred in which stoppage of water supply has been used for the purpose of persuading labour to return to work.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is the Honourable Member aware that the news relating to the strike at Tatanagar was published in some newspapers in the country?

THE HONOURABLE MR. H. C. PRIOR: I have not myself seen any such publication.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: May I inform him that it was published in the *Madras Mail* and also in the *Tribune*?

THE HONOURABLE MR. P. N. SAPRU: May I inform him that as a matter of fact telegrams were received by newspapers and that they were subsequently cancelled by the Censor?

THE HONOURABLE THE PRESIDENT: That is another question.

THE HONOURABLE MR. P. N. SAPRU: The Honourable Member refuses to answer this question because it is not in the public interest to say whether a particular strike took place or not. It is within public knowledge that the strike did take place in Tatanagar. The question that I have asked is whether that strike was broken by denial of water supply to the workers in Tatanagar. That is the plain question that I have asked.

THE HONOURABLE MR. H. C. PRIOR: I have nothing to add to my answer.

PUBLIC SUPPORT FOR GOVERNMENT'S ACTION AGAINST THE CONGRESS AND POLITICAL SETTLEMENT BY A CONFERENCE.

34. THE HONOURABLE MR. P. N. SAPRU: Will Government state the names of persons and organizations that have supported them in their policy of taking action against the Congress, and whether they had made any effort through a conference convened by the Government of India to arrive at a settlement of the political issues facing the country?

THE HONOURABLE SIR MAHOMED USMAN: That Government had, in their action against Congress, the support not only of those large classes in the country who consider the waging of the war to a victorious conclusion to be India's prime objective, not only of those many members of the minority communities who considered the Congress demand for immediate independence to be in reality a demand for Congress hegemony, but also of a large majority of honest and God-fearing people throughout the country, is shown by the very large areas of the country representing persons of all castes and creeds who have remained virtually or entirely unaffected by the recent disturbances and by the growing revulsion of public opinion against the disturbers of the peace in the affected areas.

The second part of the question concerns the Governor General and His Majesty's Government rather than the Government of India. The policy of His Majesty's Government was stated in the Prime Minister's speech in the House of Commons on the 10th September.

THE HONOURABLE MR. P. N. SAPRU: Sir, my question has not been answered. I did not want a rhetorical answer and a lecture on the duty of Indians. I wanted, Sir, a plain answer to a plain question. What are the organizations, if any, which are supporting Government in their present policy? I wanted the names of those organizations. Is the Hindu Sabha supporting it? Is the Liberal Federation supporting it? Is the Muslim League supporting it? That was my question and surely for this a lecture on what India's attitude was not necessary by the Leader of the House.

THE HONOURABLE SIR MAHOMED USMAN: The Muslim League is supporting it because Mr. Jinnah has made a public statement asking the Muslims not to take part in the disturbances.

THE HONOURABLE MR. P. N. SAPRU : Does that amount to support ?

THE HONOURABLE SIR MAHOMED USMAN : Yes.

PARTICULARS OF EUROPEAN EVACUEES FROM COUNTRIES OCCUPIED BY JAPAN—EMPLOYED BY THE CIVIL DEFENCE DEPARTMENT.

35. THE HONOURABLE MR. P. N. SAPRU : Will Government state the names and number of European evacuees from Burma and other countries occupied by Japan employed by the Civil Defence Department together with their qualifications and lay on the table a statement showing the salaries they were previously drawing before evacuation and are now drawing under the Government of India ?

THE HONOURABLE SIR JWALA PRASAD SRIVASTAVA : A statement is laid on the table of the House.

Statement showing names and numbers of European evacuees from Burma and other countries occupied by Japan employed by the Government of India, Civil Defence Department.

Serial No.	Names.	Service or indication of profession previous to evacuation.	Salary drawn prior to evacuation.	Present scale of pay.
			Rs.	Rs.
1	Mr. J. S. Vorley, C.B.E., I.F.S.	Deputy Conservator of Forest (November, 1922 to December, 1941), Civil Evacuation Commissioner and Control of Labour. In charge feeding of civil population of Mandalay. Was in touch with all Civil Defence matters whilst in Burma.	3,000 plus O. S. P. of £13-8-6.	1,750
2	Mr. C. B. Rennick	Head of Taxation and Revenue Department, Corporation, Rangoon. Acted as Deputy Commissioner, Rangoon. Appointed Civil Defence Officer in charge Civil Defence organization, Rangoon. Later in charge, Civil Defence organization in Maymyo. Experienced over 100 air raids while in Burma. Total service 20 years.	2,700 . . .	1,750
3	Mr. R. DeGraff Hunter.	Senior Officer, Training Branch, Central Organization, London. Compiler of A. R. P. Training Manuals. In charge Civil Defence War Room and Controller, Intelligence Centre, London. Chief of Staff to Inspector General, Civil Defence, London. Civil Defence Commissioner, Burma, for 8 months with practical experience of many raids there.	2,000 plus S. Allee. Rs. 150.	1,750
4	Mr. E. G. D. Robertson, I. P.	Assistant Superintendent of Police, Burma. Received training as instructor in matters of Civil Defence in Home Office Staff College, Faldfield, England. Appointed Deputy Director, A. R. P., Rangoon, and Chief Instructor for Burma. Had practical experience of air raids in Rangoon, Mandalay and other towns in Burma.	950 . . .	500

INDIANIZATION OF TECHNICAL POSTS IN THE SUPPLY DEPARTMENT.

36. THE HONOURABLE MR. P. N. SAPRU : Will Government lay on the table a statement showing the progress, if any, made in Indianizing the superior technical services connected with the Supply Department ?

THE HONOURABLE MR. C. MACI. G. OGILVIE : I place on the table a statement giving the necessary information for the period 1st April, 1941, to 31st March, 1942.

Statement showing progress made in the Indianisation of Technical Posts during the period 1st April, 1941, to 31st March, 1942.

Office.	No. of technical gazetted posts on 1st April, 1941.		No. of technical gazetted posts on 31st March, 1942.			
	Indians.	Domiciled Europeans and Anglo-Indians.	Europeans.	Indians.	Domiciled Europeans and Anglo-Indians.	Europeans.
	1	2	3	4	5	6
<i>A.—Directorate General, Munitions Production.</i>						
1. D. G. M. P.	8	2	62	21	4	98
2. C. C. P. (M.)	15	..	2	25	..	2
3. Ordnance Factories.	4	..	78	7	..	123
<i>B.—Directorate General, Supply.</i>						
4. D. G. S.	20	..	17	70	1	39
5. C. C. P. (S)	15	1	..	30	..	6
6. Clothing Factories.	..	..	13	2	1	15
7. Ordnance Factories, under Leather Manufacture Directorate.	..	1	11	5	1	17
Total D. G. M. P. (1—3).	27	2	142	53	4	223
Total D. G. S. (4—7)	35	2	41	107	3	77
GRAND TOTAL (1—7)	62	4	183	160	7	300

NUMBER OF INDIAN WOMEN TYPISTS AND STENOGRAPHERS EMPLOYED BY GOVERNMENT.

37. THE HONOURABLE MR. P. N. SAPRU : Will Government state (a) the number of Indian women typists and stenographers employed by Government and (b) their ratio to European and Anglo-Indian women typists and stenographers ?

THE HONOURABLE SIR MAHOMED USMAN : The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

TOTAL NUMBER OF CASUALTIES CAUSED BY FIRING IN THE RECENT DISTURBANCES.

38. THE HONOURABLE MR. P. N. SAPRU : Will Government state (a) the total number of places where firing has been resorted to in various parts of

the country since the 9th of August, 1942, (b) the reasons for resorting to it in each case, and (c) the total number of killed and wounded as a result of it?

THE HONOURABLE SIR MAHOMED USMAN: (a) and (b). The information asked for is not available.

(c) I would refer the Honourable Member to the reply given to Mr. Hossain Imam's question No. 10 on the 21st September, 1942.

PROPORTION OF INDIAN OFFICERS TO BRITISH OFFICERS IN THE LAND FORCES, ETC.

39. THE HONOURABLE MR. P. N. SAPRU: Will Government state the proportion of Indian officers to British officers in the land forces, the naval forces, the air forces and the technical forces connected with the War Department?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I presume the Honourable Member is referring to Indian Armed Forces. The proportions are approximately as follows:—

Indian Army—1 Indian to 4.75 British.]

Royal Indian Navy, Royal Indian Naval Reserve and Royal Indian Naval Volunteer Reserve—

Commissioned Officers—1 Indian to 2.4 British.

Warrant Officers—1 Indian to 0.25 British.

Total—1 Indian to 1.8 British.

Indian Air Force.—There are no British officers in the Indian Air Force.

These proportions include the technical arms of the services.

THE HONOURABLE MR. P. N. SAPRU: Are there any Indians in the Royal Air Force?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I should like to have notice of that question.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: May I ask why the Honourable Member has counted warrant officers along with commissioned officers in the Navy? Warrant officers form a class between the non-commissioned officer and the officer. I mean they correspond to the Viceroy's commissioned officer. Why should they be counted along with the commissioned officers?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: In the Navy they are counted as commissioned officers.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Whose commission do they receive?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I should like to have notice of that question.

FOOD POSITION.

40. THE HONOURABLE MR. P. N. SAPRU: Will Government make a statement as regards the efforts made by them to improve the food position in India?

THE HONOURABLE SIRDAR SIR JOGENDRA SINGH: Agriculture is primarily the concern of the Provinces. The Government of India, however, called a conference in April, 1942, to ensure co-ordinated action and to stimulate food production. The recommendations of the conference were communicated to the Provincial Governments and I understand that they are endeavouring to the best of their powers to implement them. A Central Food Advisory Council has been set up consisting of officials and non-officials and its functions are

- (i) to pool, study and disseminate all available information regarding food and fodder production;
- (ii) to plan on an all-India basis the food and fodder production programme for the different regions and tender advice in regard to its execution; and
- (iii) to advise the authorities responsible about the equitable distribution of the available food products.

The first meeting of this Council was held on the 24th and the 25th August, 1942. A copy of the summary of its recommendations is available in the Library of the House.

2. The Government of India have conveyed an assurance to the cultivators through a press note of the 25th May, 1942, that in case of a slump in the prices of principal foodgrains, they will step in and buy sufficient quantities both in the provinces and in the Indian States to prevent a serious fall in their prices.

3. From the Cotton Fund created by a levy of additional duty on raw cotton, the Government of India have sanctioned grants to some Provincial Governments and States to enable them to give financial help to cotton growers to divert their lands from cotton to food crops. As a result of the various measures taken by the Central, Provincial and State Governments, an increase of 96 lakh acres is expected under food crops, 46 lakhs released from cotton, and 50 lakhs of new land brought under cultivation.

THE HONOURABLE MR. HOSSAIN IMAM: Has the Government considered taking any step to bring down food prices where the prices go up too high owing to scarcity?

THE HONOURABLE SIRDAR SIR JOGENDRA SINGH: As Member in charge of Food Production I am not interested in bringing down food prices. (Laughter.)

TOTAL NUMBER OF CASUALTIES IN DELHI CAUSED BY FIRING IN THE RECENT DISTURBANCES.

41. THE HONOURABLE MR. P. N. SAPRU: Will Government state (a) the number of times firing had to be resorted to in Delhi from the 7th August to 11th September, 1942, and (b) the numbers of wounded and killed as a result of it?

THE HONOURABLE SIR MAHOMED USMAN: (a) Either the police or the troops opened fire on 47 occasions.

(b) Sixteen persons are known to have been killed and 45 wounded. In addition, some dead and injured persons were probably removed from the scene of the occurrence by their friends, and even taking this into account, it is believed that the total number killed was probably below 30.

THE HONOURABLE MR. HOSSAIN IMAM: Can the Honourable the Leader of the House give the numbers of Hindus, Muslims and others who were wounded or killed?

THE HONOURABLE SIR MAHOMED USMAN: I should like to have notice of that question.

DESIRABILITY OF HOLDING INQUIRIES INTO OFFICIAL EXCESSES IN DEALING WITH THE RECENT DISTURBANCES.

42. THE HONOURABLE MR. P. N. SAPRU: Has Government considered the desirability of holding independent enquiries in cases where there is strong reason to believe that there have been official excesses in dealing with the recent disturbances?

THE HONOURABLE SIR MAHOMED USMAN: There is no strong reason to assume that official excesses have been committed, but, as the Honourable Member is no doubt aware, the whole matter will shortly form the subject of discussion in another place in the course of which the attitude of Government will be explained.

THE HONOURABLE MR. P. N. SAPRU: Am I to understand that even in cases where there is a strong *prima facie* reason to believe that official excesses have been committed, Government is not prepared to hold independent enquiries?

THE HONOURABLE SIR MAHOMED USMAN: There is no use my answering the question as the whole question will shortly be before the Legislative Assembly.

THE HONOURABLE MR. P. N. SAPRU: We are not the Legislative Assembly. We are the Council of State, and I am entitled to ask what the attitude of Government is in this Council. I am not supposed to know what you say in the Legislative Assembly. I am only supposed to know what you say in this House.

THE HONOURABLE THE PRESIDENT: The subject is going to be discussed in another place. After the discussion is over there, you can put questions if you like. That is all he says.

THE HONOURABLE MR. HOSSAIN IMAM: Will he accept a short notice question, Sir?

THE HONOURABLE SIR MAHOMED USMAN: No, Sir. But I have already given a reply saying that there is no strong reason to assume that official excesses have been committed.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is that a *prima facie* assumption or are you in touch with the facts?

THE HONOURABLE SIR MAHOMED USMAN: That is the view of the Government. The Government have come to the conclusion that there is no strong reason to assume that official excesses have been committed.

THE HONOURABLE MR. HOSSAIN IMAM: May I draw his attention to a particular incident, Sir,—the shooting of a woman and child in New Delhi at night time?

THE HONOURABLE THE PRESIDENT: How can that be a question?

THE HONOURABLE MR. HOSSAIN IMAM: The Honourable the Leader of the House said that no official excesses have been committed. I cite that as an official excess.

THE HONOURABLE SIR MAHOMED USMAN: The Honourable Member should give notice of the question.

EMPLOYMENT FACILITIES FOR INDIAN EVACUEES.

43. THE HONOURABLE MR. P. N. SAPRU: Will Government state the steps, if any, taken by them to find suitable employment for refugees of Indian origin from Burma and other enemy-occupied territories?

THE HONOURABLE MR. A. V. PAI: Government had addressed all Provincial Governments with a view to their setting up employment bureaux or some system of registration by which evacuees seeking employment can be put in touch with prospective employers, and such organisations now exist in all provinces concerned. Those possessing technical qualifications, such as doctors, electricians, carpenters and others belonging to skilled trades, for whom there is great demand, have been invited to register themselves with the National Service Labour Tribunals which are functioning in all Provinces. For clerical workers there is great scope for finding employment with the Defence Services. For unskilled workers also, apart from relief works instituted by certain Provincial Governments, openings are available in new camp, aerodrome and road constructions and building works. One of the main functions of Zonal Refugee Officers, who have recently been appointed, is to assist evacuees in obtaining employment.

It is Government's policy that while every effort should be made to absorb evacuees in useful employment, evacuees *qua* evacuees should not be given any preference over other Indian candidates in the matter of Government employment, but a communication has been addressed to all Departments of the Government of India and to Provincial Governments suggesting that in the matter of employment of evacuees Indian evacuees should be given preference over other classes of evacuees. Government have also under consideration the question of amending the rules so as to make evacuees eligible for appearing in the examinations and selections conducted by the Federal Public Service Commission.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: What are the provinces which have taken steps to register the evacuees?

THE HONOURABLE MR. A. V. PAI: All the provinces concerned, principally Madras—

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Can the Honourable Member give me any information with regard to the United Provinces?

THE HONOURABLE MR. A. V. PAI: I could not say offhand.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The Honourable Member said that all the provinces were following the system laid down.

THE HONOURABLE MR. A. V. PAI: All the provinces except two or three have set up registration bureaux.

REPRESENTATION FROM THE NEWSPAPERS CONFERENCE IN REGARD TO THE CENSORSHIP AND CONTROL OF FACTUAL PRESENTATION OF NEWS.

44. THE HONOURABLE MR. P. N. SAPRU: Will Government state whether they have received any representation from the Standing Committee of the Newspapers Conference in regard to the censorship and control of factual presentation of news and the modifications, if any, they have made in their original orders?

THE HONOURABLE SIR MAHOMED USMAN: The original orders of the Government of India under Defence Rule 41 (1) (b) referred to by the Honourable Member, which were issued on the 8th August, 1942, prohibited the publication of news relating to the Congress movement or to the measures taken by Government against that movement, unless such news was derived from official sources, from certain recognized press agencies, or from a regular correspondent whose name was registered with the District Magistrate of the district in which he worked. The Standing Committee of the All-India Newspaper Editors' Conference, which met in Delhi on the 24th and 25th August, 1942, protested against the nature of these restrictions, especially in so far as they affected the relations between the editor and his correspondents. Government's sole aim in imposing the restrictions was to ensure that the news published came from reliable sources and that matter was not published which would encourage the movement or be of assistance to the enemy. So long as these basic aims were assured Government were not particular about the methods employed and a revised procedure was accordingly evolved in consultation with members of the All-India Newspaper Editors' Conference whereby all news relating to the movement should, before publication, be subjected to scrutiny daily and be passed or rejected by a selected Press Adviser acting in consultation with an editor chosen from a panel of editors willing to serve in this capacity. In order to provide legal sanction for such an arrangement it was of course necessary that an order should be passed under Defence Rule 41 (a) directing that news of the kind referred to should be submitted for scrutiny before publication. The Government of India have recommended the revised procedure to Provincial Governments, to whom it has been left to issue the necessary orders. The new procedure has already been introduced in Delhi. I may add that the correspondence on the subject between the Home Department and the President of the All-India Newspaper Editors' Conference has been published.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Are Government aware that the new procedure has given rise to serious dissatisfaction, and that owing to that the All-India Newspaper Editors' Conference is going to meet soon in Bombay?

THE HONOURABLE SIR MAHOMED USMAN: Government have no information.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Does the Honourable Member read newspapers or not? 60528

May I ask another question, Sir? Will Government ask Provincial Governments to stay their hands for a while, that is, till the resolutions passed by the All-India Newspaper Editors' Conference are known to the Central Government and they have had time to consider them?

THE HONOURABLE SIR MAHOMED USMAN: Government do not propose to take such action.

SPEECH BY THE HONOURABLE SIR FEROS KHAN NOON.

45. THE HONOURABLE MR. P. N. SAPRU: Has the attention of Government been drawn to a speech of the Honourable Sir Feroz Khan Noon (a) criticizing His Majesty's Government for sending out Sir Stafford Cripps to this country and (b) adumbrating a scheme for five dominions with a central authority with power to secede or rejoin at option?

THE HONOURABLE SIR MAHOMED USMAN: I have seen Press reports of the speech referred to.

INDIVIDUAL EXPRESSION OF OPINION BY MEMBERS OF GOVERNMENT.

46. THE HONOURABLE MR. P. N. SAPRU: Will Government state whether it is open to a member of the Government of India to criticise His Majesty's Government and to advocate solutions of the constitutional problem, while retaining his position as a member of Government?

THE HONOURABLE SIR MAHOMED USMAN: The Honourable member is asking for an expression of opinion.

THE HONOURABLE MR. P. N. SAPRU: Am I to understand that it is open for my esteemed friend, the Honourable Sir Jwala Prasad Srivastava, to make a speech criticizing the Cripps' proposals on the ground that they attacked the unity of India and that they would partition this country into two or three Dominions? He was associated with the Hindu Sabha and I see no reason why he should have changed his opinion after he became a Member of the Government. Am I to understand that it is open to him to criticize the policy of His Majesty's Government?

THE HONOURABLE SIR MAHOMED USMAN: The Honourable Sir Feroz Khan Noon was speaking for himself alone and Government are not in any way committed to his speech. These high constitutional matters lie outside the normal official purview of the Government of India and its corporate responsibility to the Executive Council is not, therefore, involved. I cannot understand the attitude of my Honourable friend, who a few minutes ago was asking the Indian Members to discuss political questions and yesterday he said: "Why was the suggestion that Mr. Amery should encourage the idea of a round table conference, why was the suggestion that the Viceroy should convene a round table conference, why was the suggestion that the Indian Members, failing the Viceroy, should convene a round table conference, ignored by this wonderful Government?" According to the Honourable Member, the Indian Members can ignore the Viceroy and discuss political questions. I do not know how my Honourable friend can find fault with Sir Feroz Khan Noon for expressing his opinion.

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THE HONOURABLE MR. P. N. SAPRU : Am I to understand that it is open to Indian Members of the Executive Council, who have under the Statute no responsibility for the execution of the policy of repression by the Provincial Governments, to criticize in open the policy of repression? Because, if you admit a departure from the principle of collective responsibility in one sphere logically you cannot refuse it in another.

THE HONOURABLE THE PRESIDENT : That is an argument.

THE HONOURABLE MR. HOSSAIN IMAM : Was the telegram sent by Mr. Aney to the President of the Congress at the time of the Bombay meeting of the All-India Congress Committee sent with the concurrence of the Viceroy's Executive Council or was it in his individual capacity?

THE HONOURABLE THE PRESIDENT : That question does not arise.

THE HONOURABLE SIR MAHOMED USMAN : I must ask for notice.

THE HONOURABLE THE PRESIDENT : That question need not be answered. It does not arise out of this question.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I know as a question of fact whether it is the policy of the Government of India to allow all the Members of the Viceroy's Executive Council to express any opinions they like on constitutional questions?

THE HONOURABLE SIR MAHOMED USMAN : I have already answered the question saying that Sir Feroz Khan Noon was speaking for himself alone and the Government are not in any way committed to his speech and I further said that these high constitutional matters are outside the normal purview of the Government of India and that its corporate responsibility to the Executive Council is not, therefore, involved. I have nothing further to add.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : May I take it that any Member of the Viceroy's Executive Council, in his individual capacity, can express any opinion he likes on high constitutional questions?

THE HONOURABLE SIR MAHOMED USMAN : That is asking for my opinion, Sir.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I am not asking for your opinion. I want to know whether it is the policy of Government that any Member of the Viceroy's Executive Council can express his own individual view on high constitutional questions?

THE HONOURABLE SIR MOHAMED USMAN : I have nothing to add to what I have already said.

SALARIES AND ALLOWANCES OF BRITISH OFFICERS AND INDIAN OFFICERS IN THE INDIAN ARMY.

47. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : (a) Will Government lay on the table of this House a comparative statement showing the salaries and allowances payable to British commissioned officers and other personnel of various defence units and those payable to Indian commissioned officers and other personnel?

(b) Has the attention of the Government of India been drawn to the statement of the Right Honourable Mr. Churchill regarding the increase of salaries and allowances of British commissioned officers and personnel serving in the defence units? Do these increases apply to the Indian commissioned officers and personnel or not? If not, why not?

GENERAL THE HONOURABLE SIR ALAN HARTLEY : (a) I have not the slightest desire to withhold this information from the Honourable Member, but its compilation, covering as it does the pay and allowances of the entire Defence Services, would involve an amount of time and labour incommensurate with the result. I regret, therefore, that I am unable to lay a statement on the table. The information is contained in the Pay and Allowance regulations of the three Services, and steps are being taken to place copies of those regulations in the Library of the House as early as possible. In addition, if the Honourable Member wishes to have information regarding pay and allowances in a specific case, I shall be very glad to make it available to him.

(b) The answer to the first part is in the affirmative. As regards the remaining parts, the question of giving a similar increase is under consideration.

NUMBER OF SQUADRONS IN THE INDIAN AIR FORCE.

48. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : (a) How many Indian Air Force Squadrons are in India?

(b) How many of these squadrons have King's Indian commissioned officers as commanding officers and adjutants?

(c) How many King's Indian commissioned officers have been appointed as wing commanders? If not, why not?

GENERAL THE HONOURABLE SIR ALAN HARTLEY : (a) At present there are four Indian Squadrons, 1 Squadron which is half Indian and half British and five Coast Defence Flights of the Indian Air Force.

(b) There are no King's Indian commissioned officers in the Indian Air Force. All regular and emergency commissioned officers of the Indian Air Force are termed Indian commissioned officers.

There are four Indian commissioned officers commanding Indian Air Force squadrons and four squadron adjutants. Besides this, there are four adjutants of the Coast Defence Flights.

(c) One Indian commissioned officer has been promoted Acting Wing Commander.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Does that officer hold the rank of Wing Commander now?

GENERAL THE HONOURABLE SIR ALAN HARTLEY : Yes.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE MR. A. V. PAI : Sir, I lay on the table the information promised in reply to (1) parts (d) and (e) of question No. 75 asked by the Honourable Mr. G. S. Motilal on the 26th February, 1942, and

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COUNCIL OF STATE

[23RD SEP. 1942]

(2) question No. 114 asked by the Honourable Pandit Hirday Nath Kunzru on the 6th March, 1942.

INDIANS IN BURMA, MALAYA AND THE FAR EAST.

- (1) Burma . . . Between 75,000 and 80,000 Indians were evacuated to India by sea, and about 4,000 by air. About four lakhs of Indians are believed to have come to India by the land routes.
- (2) Malaya . . . The number of Indians evacuated to India is estimated at 4,500.

EVACUATION OF INDIANS FROM MALAYA.

The number of Indians evacuated to India from Malaya is estimated at 4,500.

BILL PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL: Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the Bill temporarily to amend the Indian Rubber Control Act, 1934, which was passed by the Legislative Assembly at its meeting held on the 22nd September 1942.

ADVISORY COMMITTEE FOR THE UTILIZATION BRANCH OF THE GEOLOGICAL SURVEY OF INDIA.

THE HONOURABLE MR. H. C. PRIOR (Labour Secretary): Sir, I beg to move:

"That this Council do proceed to elect, in such manner as the Honourable the President may direct, two representatives of the Council to serve on the Advisory Committee constituted by the Government of India to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India."

Sir, as this is the first time on which this House has been asked to elect members for this Committee I may just briefly explain the functions of the Committee. The Geological Survey has for many years been engaged on research in India for various types of minerals. From 1846 when it first came into existence, and when it was largely responsible for the development of the coal industry in Bihar and Bengal, it has been surveying India, preparing geological maps showing where minerals are to be found. The information it has given has in many cases been sufficient to enable commercial bodies to go in and develop those minerals. In other cases, however, the information is not sufficient for their purpose. This is particularly the case in the case of base minerals where considerable capital is necessary in order to develop. In those cases it is necessary for somebody to go somewhat further than the Geological Survey has gone in the past and to prove the existence of the ore and to prove the assayability and payability of that ore. It is for that purpose that this Utilization Branch has been formed and it is to assist in the working of that Branch that we are forming the Advisory Committee. The duties of the Utilization Branch expressed in the Resolution are to carry out the necessary field work for proving mineral deposits, to initiate where necessary preliminary mining operations and to conduct such experimental work as may be necessary to solve problems in ore dressing and smelting and other problems of production. In that work we need experts and we are getting experts; but we need also the assistance and the advice of experts in the country who have not full time to devote to this matter and for that reason we are appointing this Advisory Committee. This consists largely of experts, representatives of mining associations, representatives of metallurgical institutes, representatives of the steel industry, and representatives to be selected by the Labour Member. But in addition to that we want representatives of

[Mr. H. C. Prior.]

the public who may watch what we are doing and may give us their advice. It is for that reason that we are asking this House to elect members to serve on this Committee.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): May I ask a question, Sir? Will the Utilization Branch have any control on the future development of our geological survey? Are these things to be nationalized or are settlements with the people to be under certain regulations or is it going to be left open for anybody who comes in? I should like the Honourable Member to enlighten us on that issue.

THE HONOURABLE MR. H. C. PRIOR: On that point, the Utilization Branch itself is to prepare the information. It will go into the matter and search for information. At that stage when the information is fully developed, a decision will have to be taken whether we shall ask for the assistance of commercial bodies or whether we shall carry on under Government control. Our present intention is that we do not want to run it under Government control. We shall give the fullest information and we shall invite commercial bodies to take a lease from us of anything that we can give them.

The Motion was adopted.

THE HONOURABLE THE PRESIDENT: With reference to the Motion which has just been adopted by the Council, I have to announce that nominations to the Committee will be received by the Secretary up to 11 A.M. on Friday, the 25th September, 1942, and the date of election, if necessary, will be announced later.

MOTION RE PRESENT POLITICAL SITUATION IN INDIA—contd.

THE HONOURABLE THE PRESIDENT: Discussion on the Motion of the Honourable Sir Mahomed Usman will now proceed. I would only request Honourable Members to remember that there are a number of Honourable Members who wish to speak on the subject and therefore I would ask them to be as brief as possible. I myself do not want to enforce a time-limit, but I leave it to their good sense not to repeat themselves but to save as much time as possible, so that everybody who wishes to speak may have a chance.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA (Bihar: Non-Muhammadan): Sir, in the world of human affairs, as in the physical world, the laws of cause and effect work, and in order to be able to understand the present situation in India we have also to understand the background against which the situation is manifesting itself, the issues of the current world war and their bearing on India. The origins of the present war lie in the frustration of the ideals for the defence of which the war of 1914-18 had been fought. It was then professed that the world was being made safe for democracy; but all that Britain and France did after Versailles only made Hitler possible. The present war was inevitable in Europe, because even there Britain and France had gambled away Abyssinia and Spain, Czecho-Slovakia and Poland. The tragic fall of France, however, shook England out of her insular arrogance and capitalistic prejudice into an alliance with the hitherto hated Bolshevik and,

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when England realized that Japan had her eyes on her eastern possessions, she entered into an alliance with those whom she had spurned as the contemptible heathen Chinese.

The situation in India is the natural result of Britain's attempt to arrest the progress of those forces which have been at work, slowly it may have been, but none the less steadily since the last war. India fought in 1914-18 unconsciously as it were, almost in a fit of absence of mind, without any definite realization of what she was fighting for. There might have been, in the minds of a politically-minded minority perhaps, a dim hope that in the newer world India may have the blessings of a democratic and popular government, free from control by an unsympathetic India Office, and freer still from the influence of a bureaucracy serving in the interests of alien capitalism. The Act of 1935 satisfied none, for it ingeniously multiplied every protective device discoverable of reaction, and British politicians, who love self-deception, acclaimed it as a real measure of freedom. Even then in the Provinces the Congress agreed to work the Act of 1935 and to press for advancement, pointing out their needs as the needs arose. When the storm that had long been brewing in Europe finally burst in 1939, India would have still been satisfied with nothing more than a categorical declaration about her own independence. When that was not forthcoming, in seven of the Provinces of India Congress Ministries went out of office, and the Government merrily reverted to the autocratic rule of fifty years ago. You cannot profess to fight for democracy when your own system of government in India is a negation of it. Thus a situation quite naturally arose which exposed thoroughly the nature of British rule in India. The country insistently called on Britain to act up to her professions so freely made, but all that Britain did was to play off one party against another and to represent to the world that self-rule was impossible in India. Even those who had for years clung to a pathetic faith in the professions of British politicians were crudely disappointed, and a sense of despair intensified the sense of frustration. Out of this has arisen the situation that faces us today.

For what after all is the real inwardness of the situation? Disrespect for law and order, disregard of authority, and the attempt to show that disrespect and disregard by acts of violence directed primarily against the symbols of British authority in India. It has, in some form or other, manifested itself throughout India; somewhere more and somewhere less, but manifest everywhere. One might well ask, why should it have been so? Why should it so happen in India where, the world has so often been told, the British have governed so wisely and so well; why should the people have arisen almost in revolt against a rule that professes to do them untold good? If at all it has been the work of "pestilential agitators", why should people have been led away so easily from the most perfect of all governments, from the paternal guidance of a government that parades its own benevolence, and from the control of an Executive that boasts of its super-efficiency? On their own showing the Government stands self-condemned, they have been able neither to carry the people with them, nor to hold them against those who are alleged to have misled them.

And why? Simply because the Government has not moved with the times, has not progressed to meet the growing aspiration of the people, has failed to

satisfy their elementary demands for recognition of human democratic rights. It had not had the sense to realize that the masses were getting tired and weary of the inefficiency and arrogance of the bureaucracy; that the classes were getting weary of petitions and prayers, and the time was, therefore, ripening for some sort of direct action that would strike at its very foundation. The Government would not listen to reason, it would not pay any heed to the voice of its best friends: it would learn nothing and forget nothing. It would cling to its delusions as if they were the only realities. Thus only can the August offer be explained; thus only could the Cripps proposals have been thought of. For after all what did these amount to? Nothing more than a larger association of Indians in the actual work of administration, retaining effective control all the while in British hands. My friend the Honourable Mr. Sapru in his eloquent speech yesterday exposed the nature of the August offer and the Cripps proposals and it would be superfluous to add to his lucid analysis. I shall content myself with Sir Stafford's own words. He said in the House of Commons:

"I had from the outset made it clear to all those whom I saw that it was not possible to make any constitutional changes except of the most insignificant kind prior to the new constitution which would come into operation as a result of the labours of the constitution-making assembly."

Naturally, therefore, as he wanted to part with nothing immediately, his proposals met the fate they deserved.

I am not one of those, Sir, who hold an individual or an organization responsible for the present situation. To my mind, forces there are that work in human affairs, influencing men's actions, individual and collective. And the statesman is he who reads correctly the direction and objective of those forces and canalises them along safe and fruitful channels, using the energy for creative purposes. The mere politician, cursed with the ignorance that myopia breeds and obstinacy aggravates, merely seeks expedients to neutralise those forces, and in practice does actually seem to succeed until the inevitable crash comes. The present situation is an illustration in point. It is futile to seek to hold Mahatma Gandhi or the Congress entirely responsible for the present disturbances. These are to a very large extent the necessary results of the forces that you have driven underground all these long years. And what is worse, your methods of dealing with the present situation are as antiquated and will in their ultimate effect be as futile as Britain's attempt to coerce America in the eighteenth century. Against America, bone of your bone and flesh of your flesh, you employed the Red Indian savage with his scalping knife. Against the Indian mob you now boast of your collection of white forces, largest in India at present than at any time of its history. Have you collected them in India to fight Japanese aggression or to assert your strength against the millions that do not get a square meal from year's end to year's end, and to cow down those that merely ask you to act up to your own vaunted professions?

Speaking of the methods of putting down disturbances brings me to the tragic events in my own province of Bihar. Up to the evening of the 11th August nothing at all serious had happened anywhere in the Province. But on that fateful afternoon, in front of the Secretariat at Patna a mob that had begun to disperse was fired upon. As if this was just the spark necessary for the movement to blaze out, events moved with incredible speed; acts of sabotage and violence culminated in the roasting alive of some policemen

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and the tragic murder of a sub-divisional magistrate. It appeared as if anarchy born of mob violence would stalk supreme. I well realize that no Government could for a moment tolerate such lawlessness; but the measures taken have been such that the average citizen found himself placed in the most perilous situation, midway between the violence of the mob and the infinitely better organized violence of those who seek to assert the majesty of law. Troops and police were let loose on the countryside, and in the course of my tours in the villages as a leader of the National War Front for my native district, I had reports made to me of the oppression of the police and of the troops, of vandalism, of wanton destruction and loot of private property, of whole villages burnt, of extortion of money on threat of arrest, and in some cases of actual physical torture. I have placed in the hands of my District Magistrate and of the Chief Secretary of my Province a statement of instances of such brutal oppression. This statement has been signed by me and by the Secretary of the District War Committee and Chairman of the District Board, perhaps the only one in India whose employees have bought war bonds of the value of nearly four lakhs. I have also related to the Chief Secretary and to the Adviser to His Excellency the Governor of Bihar what these eyes of mine have seen in the villages: all wealthy shops in the bazaar looted; entire villages burnt, not by the mob but by the soldiers and by the police; and I must confess that these sights would haunt me to my dying day. Indians in Bihar have by now been taught that there is very little difference between shooting down a pariah dog and a pariah nigger. As the train I was travelling by to attend this session was passing Bamrauli aerodrome, I noticed a European in military uniform aiming a rifle at a pie dog about a hundred yards away: he fired but missed: but those who wear the King's uniform, in my part of the country are better marksmen, and they find their targets much closer.

Were I to narrate all that my hapless province has been passing through, I would take up much more time than has been allowed to me. I shall, therefore, content myself with a few general observations about the nature of the movement, and the measures that should now be adopted to restore public confidence. The extent, depth and import of this movement has not been properly understood or realised. It is neither a students' movement nor a Congress movement, nor even a Fifth Column attempt to sabotage India's war effort. It is the desperate gesture of a nation before whom you have dangled the offer of political freedom, a nation exasperated beyond the limits of human patience, a nation that has seen the anomaly of having to protect a freedom that it does not enjoy.

It is not my purpose to extenuate the excesses of the mob nor to exaggerate the repressive measures of the Government, but I must say that while mob violence had a clear line of action, Government measures seem to have proceeded on no plan or method, except that of striking terror throughout the entire countryside. The net result of this has been an impression that the Government has become panic-stricken and has consequently aroused in the minds of the people a feeling that if this is to be the Indians' lot under British rule, to be shot on suspicion, to be hanged on evidence inadequate in law, to be arrested on the whim of a policeman, the average Indian may well be pardoned if he thinks of the Axis occupation of the conquered country as different only in degree. The war in India may, therefore, be said to have already begun on the moral plane, and even the simple-minded villager has begun to compare British methods of maintaining law and order with what he has been told about Axis methods in occupied countries, and to him the comparison may

appear to be flattering. What is then the remedy? Statesmanship demands that the root causes be eliminated, and the people conciliated, so that India takes her rightful place as a free and equal partner in the comity of the United Nations. You can repress, with the power that you now have, any popular movement, but you will merely drive it underground, where it will wait its time and burst forth at a more perilous hour. Conciliation should be the motto, and you can very easily conciliate Indians if you only consent to part with power. Free your mind from the suspicion that India will not stand by you once she is independent. It is common wisdom that a good friend is a better ally than a disgruntled slave. The events of the last few years should have taught you the lesson that imperialistic domination cannot last. Only in March, 1931 Mr. Churchill in a Liverpool bye-election speech asked, "Is there any other country in the world which would tamely submit to be pushed out of its rights and duties in the East? Would France be chattered out of Indo-China? Would the Dutch give up Java to please the Javanese? Would the United States be hustled out of the Philippines?" Since these would not, Mr. Churchill went further to say, "we alone seem afraid of our own shadow". That was Mr. Churchill eleven years ago. He does not seem to have changed much, but whither have gone the Eastern possessions of France and of Holland?

In times like these it is the essence of strategy to keep up the morale of the people. The National War Front, conceived in this spirit, seemed in my Province to be capable of infinite good. If you pardon a reference to what may be considered a personal achievement, I would like to tell you that in my District of Muzaffarpur, the Congress, the Hindu Mahasabha and the Muslim League agreed to work with the National War Front in order to maintain internal security and internal self-sufficiency. Dr. Rajendra Prasad who held the meeting at my house was a party to the agreement. I was chosen as the Executive Officer of this Co-ordination Board, and it seemed to promise well for the good of the country. Only one week before the disturbances began, Muzaffarpur was chosen as the venue, and my house as the place, of a conference of all the leaders of the National War Front for the Province of Bihar, and His Excellency the Governor of Bihar did us the honour to inaugurate the conference. Nothing could have been more auspicious for a movement designed to maintain the morale of the people, and we all had high hopes that whatever comes we shall be able to hold our own. Unfortunately the indiscriminate repressive measures of Government have created an atmosphere in which our ideals cannot be adequately realized, for as I have already said the war on the moral plane seems to have begun in India, and our difficulties are correspondingly greater.

It is, however, not yet too late. If only statesmanship would look a little beyond the immediate, if real power is transferred to the people, all will yet be well. The finest anti-Nazi material is to be found in India and it will be a tragedy if India remains unreconciled. I realise that there are difficulties, but these have to be overcome. I shall close with a quotation from Professor Harold Laski's book published only in 1940. Speaking of the situation in India, Professor Laski says:

"The point I am making is the simple one that an Empire is a handicap to freedom whenever its subjects deny the validity of its maintenance. At that stage it must either become a partnership or degenerate into a tyranny. And it is particularly dangerous to permit that degeneration if it offers to our enemies an opportunity of reproach to which we have no adequate response. The plea made by our enemies that the real nature of our dominion is shown by the way in which we maintain our rule in India we cannot answer by reference to a single Indian representative able freely to secure the full

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support of his own people. We can answer that plea only by saying that we are satisfied with our achievement there. But we have, in truth, no more right to constitute ourselves judges in our own cause than the Fascist leaders possess; less even, since we deny them that right so soon as its attempted application touches ourselves. A nation can justly stand as trustee of another people when it can be shown that no vested interest of its own is safeguarded by that trusteeship, and when a detached observer would admit first, that the people so ruled do not claim freedom from trusteeship and, second, when the objective results of its exercise are clearly and mainly for the benefit of that people. Judged by these standards, it is clear, I think," (continues Professor Harold Laski) "that the sooner we end our paramountcy over India the better for Indians and for ourselves. And there is no moment more fitting to end it than in a war where we declare ourselves to be the world defenders of democracy and freedom".

(Applause).

THE HONOURABLE SIR RAMUNNI MENON (Nominated Non-Official): Sir, no person who reflects on the happenings in this country during the past six or seven weeks, and particularly in the light of the information which the Honourable the Leader's impressive statement now makes available to the public, can help feeling a sense of relief that this country has successfully emerged from a grave crisis. But for the swift, courageous and firm action of the Government of India, that crisis might very easily have developed into a disaster of great magnitude. I think the Government of India by their action have earned our gratitude, and their policy and action deserve the support of all law-abiding and peace-loving sections of the people of this country. No thinking person can evince anything but utter abhorrence for and the strongest disapproval of the civil disobedience movement which has been the cause of the recent disturbances. One could wish that more frequent public expressions of condemnation were in evidence than unfortunately seem to have been the case so far, because it is only in some such way that we can build up a healthy public opinion which will discourage subversive movements of the kind which we have been witnessing. There is one feature of these disturbances, and I think it is a very deplorable feature as all sensible people will agree, to which I would like to refer. The point that I have in mind is the fact that school boys and college students of both sexes have been, it is very sad to observe, unscrupulously exploited by the organizers of disorder. I quite admit that the trouble which prevails among the students is one which should be dealt with primarily by their parents and teachers. But, unfortunately, in the existing disturbed state of the political atmosphere in this country, they are practically powerless to control the evil; and I would venture to suggest that all public men, and; in particular, political leaders, should by some convention create a volume of public opinion which would be sufficient to eradicate it. I am glad to admit that in the last few weeks political leaders and other public men, not excluding leaders whose sympathies are known to be with the Congress, have advised the students not to take part in strikes and picketing, but to no purpose. The malady which afflicts the students is a legacy from the long past, when the Congress openly exhorted them to leave their colleges and to boycott all educational institutions. It is perfectly true that a later generation of Congress leaders gave very sound advice—the opposite advice—that students should not take part in active, controversial politics. But, as so often happens in life, the bad advice is remembered and followed, the good one has been buried and forgotten.

The evil that men do lives after them;
The good is oft interred with their bones.

In connection with this aspect of the discussion on the political situation, namely, the measures taken by the Government to control the situation, I

cannot help making a passing reference to the part which the Indian Members of the Executive Council have played in the recent crisis. I realize that I am treading on extremely controversial ground, a clear indication of which was given this morning by the slight breeze which was provoked at question time. The attitude of the Indian Members—the Governor General's Indian Eleven—has been severely criticized in certain quarters, and in this Council it has been subjected to very strong criticism by my Honourable friend, Mr. Sapru. It is no concern of mine to defend the Indian Members of the Executive Council. Every one of them is able to look after himself. But I am concerned, as an impartial student and observer, in giving expression to my appreciation of the part which they have played in connection with the recent events. With the full knowledge that they will incur extreme unpopularity among certain sections of the public and that they will be exposed to the most hostile criticism, they never for one moment allowed their courage and sense of duty to falter and gave their unstinted support to the policy and action of the Government of India. I consider that no impartial critic can withhold from any one of them his due share of appreciation and praise. Further, I think, by their conduct, they have fully justified the recent process of Indianisation of the Executive Council.

Discussion of the present political situation generally assumes a two-fold aspect, one aspect dealing with the measures taken to suppress the subversive movements and the other offering or purporting to offer constructive suggestions for improving the present situation. I confess that, in approaching any aspect of the discussion and more particularly the constitutional or constructive aspect of it, I feel I am approaching a region where the prevailing atmosphere is surcharged with mutual distrust and suspicion, bitterness and communal tension. This may be a very unpalatable observation, but I do not think its truth will be seriously disputed. Unfortunately, the statements issued by political parties, the utterances of political leaders and other public men, and the comments in the political press have done nothing to improve matters; on the contrary, they have generally served to intensify these qualities. I fear the solution of a question, difficult and complicated as it is intrinsically, is not rendered any the easier by the prevailing atmosphere. The major political parties have made their own pronouncements on the situation. There seems to be a certain set fashion in the pronouncements of these parties. Each party expresses its anxiety to take part in the defence of the country, throws the blame for the existing state of affairs on the other parties, puts forward its own minimum demands the acceptance of which is a condition precedent to its co-operation, and winds up with a denunciation of the British Government. Those who have bestowed any thought on recent political developments will think it somewhat unfair that the blame for the present *impasse* should be made to rest on the British Government. Whatever sins of omission and commission may be attributed legitimately to the British Government, one thing is quite clear. During the last four or five months that Government did present a very fair—I should say a liberal and comprehensive—scheme of political advance, the scheme embodied in the Cripps proposals, which should satisfy the legitimate aspirations of all sections in this country and at the same time meet the emergent needs of the war situation. We may have desired certain modifications of the scheme in details, but it was a scheme which found a fair measure of public approval. But most unfortunately the major political parties, whose agreement was vital to the adoption of any scheme, rejected it. I do not know what we can do now. But one thing we should realize is that the difficulties which confront us are difficulties which exist in this country. They are not difficulties created by

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Great Britain, nor have they had their origin outside this country. It is the duty of all sections of the public in this country to co-operate and try and remove these difficulties, with a view to securing the fullest co-operation in the war effort. No human problem is insoluble, given time and the necessary good-will; and there is no reason to imagine that, if all the parties who are in the public eye today, throw in their best in a co-operative effort, a solution could not be found. But I must confess that in the prevailing atmosphere and with a realistic appreciation of the attitudes of the major political parties in this country, I can find no promise of a speedy settlement. In the meantime, while hoping for the best, let all people who are interested in the progress of this country do everything in their power to support the great effort which this country is making to win the war.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, the course of the debate has shown that there is a fundamental difference of outlook between the Government and this side of the House regarding the origin of the disturbances and the requirements of the situation. The reason for this diversity is that the Government is to my mind suffering from propaganda complex. Having made up its mind not to part with power, it realised that it must one day come into clash with the Congress. It prepared itself for that clash in the convenient belief that the Congress could be crushed at a stroke. There is no doubt that it was in this belief that the Government acted on 9th August. Having assumed that the Congress movement would have no backing, it gave to the world a daily picture of "All quiet on all fronts". For some weeks we were told that there were hardly any disturbances worth mentioning and the All-India Radio even ceased mentioning the matter after the first few days following the arrests of Congressmen. Suddenly the Government appears to have changed its propaganda angle. It has now let loose an account of arson, loot, murder and sabotage to show that it had been faced with "an open rebellion" and that but for the loyalty of the military, the police and the Government servants the rebellion might have paralysed the machinery of Government. At the same time we are given the assurance that the general public has remained steady and has not supported the rebels.

What can be the motive of publishing now these blood-curdling accounts of hooliganism? I suspect that the motive is to keep the Congress leaders locked up in jail for the period of the war and to carry on the administration on the existing pattern. The refusal to allow Dr. Mukerjee to see Mahatma Gandhi is a pointer in the same direction. I am not here to plead for the Congress. I have all my life had differences with the Congress programme and I unreservedly condemn the outburst of violence which followed the arrest of Congress leaders. But what I wish to know is whether the Government feels satisfied that after imprisoning the Congress leaders it has done its job and that it can take a complacent view of the situation in the country.

I have a stake in the country and during my long public life I have been a supporter of ordered progress. I am pained to find today that the Government stands friendless. Even those classes such as the Taluqdars of Oudh, who were Government's most loyal supporters, are not without misgivings as to the policy Government is pursuing. The sectional interests which opposed to the nationalist movement are not afraid of the Government either. They are only out to promote their narrow interests. At a time like this when public opinion is becoming more and more divorced from

Government it is the path of wisdom to adopt the policy of conciliation. If the Congress is irreconcilable, the other parties are not. How is it that there is no party in India which is satisfied with the manner in which the Government is responding to the demand for real power so that the country may find its emotion roused to support the war effort?

No one denies that there has been mob violence and that the Government has done well by putting it down at once, but the whole basis of Government and the psychology of its agents convert the instrument of force into a weapon of repression. It is the lesson of history that extreme repression leads to extreme reaction. I have no hesitation in saying that the Defence of India Act is being misused. I have heard from my Bihar friend an account of the loot in which the police and army are alleged to have indulged. Some day the facts will become known when there will be no censor to stop their publication. A friend of mine who came from Bihar told me that the shop of one Madan Lal at Pupri Bazar was looted and as many as half a dozen iron safes were broken open and it is alleged that this was done by the police. I was informed by my friend that on the representation of the sufferers and of the Leader of the Bihar National War Front and some of its members, the Government is holding an inquiry into the matter and that the result of that inquiry may be published very soon.

What is the position of Government today? The Government tells us that it is improving, but, Sir, it is difficult to reconcile oneself to this statement when the train services on the E. I. R. and the B. N. W. R. since about a month remain scanty and night running of passenger trains on certain sections is still prohibited, and when every day brings in accounts of mob violence, besides shooting. Are we then to draw consolation from the fact that Mr. Churchill has told that there are more white troops in India today than ever before? Are we to take it that this increase in the army of occupation is meant to ensure that India shall remain loyal to the Imperial cause?

I travel a lot, Sir, and I find that on certain sections of the E. I. R. there are no night trains and trouble in those sections, notwithstanding stringent measures, has not stopped. In face of all these facts how can Government say that the position has not deteriorated?

Both Mr. Churchill and Mr. Amery have made the situation worse by their recent utterances. I wish they had not spoken but now since they have, it is up to the Government of India to convey to them the true reaction in India to those speeches.

What I say, then, is that you have completely misjudged the situation and that you will continue to do so at your peril. The Congress Party which held the reins of Government in seven provinces is not so unimportant as you wish to make out. But conceding that it has put itself out of court by making the demand for "Quit India" why not transfer power to those who represent that steady public opinion which you say is behind the war effort? There never was a time when this country was governed more autocratically than today; when British officials had such supreme control and had such utter contempt for Indian opinion and sentiment. My information is that in a number of districts in Bihar where Indian I. C. S. officers were in command, (i.e., Collectors or Deputy Commissioners) European I. C. S. officers were also appointed in joint charge; so confidence in the Indian I. C. S. officers according to my information has been lost. Collective fines are being imposed without discrimination. There are people who have done nothing and even they are to pay fines. It is alleged properties were burnt by police. My information

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is that sometime back—I mean about 20 or 30 years ago—in tribal areas in the Frontier Province—if I am wrong in my information General the Honourable Sir Alan Hartley will kindly put me right—the villages which were not friendly to the British were burnt down and people in them were burnt alive, and the feeling of Muslims has been, as you all very well know, one of disgust on account of the burning of the dead bodies in those areas. I am sorry, Sir, that such like things are being repeated now in times when every country condemns such action.

I should like to say, Sir, that no efforts are being made by the Government of India to put down the discontent. Some time ago I mentioned in this House that the mentality of the masses is entirely changed. You cannot compare the mentality of the masses during the last Great War and the present war. I am telling you a fact when I say that whenever there is any British victory the masses do not believe it and whenever there is any defeat or retreat people rejoice. Have Government taken any pains to find out the reasons which have led to this change of mentality and the remedial measures that they should adopt? After all everybody can realize that in a police station the police force ordinarily consists of a sub-inspector, two head constables and six constables who controls 50 to 100 square miles of area and people hold them in respect but that in case of any change in mentality that force is infinitesimally small to resist mob violence. It is the *Iqbal* itself which has made the Government to rule and I wish that loyal sentiments of the masses should not be spoiled. I can tell you that when you commit excesses the minds of the friends and that of the victims and their relatives and of the other people are embittered and the consequential result when the masses are swayed are discontent and history can tell you what then happens. I will ask you and earnestly request you to learn some lessons from the happenings in Malaya and Burma and not to repeat the blunder here in India. According to my information—I do not know whether I am right or wrong, but in case I am wrong General Hartley will kindly put me right—during the recent warfare in Burma the rumour was—and that rumour came from a person on whom I could place reliance—that a contingent came from Australia to reinforce the British forces in Burma and that when that contingent of troops was nearing Rangoon an order came from the Premier of Australia that because in Australia trouble was brewing that contingent must immediately return and the result was that the people thought that because that contingent did not arrive the British Government had suddenly to evacuate Burma and to clear out without their bag and baggage.

Well, Sir, another reason of discontent among the Defence forces is—and I think General Hartley is very well aware of it—the proportion of Indian officers to British officers in Defence Units. From the statement that the General Sahib has made today in this House we find that in the Indian Army 4.75 British officers have been recruited against one Indian. I know that there are a lot of suitable Indian officers available, but even in the time of war this disproportion which has not been set right is to be deplored. Why are you creating discontent among those who are ready to sacrifice their lives for the sake of the Empire? My information is, Sir, that experienced Indian officers holding honorary commissions—I mean Viceroy's commissioned officers who have been re-employed and are holding ranks, some of them as Majors and Captains—are being put under planters newly recruited who know nothing about the art of tactics, and there is consequently discontent among those officers. I do not want to mention names

but in case General Hartley wants I can mention instances. It is not in the public interest, nor in the interest of the officers serving to give their names. I understand that at Dimapur there was an Indian contingent which is commanded by a planter officer and orders that the planter commander gives are in contravention of the relative army manuals. I hope General Hartley will kindly see to this and remove the discontent. Now when the proportion of Indian officers was increased it was announced on the floor of this House that in future there would be agreed increases in the proportion of Indian commissioned officers to British commissioned officers. Now, Sir, what do we find? We find that even the recommendations of the Skeen Committee, which were accepted by the Government and declaration made on the floor of this House and the other House, were totally violated and so the Government failed to fulfil its pledge. Such like things, Sir, injure the feelings of Indians who are prepared to sacrifice their lives for your sake. Is that not sheer injustice, particularly in these days of war? Instead of creating happier feelings in the public mind or in those who are serving for you in the field that differentiation, that breach of pledge, is something which cannot be tolerated to continue. It is time that Government should make up that proportion now and fulfil its pledge. What are the proportions which General Hartley has given us today? He says that in the Indian Army there is one Indian to 4.75 British among King's Commissioned officers; in the Royal Indian Navy one Indian to 2.4 British. Regarding warrant officers which were to replace Viceroy's Commissioned officers in the Indian Army, I am not concerned. There was a time when the Indian Government had decided to abolish the Viceroy's commissions which step I regarded as a blunder and in this House I advocated that such commissions should be revived for those people who had been serving you loyally for practically a century and had done well and had been a proper link between the soldiers and the officers. I am very glad to learn that the Government realized this mistake and revived the Viceroy's commission, but I can tell you that in those Viceroy's commissioned officers you find men who have done well but now some of them are being put under command of planters who have been given ranks of Majors and Colonels in spite of incompetency in staff duties and want of knowledge of Army Manuals. For Military discipline practically they are killing their conscience in following orders of such commanders.

The salaries and allowances of the British King's commissioned officers are different from those of the Indian commissioned officers and racial discrimination still exists in the Navy, in the Air Force and in the land forces. Why is that so, Sir? When Indians can do quite as well as the British officers, why should there be increased recruitment of British officers? I do not want to dwell long on this subject because most of the ground I wanted to cover has already been covered by my colleagues. But I want to make an appeal to the Government because I am a firm believer that India's destiny lies with the nations which stand for democratic progress. I would ask the Government, as one of the well-wishers of the country, to give up their present attitude and face the realities of the situation in India today. If the Government does not change its policy and give up repression, it will bring about a state of affairs which I shudder to contemplate. May I end with an appeal to the President of the United States and to Marshal Chiang Kai-Shek to put an end to the present disorders in India by their intervention? I hope that the Government will now find its way to put the matter right soon.

Before I sit down, I must say that the people suspect that the visit of Mr. Wendell Willkie to India is not taking place at the instance of British

[Rai Bahadur Lala Ram Saran Das.]

Government. People are at a loss to know why his visit to India has not been included in his programme. There are misgivings in the minds of the people, and I would like Government to make it clear whether it was at their instance that Mr. Wendell Willkie has not included his visit to India. If he had come here, he would have been most welcome and helpful in removing the deadlock and in maintaining and restoring peace in this country.

THE HONOURABLE MR. R. R. HADDOW (Bengal Chamber of Commerce): Mr. President, Sir, during the debate last week in another place, the views of the British community were ably expounded by three representative members of our Group and surely no one who listened to or has read those speeches can, for one moment, doubt the sincerity of our desire to see the early fulfilment of the broad intentions of Sir Stafford Cripps' proposals.

At the same time I confess to considerable concern at the "quit India" demand expressed by the Fuehrer of the Congress Party. It is true that the Congress have for the present fallen from grace, but I have no doubt that they will rise again and create further mischief with the financial backing of certain Indian business magnates. Let it be clearly understood that we do not wish to leave India and we ask for no special treatment or concessions not granted to the citizens of the country. We hope to continue to assist the country to further advancement in all respects.

At the present time the European commercial community in the urban areas is doing most valuable service in keeping the working classes contented by providing them with food at reasonable prices. The scope of our community in this respect however is definitely limited. We must look to Government both at the Centre and in the Provinces to remedy the food difficulties of the masses. Shortage there may be in certain commodities but the main troubles are transport facilities, hoarding and profiteering. I know the Ministers responsible are alive to the necessity of solving the problem, but I would ask that consideration be given to the advisability of creating a special portfolio or strengthening the organization within one of the present Departments which I feel is the better course. There must, however, be no undue usurping of the powers vested in the Provincial Governments.

From recent utterances by responsible Indians, it is obvious whilst they naturally are anxious to gain self-government, they deprecate the methods adopted by the Congress Party. What is even more satisfactory is the attitude of the silent masses who have stuck to their posts and have continued to add their bit towards the ultimate victory of the United Nations which of course include India. It is true that there have been instances of workers downing tools, but not always have they been without encouragement from employers or members of the senior staff. On the other hand the employees of a concern in which I personally am interested asked for but were not granted permission to stage an anti-Congress procession.

I would here like to associate myself with the complimentary remarks made by the Honourable the Leader of the House regarding the police, the troops, railway and other Government officials. No praise is too high for the loyalty and devotion to duty displayed by all sections of these services. The great regret is that they do not receive the support of the middle classes who, although protesting, would meekly get out of a tram car at the bidding of two unarmed irresponsible students who would then set the car on fire. Surely they must have realized that they would in the long run be the sufferers if they were deprived of the cheapest form of transport. Even the war effort was not being hampered. It was sheer wilful and thoughtless destruction of property.

So long as the Congress followers show so little commonsense and their leaders will accept nothing but their own complete and absolute dictatorship, it is surely most unfair to place the blame for the present state of affairs on the Government of India who have worked so earnestly to bring about a settlement. There is in fact too great a readiness to expect the much maligned Government to appease all parties and by a wave of a magic wand make them sink their communal and other differences and accept Congress rule. We all know how that rule was exercised during the early stages of Provincial Autonomy when each Congress Minister before being allowed to take office had to sign and hand over to the Congress Gestapo an undated letter of resignation which could be used at any time with or without the individual's permission.

The European community during Sir Stafford Cripps' visit assured him of its readiness to assist in every way possible in the hope that if a permanent settlement was not possible, at least a temporary settlement would be attained although they realised that to introduce drastic reforms and turn out of office during a life and death struggle tried and experienced legislators, not on account of inefficiency, but for political reasons, was not furthering India's ultimate claim for freedom. To change horses in midstream is always a hazardous operation and should never be attempted except when, if successful, the result justifies the risk. Only if a truly National Government is the result would the risk be warranted. But with one allegedly representative party showing no desire to join with others in presenting a united front against the common enemy and the other major party standing aloof, it is impossible to form a truly National Government. This being the case then, I can see no possible advantage in any change at the present juncture. That does not mean that when peace once again prevails Indians will not have the right to carve out their country's destiny. In the interim I would beseech all Indians of whatever religion, caste or creed to forget their differences and prejudices and to exert every effort to the gaining of an early and complete victory over our common foe, Nazism or life long servitude.

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN (United Provinces West : Muhammadan): Sir, the debate on this Motion in the other House as well as in this has been, in my estimation, a very pathetic drama. At the present juncture, when India is passing through a most critical time, what good has it done to the Government or the people? One group standing up and supporting the Government measures and another group standing up and condemning the Government in the strongest possible language they could find! I personally put the whole responsibility for the futility of this debate upon the Indian Members of the Viceroy's Council. These are the gentlemen who are being proclaimed from the house tops by the British Government in every corner of the world as members of a Government which is Indian. Have they discharged their duty to India in this debate? Is it sufficient for them to support the measures of repression for counteracting the present subversive movement? If they did that, I think they certainly discharged only one of their duties, but that duty was only to the Government. Have they come out with any constructive proposal? Have they done anything to remove the present deadlock, and to ease the Indian situation, or have they merely joined hands with the Government in repression? I should have expected something better from the Indian Members at least. They are men of integrity and experience. They are of all types—feather weight, light weight, middle weight and heavy weight. They have had experience in their life. But they have utilized their intellect and experience in favour of the Government and nothing in favour of the Indians. When I first learnt of the session of the Central Legislature, and when I further learnt that this particular item was to be on the programme,

[Haji Syed Muhammad Husain.]

I thought that in co-operation with such of the members of the Central Legislature who are willing to co-operate the Indian Members of the Executive Council would evolve a formula which, if it would not entirely remove the deadlock, would at least ease the situation. The last suggestion that I heard was from the Honourable the Law Member who said in the other House that it was for the Members of the Central Legislature now to come together and tell them something. If the Indian Members of the Executive Council want to keep the reputation of their being Indian, and to enjoy the position that is being given to them in other countries of being members of a Government which is predominantly Indian and with which India is satisfied, even now, at the eleventh hour, they can very well take into confidence those Members of the Central Legislature whom they think they can consult, and try to evolve some proposition which would ease the present political situation. The situation should not be underestimated. It is a very serious situation. The hour of test has not yet come, but it is approaching very fast. It is true that this movement, which everybody has condemned on account of its method and which certainly deserves condemnation, is causing injury even to the cause of the Congress, the people of India, the Government and the war effort, which is so necessary to the country. But I hope the Government realize the present atmosphere in the country. A formula ought not to be applied under all conditions, in all atmosphere and in all seasons. In this country, since the last 30 years there have been public and popular movements against the British Government. The fight for freedom which was confined some time ago to within the four walls of a certain room or to drawing room politicians came into public and popular movements started a few years ago. This movement openly created an atmosphere in the country which was wholly anti-Government or anti-British; they were repeated time after time. Nothing was done to counteract those agitations and establish good-will among the people of India by the British. Why? Because they did not bother their head to create good-will among the Indian people and wanted to rule so long as they could. The result is that in India today—I hope I am not very wrong—there is not one single Indian, whether he is a Government servant, a man in the street or whether he is a member of any institution of the Government, even of the Executive Council, who is enamoured of the present administration. It is only natural. No Indian today, having realized what slavery has been and what freedom means, can possibly be a supporter of the system of Government which exists today. Among the masses there is very great anti-British feeling. If officials want to know the mass mentality—which they never care to know and I am quite certain that they do not know correctly—let me tell them. Now I am going to tell them how best to act in a manner which would be beneficial to everybody. The mass mentality is anything but pro-British—not because of the present movement which is only accelerating and accentuating the thing which already existed. The methods which are employed in suppressing the movement are helping a good deal in that direction. It is true that everybody has supported and I am also supporting the measures taken to stop the subversive movement. No Government worth the name could sit quiet at what is happening. A challenge was thrown out to the Government. What could the Government do? Either they had to accept the demand and surrender or to accept the challenge. The Government did what any other Government would have done. At the moment there was no chance of any settlement. I am prepared to say that the Congress took a decision which was not likely to succeed and was likely to create confusion and chaos in the country. The Congress did not seek the co-operation of any party in this country which was so essential for a popular mass movement. The Congress went ahead on its own

responsibility. The Congress took the decision to create a situation in India which would affect every Indian solely and entirely on its own responsibility treating itself as the representative of all the people of India. Now, when no party was consulted, no effort was made to come to a settlement on the future activity of the Congress with any party in this country, how can the Congress or anybody blame that people are not supporting the Congress? Voices have risen from every quarter when the final decision was taken and even before that the step they intended to take was wrong. They paid no attention and they took a plunge. The Government also decided that activities which were not only illegal but which would destroy not only the administrative machinery but the whole daily life of the people in this country ought to be stopped. No one has got up to condemn that decision. There was no necessity for support for that to have come from Indian Members in this debate. What we expected was something more than that. Unfortunately there is no suggestion in any speech made in the Assembly or in the opening speech of the Honourable the Leader of our House as to how best we can act now; but I hope I will find something in the closing speech of the Honourable Leader of the House and in the speech of other Indian members who are likely to speak tomorrow to indicate what steps should at once be taken to ease the present situation. It is very very difficult to find a solution even for the most experienced politician. So far as the major parties are concerned, they have taken a firm stand from the very beginning that they will not budge an inch. Well, what is to be done? That is the question and something must be done as quickly as possible. Now in the country, whether your repressive measures are justified or not, they are creating an atmosphere which would be exceedingly dangerous at the hour of test, namely, when an attack is launched on India. We have had experience of Malaya and Burma. There is a shout that in India forces of Fifth Columnists are working. I do not believe it. If you merely extend and elaborate the definition of a Fifth Columnist a little more the mentality of an Indian today is such that every one can be called a Fifth Columnist. The action of the Government, even if justified, is making even their friends enemies. Now what would be the result of that? You may be able to stop mob violence, demonstrations; you may be able to shoot down people like dogs who bark at you, but what is the ultimate result? You are creating a deep rooted spite and anger in the minds of those people whose association and co-operation you would require in the nearest possible future. No thinking Indian, sensible Indian, I am sure wants to have a change of masters. No Indian wants to encourage Japanese or any Axis Power to come to this country as slavery of Indian people, which has now reached almost to the stage of X or Y, will begin again from A and B. They do not want the change of masters but what they want is freedom and it is wrong to say that Indians are in any way encouraging Japanese. What is happening is a thing which happens in the ordinary every-day life, namely, sometimes a person loses his sound sense of judgment on account of spite, anger and desperation. Is it not true that, however justifiable the repression may be, the use of it and such use of it as is being made will ultimately drive the Indians so desperate that their feeling of anger and spite might very well overpower their sound judgment. There is a story which a friend of mine related to me yesterday that God became pleased with a person. He said, "Look here, you will get whatever you want. Ask what you want". Now this man had an enemy in his neighbour. He said "Please God, tell me what will my neighbour get?". Then God told him "Your neighbour will get the double of what will be given to you". The man said, "All right, take out one of my eyes", simply because that his neighbour should lose his both! Now that is the feeling of spite and anger which sometimes works the mind of a person. It is not a question of Fifth Columnists or

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encouraging Japanese. It is merely the question of what is the present condition of the people's mentality and under what atmosphere we are working. Now that again, as I said, is a criticism and that alone will not do. We must find some constructive thing to remove the distrust. My idea had always been and is that the methods that the Government is employing, namely, the brutal force, might ultimately prove to be very dangerous. What they could do at the present time was to have mutual trust and confidence with the people who are prepared to co-operate, but it should not be like this: "What will you bring me when you come to my house and what will you give me if I go to your house?" It must be a question of give and take. Government must necessarily be prepared to part with power, (*Applause*) and must trust Indians; Create a goodwill. India is a sub-continent. The people of India when they will be ready to work shoulder to shoulder with the British people I am quite certain could provide an Army which will absolutely wipe off continents. India is a huge thing. It has enormous martial races who have proved their merits on not one but many battlefields. Secure it, try and get the co-operation and goodwill of those people and then the winning of the war is certain, and without this, if the Government wants to win the war by terrorising people, by threatening people, by bluffing people, I am afraid that will not do now. We have seen the result of America trying to bluff Japan. While they were bluffing Japan was active and Japan has taken the whole of the American eastern possessions.

THE HONOURABLE THE PRESIDENT: The Honourable Member has already taken half an hour.

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: Well, may I have another five minutes?

THE HONOURABLE THE PRESIDENT: All right, but not lawyer's five minutes!

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: Well, I happen to be a lawyer.

Well, Sir, my definite proposal is—and I would like to hear some reference to this when the Indian Members of Council deliver their speeches tomorrow—that they should at once, without losing a moment, call and sit in conference with important members of the Central Legislature and, with their help, should try and reach some conclusion which, even if it does not entirely satisfy all parties, at least would ease the situation, and they should submit their proposals or recommendations to His Excellency the Viceroy and ask him to act upon them.

There is another little thing—I have just four more minutes—and it is that they must try and remove the discontent not only from the minds of the people but from their own Departments. I am afraid whatever Department you may like to touch you will find racial discrimination. Take the Government of India Directory, or the list of any Department so far as the high officials are concerned, and you will find that there is racial discrimination. Some of the Departments are almost like asylums for certain classes of people and particularly I say about military which is the most important thing, and I join with my Honourable friend Lala Ram Saran Das in what he said and pointed out about the treatment to the Indian officers. I wish the heads of the Army Department knew what is the feeling among the Indian Commissioned officers.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): They know this feeling already.

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: I am not quite certain. If they had known they would have in their own interests tried to

remove it. They may be knowing something but not to the extent it is there. Even socially of two Captains, one Indian and one Englishman, or between any officer of the same rank, the Indian has a great grievance. The differences in the treatment are there. I should like His Excellency the Commander-in-Chief and the Honourable General Hartley to find out how many Indians there are in Army Headquarters in various Commands, and whether it is a fact or not that demi-officials come saying, "We do not want Indians in the high command". Remove these discontentments also, as well as racial discriminations, and I am sure we shall be able to do something to remove the present discontentment in the Government Departments.

Sir, my time is over. I have some other important points but I make room for others to speak.

THE HONOURABLE SARDAR BAHADUR SOBHA SINGH (Nominated Non-Official): Mr. President, Sir, I wonder if it is a compliment to my community that the Leader of the House has refrained from mentioning the name of the Sikh community and the part we have played in the Punjab in the present crisis. He has been very generous to say that the Punjab and the North West Frontier Province have kept aloof from this movement, and I can assure him that the Sikh community has played a very important part in helping to secure these conditions. The protection which a Sikh temple offered to certain British officers shows the heart of the community, and the efforts in the recruitment and training of young men for Emergency Commissions that the community is making through the Sikh Defence of India League are well known. I would like, as the names of Honourable Members of the Viceroy's Executive Council have been mentioned, to mention the name of the Honourable Sir Jogendra Singh who represents the Sikh community. I can say with confidence, not of my own but of the whole community, that the Sikh community is behind him. In fact moderates or extremists, Akalis or non-Akalis, everyone felt so proud on his nomination and I think His Excellency the Viceroy knows about it; and Sir Jogendra Singh also knows that his community is behind him. It will not be out of place, Sir, to mention here the desire and determination of the Sikh community to merge itself in the nation as a whole and to stand for the integrity of India as a nation and to claim for non-Muslims the right of self-determination in areas where they are in a minority and the same treatment as will be given to any other minority. The Sikh community in Delhi, I can say, have surely played their humble part as well as loyal citizens can do in any other city, and I am sure that Government is realizing the seriousness of the situation—not the situation that has passed, but the situation which is about to come.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras: Muhammadan): Mr. President, I should have very much liked to be called on to speak tomorrow, but now that there seems to be no other Honourable Member to speak, I should like to go on with my remarks.

Sir, I would restrict my remarks to the points which have not been mentioned in the debate except perhaps in respect of those features of the debate which have got to be dealt with by every speaker on the floor of the House. Sir, as we have all observed, two features have been common to every speech that has been made on the floor of this House despite the differences in views—and the differences have been very many and very sharp. One is the condemnation in the strongest terms possible of the disturbances which are defacing the country: the other is the necessity which has been felt by every Honourable Member here for trying to improve the situation, even though there have been differences in the methods suggested by different speakers, differences as regards the measures to be adopted to bring about a better atmosphere in the country.

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Now, Sir, as regards the disturbances, as I said, everyone has expressed disapproval of the orgy of arson, pillage and plunder that is going on in the country, which is neither to the good of the rioters themselves nor to the advantage of the people or the country. But, Sir, one question which crops to one's mind when one considers these aspects of the situation is, what are the measures that have been adopted to quell the disturbances—whether the measures that have so far been taken have proved effective in stopping these disturbances; or in discouraging people from taking part in acts of mischief and destruction of life and property. I am sorry to state, Sir, from what I have come to know that I feel that the measures that have been adopted have been far from adequate. This inadequacy of the measures in trying to put down these rioters has given rise to two evils. One disadvantage is that the forces of law and order which go to quell the disturbances are so insignificant that they are not at all in a position to overawe the rioters. They are not at all in a position to prevent any mischief being done, and if at all any real prevention has been possible, it has been mainly due to the help given by the people, by the public. It is these villagers who have a sense of responsibility about them, villagers who have their civic conscience alive that have helped the police to quell the disturbances. On every other occasion when there was no such help forthcoming from the people at large, the police proved completely powerless in putting down disturbances. As I said, Sir, one great disadvantage of this has been that the mischief-makers have been encouraged to commit acts of mischief and destruction. The second is that this is also responsible for some possible excesses committed by the police themselves. What could you expect of a handful of police, half a dozen or a dozen constables, all of them unarmed, and one or two officers with revolvers? How could you expect them to have the power to face a furious mob, a mob numbering hundreds and some times even thousands? That is the real reason which has possibly been in many cases responsible for the acts of excesses committed by the police. I am not here to defend the Police. I condemn every act of excess committed by them. I hold no brief for the Police. I merely wish to bring this matter to the notice of the Government with a view to make them understand that whatever they do, they should do it in the right manner, with all the pros and cons in view.

In passing I should like to say just one word about the nature of these movements. It has been attempted by some people, both in the Legislatures and in the press, to make it appear as though these movements have been mass movements and have the sanction of the people behind them. Certainly not. Those who have seen things through and who know these things correctly and have the courage of their conviction have to admit that these movements have no sanction at all from the people, and that the real people, who form the bulk of the population, simply detest and abhor these disturbances. For, no man wants that his life and property should be endangered for no fault of his, for things about which he is not quite sure and for which he is not over-anxious. Just at the moment when the country is engaged in a deadly struggle nobody is anxious that there should be any overhaul of the whole constitution. I say this even though I belong to a party which wants that there should be an overhaul at the earliest possible moment. I belong to a party, the Muslim League, which more than anybody else wants that every body in India should be a free man. But, Sir, as I said, these movements have no popular sanction and as such they are bound to be a passing phase. May be that they are a little more persistent than ordinarily but they have no deep roots in the country. But there are some things which Government will have to consider. It is not

merely this movement which is disturbing the country, and which has to be taken notice of and remedied. There is a general feeling existing in this country of discontent and disaffection. Somehow or other it seems to have come to stay in the minds of the people in this country. Something has got to be done to try and allay doubts and misgivings which exist in the minds of the people of this country about the *bona fides* of the British Government, about the promises they have made and about their solititude for the various sections of the people. They have to try and see that matters are adjusted in this respect and that a better atmosphere comes to prevail in this country. I do not want to enter here into the various reasons which have given rise to this kind of mistrust. Everybody knows what those reasons are. I will simply concern myself with those very simple and obvious reasons which have gone to aggravate feelings in this respect. It is the duty of every Government to see that the bare necessities of life are made available to the people. After all, the man in the village, the man in the street, the ordinary man, is more concerned about his food and other necessities of life for himself and his family than other things about which he is said to be hankering. It is very disappointing to find that the measures taken by the Government have simply proved perfectly ineffective. For instance, Sir, in Madras there is plenty of firewood, but you will be surprised to hear complaints from the common people that they do not get firewood enough to cook their simple food. Should not Government try and see that this firewood is made available? Would it not be irksome to people to find that in spite of abundance, they could not get what is wanted by them for their daily life? I know that attempts are being made by the Government to try and stock food. It is not merely stocking that is required. It is the distribution that matters much to the public at large. The Government might have tons and tons of rice or flour or other articles, but unless they are made available to the man who wants it, unless they are put within the reach of the poor man, it is no use. He does not have much influence with the co-operative societies, with the people who are entrusted with the doling out of these things. Unless the man gets what he wants, he is bound to be discontented. The Government should try and see that there is improvement in this respect, and this the Government should do without any delay.

I would also join my Honourable friends who have voiced their complaints against the invidious distinction which is made between an Indian and a European in the ranks of the army. It is impossible to see how the military authorities, in an hour of trial, when all the forces of law and order should be mobilized, when all patriotism and loyalty that they can secure should be got for strengthening their hands to resist the enemy, could still have that obsession that there is a superior race and an inferior race. This is very dangerous. You expect these people to lay down their life. Is there any difference between Indian blood and European blood, between white blood and black blood? So, there should be a serious attempt, not merely a promise, to assuage feelings in this respect. There should be sincere and honest attempt to make good this difference in the treatment meted out to the two forces. You have been giving them all that praise lavishing encomiums on the bravery and courage of the Indian people. But after all what is it that you actually do? You give them only a stone when they are clamouring for bread.

Sir, as I said, a very unhappy feature of these disturbances has been that students have been very fully exploited. Of course, this attempt to drag students into active politics was begun sometime ago. As my friend Sir Ramaswami Menon said, the people responsible for this act of folly were our Congress friends who with a view to reinforce their non-co-operation movement called upon students in 1919-20 to abandon their colleges. Sir, this was one of the most

[Saiyed Mohamed Padshah Sahib Bahadur.]

fatal blunders that the Indian politicians made. I think this is one of the greatest mistakes which will have far-reaching consequences. As my friend Sir Ramunni Menon has said—and his word must carry great weight in one respect—even though he said attempts have been made to dissuade students from these political activities—the evil has continued because, as he said and as the adage goes, the evil lives longer than the good. Students naturally prefer a life of roaming about and doing mischief to a life of hard study. It is a reprehensible thing and I join my friend Sir Ramunni Menon in making an appeal to all politicians to try and wean away the students from politics. There is no greater disservice done to a nation than making students dabble in politics. Those immature youths cannot be expected to take a sober and calm and dispassionate view.

Just one word about the communal question. I am glad there has been no recrimination. I just want to tell the Government that in a measure Government themselves are responsible for the troubles in this country. The reason is this. In August, 1940 the Declaration was made that besides the majority communities, there were other communities also who were to be taken into account, that no decision would be arrived at which had not the willing consent of all important elements in the country. But what was the actual conduct of the Government? Every time an attempt was made to frame a new constitution, to make changes within the frame-work of the present constitution, the only anxiety that the Government showed was to try and placate and please one party. If the Congress refuses to co-operate with you, you simply drop the other people like a hot potato. You do not want the co-operation of the other people. Sir Stafford Cripps comes here. And whom does he really think of? Merely as a matter of grace, courtesy, he stoops down to consult other leaders. But the one concern that he has shown was to placate the Congress. If he runs from house to house, from residence to residence, it was to the houses of those personages who are members of the Congress. That is how you conduct yourself, how you give the lie direct to your own pronouncement. The result has been that the party whom you try to placate has come to think that they are the only one party that matters in the country and that they could dictate. That is how they have now dictated. But for this kind of cajoling and coaxing I am sure, sir, the Congress would have realised the imperative necessity of trying to come to terms with other parties in the country—I do not say the Muslim League Party only, there are also the Scheduled Classes—

THE HONOURABLE THE PRESIDENT: May I remind the Honourable Member that there are only five minutes more.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: I am speaking unprepared and I have got to mention a few points. I hope you will not kindly interrupt me; I will not take an unduly long time.

Some friends with the best of intentions have suggested that the Muslim League should try and solve the problem. We have been ready for it all along. No party will be more happy and no leader will be more happy than Mr. Jinnah and his League to solve this deadlock. Ever since the war began the Muslim League has been anxious that it should co-operate with the other parties in the country and strengthen the hands of the people who are resisting the enemy, who are trying not only to save India but also to save elementary rights of humanity. Even though our offer was summarily and unceremoniously rejected, it should be admitted by all in fairness, as was done yesterday by Sir A. P. Patro, that the offer of the Muslim League stands—the offer which

Mr. Jinnah made some time back still stands. The offer is that the League is ready to co-operate on reasonable terms like a respectable body, on reasonable terms—

THE HONOURABLE THE PRESIDENT: I have given you some latitude. How is this all relevant to the question? I allowed you to refer to it, but you cannot dilate on it, because it has nothing to do with the present question.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: It has everything to do, because the Government are now anxious that there should be some way out of the present difficulty. The way out would be that we should accept the hand of friendship that is being offered by the Muslim League and by the other minorities who are willing to co-operate with you and will help you in solving the present problem. I would, in the end, appeal most earnestly to my Congress friends to be just and reasonable and come to an understanding with the League and resolve the present stalemate. In the end I would simply say to my Congress friends to see the world of realities. I would make an appeal to them to try and see things in their proper perspective, to realize this that after all we are living in a world of realities, stern facts and ugly realities, where we are not simply to be carried away by ideologies. This is a world where, whether a member of the greatest party in the world or a humble individual, nobody can have all to his own. People have got to act in a spirit of give and take. That what I consider is good for me I should know, I should realize, I should have the sense of fairness to admit that it is good for another also. So I appeal to my Congress friends to see things in their proper perspective and to try and save the present situation by trying to come to terms with other parties in the country, by giving to the Muslim League four annas in the rupee and having all the twelve annas to themselves.

Sir, I feel—I have said this very often in this House and am not going to dilate upon it—that the key to the solution of the deadlock lies in the country and not outside. It is not the British Parliament which can solve it. It is the Hindus and the Muslims, the Scheduled Classes and other classes in our own country which should come together and come to a settlement.

The House then adjourned till Eleven of the Clock on Thursday, the 24th September, 1942.

COUNCIL OF STATE.

Thursday, 24th September, 1942.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

STANDING COMMITTEE FOR THE DEPARTMENT OF POSTS AND AIR.

THE HONOURABLE THE PRESIDENT : With reference to the announcement made by me on the 21st September, 1942 regarding nominations to the Standing Committee to advise on subjects other than " Roads " dealt with in the Department of Posts and Air, I have to announce that the Honourable Saiyed Mohamed Padshah Sahib Bahadur and the Honourable Haji Syed Muhammad Husain have been nominated to it. As there are two candidates for two seats, I declare them duly elected.

MOTION *RE* POLITICAL SITUATION IN INDIA.

THE HONOURABLE SIR JOGENDRA SINGH (Education, Health and Lands Member) : Sir, I have listened to the debate with deep concern and a feeling of frustration. It would be futile at this stage for me to dissect the carcass of deplorable events. No Government can rejoice in these fateful days if it is compelled to maintain law and order, when all its energies should be directed in preparations to meet the perils, which it may be at any moment called upon to face.

Nothing is lost ; indeed everything would be gained if we face the realities, sink all party and communal differences and enter upon our heritage. We can then ask His Majesty's Government to close this sorry chapter of misunderstandings ; negotiations and declarations by a definite act, and endow India with Puran Swaraj. By giving at once England can secure India as a willing partner in her struggle for survivorship. Would to God a wave of wisdom swept away cobwebs of distrust and disbelief on both sides and between the communities in the realization in the words of Sadi " That we are limbs of one another ". Even Mr. Jinnah may see that he cannot create a holy land unless he sees, in those amidst whom he lives, the face of a brother. May I take this opportunity of mentioning that Mr. Jinnah was wrong. Muslim representation in the army stands at 32 per cent. and the others provide the remaining 68 per cent.

Let Gandhiji worship at the shrine of non-violence and Jinnah sharpen his knife to carve out a Pakistan, but let the Central Legislature do the one thing that is needful and act as representative of millions who desire peace, a better living, whose hearts throb in unison in thousands of villages, who are aware that all religions teach concord is a blessing and discord a curse, who in spite of preachings which have been racing in full blast, have lived for centuries, and live now, as good neighbours.

[Sir Jogendra Singh.]

Let us forget that there are such organizations as the Congress and the League. Let us no more waste our stock of emotions in vain pursuit of theories which have no relation to facts. Let the representatives of the Princes and the people come together and resolve the deadlock. Let them present a united demand for fulfilment of the promise, which was reaffirmed by the Prime Minister only the other day. My lips can utter no word of indifference regarding the aspiration of all the people of India. Let us work for the realization of these aspirations.

My friend, the Honourable Mr. Sapru, and other speakers have spoken of the eleven contemptibles who have joined the Government.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadian): I never used the word "contemptible".

THE HONOURABLE SIR JOGENDRA SINGH: My friend the Honourable Mr. Sapru seems familiar with the writings of John Morley. He must have noted the controversy over the appointment of a single Indian to the Viceroy's Executive Council. Lord Linlithgow can in any case claim that he has secured an Indian majority in his Executive Council, while the great Post-visit thinker and liberal statesman could not reconcile himself to the appointment of a single Indian.

I can assure the Honourable Mr. Sapru that we hold these positions in trust. I have not studied the Act or the rules of business but I can affirm without any fear of contradiction that we exercise all the powers which the Members of the Executive Council have exercised. Further, it is not our purpose to make bibles of the fading script of rules, which may not suit the new complexion of expanded Council. It shall be our endeavour of all my colleagues who think alike to transform the Executive Council into a Cabinet, if you also play your part, and endow us with power but if you leave us in splendid isolation then you rob us largely of our power to carry out your wishes. I feel like asking, in the words of Ghalib, "What kind of friends are these, who have turned into advisers and critics, they who ought to have been busy in translating their sympathy into action".

I can assure you I have not come in this last stage of my journey on this earth to waste my days, but to serve my King and my Country, to advocate to the best of my power the views of those whom I represent, to stand for the integrity of India to utilize every opportunity to secure what the heart of India desires, and to make a larger happiness more universally possible.

May I say with all humility that the mantle of a minister cannot cloud the spirit of a man who no more wishes to please men but to please God.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadian): Mr. President, before I deal with controversial matters, I think I must pay my tribute of admiration to my Honourable friend Sir Jogendra Singh for what he has said and for the tone in which he has said it. His speech showed that he regarded himself as a representative of the people and was in the Council not for administrative purposes but to voice the aspirations of those whom he morally represents. I wish that my Honourable friend the Leader of the House had shown a similar realization of his responsibility when he spoke on the present situation yesterday. I can not congratulate him on the speech which he delivered which, if he will pardon

me for saying so, was only a poor summary of Sir Reginald Maxwell's speech in another place. I can understand the preoccupation of the Members of the Executive Council with the seriousness of the present situation. I can understand their anxiety to put down lawlessness and to restore peace and order throughout the country. There is no one on these Benches who is in sympathy with the acts of violence that are being perpetrated today or who can ask Government to let those, who are engaged in carrying out the destructive policy which Government are opposing, go on with their campaign unhindered. All those who desire the progress of their country would wish that there were peace in the country, and that we could unitedly face the common foe of civilization and humanity. But, while I recognize the primary duty of the Government to put down disorder I also ask them to realize the causes that are at work today and to understand why the unrest that has been in existence in this country for years and years has manifested itself in the form which we all deplore. My Honourable friend Sir Mahomed Usman when asked yesterday whether Government considered it their duty to inquire into excesses that might have been committed by their own police and military and whether the Executive Council was considering measures to bring about reconciliation between the people and the country replied that Government had no reason to suppose that their agents had been guilty of any excesses and threw the primary responsibility for suggesting changes in the constitution of India on the Governor General and His Majesty's Government. He would not even admit that the Government of India had any concern with the matter or that they could on their own initiative take up and consider questions of constitutional policy and tender that advice to His Majesty's Government which they thought to be best in the interests of this country and England.

Let me first deal, Sir, with the manner in which the disturbances are being suppressed, at least in some places. My Honourable friend the Leader of the House was able to give us fairly full information regarding the lawless acts committed by those who have been guilty of cutting wires or removing rails or burning post offices and police stations. We have not the same means as he has for making inquiries into the manner in which the authorities are putting down acts of lawlessness. In the present disturbed state of the country the Provincial authorities will scarcely allow any person to proceed to those districts where the police and the military have been stationed. But my Honourable friend Mr. Sri Narain Mahtha, who was fortunately able to tour his district, gave us yesterday an exceedingly disquieting picture of the state of things that prevail there. The account that he gave us of the lawlessness committed by the guardians of law and order was moving in the extreme and showed that Government had on their part been guilty of no less violence than the people at least in certain places. I should like to give one or two instances relating to the United Provinces which seem to me to be based on accurate information. The first instance I shall refer to relates to Allahabad. I have made some inquiries on the subject and I understand that a man was caught hold of by an Indian soldier or the special military police because he was wearing a Gandhi cap. He was asked to take it off which he naturally refused to do. His cap was taken by a passer-by. Two or three soldiers came and beat the man who was wearing the Gandhi cap. He turned round on his assailants and attacked them and then finally, shaking off the person who was holding his shirt, he tried to run away. He and his supporters who also ran away were at once fired on by one of the soldiers or military police. He was not hit but a passer-by who was hit died immediately. Another instance of the same kind, I understand, occurred in Allahabad, quite near the place where the

[Pandit Hirday Nath Kunzru.]

first incident occurred, but I have not been able to inquire into it. The next incident, Sir, that I shall invite the attention of the House to relates to one of the eastern districts of the United Provinces, Ghazipur. One of the inhabitants of the village which I am going to refer to, who is a substantial zemindar, paying between Rs. 3,000 and Rs. 4,000 annually as land revenue, has made representations both to the Local and the Central Governments regarding the excesses committed by the military in his village. The village concerned is Manjha and the story which the zemindar refers to in his representation runs as follows: On the 24th August, four European soldiers—I think he meant four European officers—accompanied by about 100 or 150 Indian soldiers visited the village of Manjha in tehsil Saidpur, ordered all the males in the village to come out of their houses and stand on one side of the road. They then entered the houses, forced the women to surrender all the ornaments they had on their persons, took hold of all the cash, jewellery and other valuables they could lay their hands on and then set fire to a number of houses. Afterwards they returned to the place where the male members of the village including children were standing. The children were asked to go away, but all the males were whipped each of them by two men, one standing on either side of the victim. One of the houses that was looted was that of this zemindar who has complained to Government. He is one of the men who helped Government to put down the non-co-operation movement in 1921. He has helped them to a small extent in recruiting soldiers in the present war. He has contributed to the war fund and has been made an Honorary Magistrate. Yet he was not spared. Sir, if this is the treatment that can be meted out to a loyal supporter of the Government, one naturally shudders to think what happened to those people who were not in that position. I should not like to suggest that things of this kind have happened in every village. But I must state that so many complaints have reached me from the eastern districts of the United Provinces that I feel, and feel strongly, that the Government ought to institute an impartial inquiry into the manner in which lawlessness has been suppressed in these districts. I have received complaints from other parts of India also, for instance from Gujarat, but I do not want to go into any further details on the subject. It has been no pleasure to me to recite even the instances which I have placed before the Council, but I was compelled to do so by the refusal of my Honourable friend the Leader of the House yesterday to admit that the police and the troops might in some places have been guilty of taking the law into their own hands and committing excesses.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA (Bihar: Non-Muhammadan): I want to interrupt Pandit Kunzru for a moment. If he chooses, I will hand over to him a paper which I have received just by this *dak* signed by an individual whom I know—

THE HONOURABLE THE PRESIDENT: Why do you want to interrupt the speech? Pandit Kunzru.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I hope, Sir, that the instances that my Honourable friend Mr. Sri Narain Mahttha and I have placed before the Council will convince the Leader of the House that at least something has been done by the Government which they should not approve of and that if they are jealous of their reputation they must institute an inquiry into these matters. In asking them to do so, I am only proceeding on precedents set by the Government themselves. After the disturbances in the

Punjab in 1919 the Secretary of State instituted an inquiry into the conditions governing the exercise of the powers conferred on the Punjab authorities under the Martial Law that was proclaimed there and I see no reason why when the present abnormal state of things is over Government should shrink from following the same procedure. Indeed, if they have any regard for their reputation it is their bounden duty to let those who have complaints to make place them before an impartial authority, so that it may be known whether their grievances were justified or not.

Sir, I shall now, by your leave, deal with another point which arises out of the speech of my Honourable friend the Leader of the House. Speaking the day before yesterday he said that taking all things into consideration those responsible for the present disturbances seemed to be actuated with the definite object of inviting Japan to take India. I think the Honourable Member went a little too far in making that statement. I am not a member of the Congress, nor do I agree with its present policy. But I cannot for a moment agree that the object of the Congress was to invite Japan to India. It wanted certainly to embarrass the Government; but I am sure that it has not the slightest desire to invite Japan to this country.

THE HONOURABLE MR. HOSSAIN IMAM: Is not that the corollary?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: My Honourable friend Mr. Hossain Imam asks whether this is not the corollary of their action. I shall reply to his question a little later. I had anticipated such questions on the part of experienced and wise members of this Council and I have therefore come prepared for a reply.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Sir, Government, instead of dealing only with the present situation and thinking that they have no background and that there will be no aftermath which they need trouble themselves about ought seriously to think of the measures by which reconciliation can be brought about between them and the people. It is futile for them to think that the dissatisfaction which has manifested itself in the country has been engineered by the Congress. Considering the fact that the adherents of the Congress got no time to prepare the people for carrying out their programme, did not get time even to inform the people fully of their programme, it is absurd to say that the movement is wholly engineered. I think, Sir, considering the situation impartially one cannot doubt that the upheaval that has taken place reflects the feelings of the people towards the British Government. The despair and exasperation to which the policy of the British Government have driven all people, whether Hindus or Muslims, has unfortunately resulted in acts of lawlessness on the part of the people, but my Honourable friends opposite should on an occasion like this bear in mind Lord Morley's words that when people rebel it is not their fault but their misfortune. A friend of mine, Sir, convened a meeting at Allahabad to ask the people to co-operate with the Government in their war effort. This meeting was convened under the auspices of the Communist Party. My friend in the course of his speech attacked the Japanese for the atrocities of which they have been guilty in China. A man in the audience excitedly got up and said, "You might have said that some time ago but please do not say that now". A day earlier, or the same day, a procession of students had been fired on by the police and one of them had died. The students I understand had not been guilty of any violence and when the news of the firing on the students spread through the city it touched the hearts even of those who deplored the present movement. This little incident should suffice to show to Government which way the wind is

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blowing and instead of burying their heads like ostriches in the sand they ought to look facts in the face, realize their responsibilities and think of their duty towards the people whose trustees they profess to be instead of always thinking of their prestige and power.

Sir, it is a tragedy that Government have failed to recognize their responsibility for the present state of things and it is not until they realize their own faults, realize their own tardiness in satisfying the legitimate demands of the people for freedom that they will be able to strengthen their position or bring about friendly relations between India and England. My Honourable friends opposite will challenge this statement and ask whether since the war broke out Government have not taken two steps in order to make the Executive Council more representative of popular opinion than it was before. The Government Resolution issued on the 8th August claims that the Executive Council as constituted at present is stronger and more representative than it ever was before. Sir, considering the situation objectively there is nothing to show that the Executive Council today is stronger than its predecessors and if it is not stronger and does not therefore reflect public opinion as forcibly as it ought to I cannot regard it as more representative. But, apart from this, Sir, let us consider the manner in which the expansion of the Executive Council has been brought about. I do not want to go into the details concerning this expansion because we have dealt with them repeatedly in this House. I shall, therefore, content myself with saying that in spite of the expansion that has taken place in two stages a majority of the most important portfolios still remain in British hands. When the last expansion of the Council took place the portfolio of Communications was divided into two, those of War Transport and of Civil Aviation and Posts and Telegraphs. The latter portfolio was given to an Indian and the former was given to a Britisher. The cry is for Indianization in every quarter of the country. All political groups are united in demanding it; yet the British Government who have expanded the Executive Council in order to convince us of their political sincerity appoint a Britisher to one of the most important portfolios. Can we wonder, Sir, if such actions on the part of His Majesty's Government have created profound distrust and resentment throughout India. The Government have said in extenuation or in defence of their present policy that while they were always prepared to consider suggestions relating to constitutional advance they could not carry on negotiations with the representatives of the Congress in face of the threat of rebellion which they had held out. The demands which were made by the Congress are in substance the demands which have been put forward by other Parties. There may be differences between the Muslim League on the one side and the Hindu Mahasabha and the Congress on the other, but I have yet to learn that the Muslim League, or its leader, is satisfied with the present state of things or wants that Government should remain in undisturbed enjoyment of their present power. I make bold to say that the Muslim League, the Hindu Mahasabha, the Liberal Federation and the Non-Party Conference are in effect united in demanding of the British Government that freedom which the Congress has asked for. What heed did the British Government pay to their demands before the Congress passed its threatening resolution? Had they tried in the least to be conciliatory, had they shown any earnest desire to part with power, had they placed the key portfolios in the hands of Indians, they might today have been entitled to say that they had all the Parties in the country except the Congress behind them. But today they are in the unenviable position of having all

thinking sections of the population of India ranged solidly against them. They may flatter themselves that owing to the internal differences that exist in the country they are discharging their duty in putting down the Congress agitators. I wonder however, Sir, whether they can satisfy their conscience so easily if it ever pricks them. It is, Sir, the refusal of Government to consider the proposals put forward by the other parties that has produced that desperation in the country of which the present upheaval is a forcible manifestation. In order, Sir, to show that the demands of all the parties were virtually the same as those of the Congress I shall read out part of the resolution passed by the last Non-party conference which was held on the 21st and 22nd February, 1942 in this city. The conference asked among other things for a declaration that India shall no longer be treated as a dependency to be ruled from Whitehall and that henceforth her constitutional position and powers should be identical with those of the other self-governing units of the British Commonwealth. What attention did the British Government pay to this resolution? They threw it into the waste paper basket. I honour, Sir, those Englishmen who, in the face of the discouragement which they are receiving from the British authorities and some of their own countrymen in this country, are trying to make the authorities both in India and in England realize that their best interests lie in their satisfying the just demands of the Indian people. Government have tried to carry on propaganda in other countries that if only there was unity in the country they would be prepared to surrender power to the representatives of the people. This sentiment was given expression to even by my Honourable friend Sir Jogendra Singh. I do not however, Sir, think that this propaganda is based on truth, for when, Sir, Stafford Cripps came here he made it plain that even if all the parties united in asking for the transfer of Defence it would not be transferred. My friend Mr. Arthur Moore, in view of this and other facts, writing the other day to the Editor of the *Pioneer*, said what was essential was that "Allied military opinion should learn that the problem of obtaining internal peace in India and enthusiastic support for the war against Japan could be solved by a British offer to transfer power (*Hear, hear*) which has hitherto been lacking". He then says that India should be in the same position as the Governments of Australia and Canada, and states that "the British and American public would seem to be under the impression that conditional upon agreement between Indian parties, such an offer is in existence, whereas in India it is universally known that it is not so". It is clear, Sir, therefore, that not only Indians, but fair-minded Britishers admit that the Government, though carrying on propaganda assiduously against Indians in other countries, have never admitted that union among the people would result in the transfer of complete power to Indian hands.

THE HONOURABLE MR. HOSSAIN IMAM: Representative Indian hands.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I shall nevertheless, Sir, make bold to deal with the differences that unfortunately still exist among us. I do not want to deal with these differences in any controversial spirit. I want those Honourable friends of mine in this House who represent the Muslim community to clarify their position in regard to those essential points which must be understood by us before their demands can be properly considered. The agitation for Pakistan has been going on for two or three years. We understand that what the Muslim desire is that what they call their homelands should be allowed to become autonomous and independent States. But, Sir, this statement does not enable us clearly to know what effect their proposals would have on India. I say nothing, Sir,

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with regard to the wisdom of the demand, for nothing that I can say will unfortunately have any effect. I will, however, ask them to bear in mind that Muslims do not inhabit this unfortunate country of India. There are other countries also in which there are large Muslim populations. Palestine is one of them. Have they in putting forward the demand for Pakistan in this country ever thought of the effect that such a demand, if granted, would have on the fortunes of their co-religionists in Palestine? They and we have together protested against British encroachment on the right of the Muslim population of that country.

THE HONOURABLE MR. HOSSAIN IMAM: Hear, hear.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I had the good fortune of visiting it 10 or 12 years ago, and the talks that I had with the people has left an indelible impression of their sincerity and a love of freedom on my mind. We are still ready to join hands with the Indian Muslims in defending the rights of the Muslims in Palestine, but they are destroying the basis of their own demands. They will not, if Pakistan is conceded to them in this country, be able to ask the British Government to refrain from dividing Palestine between the Jews and the Muslims. The British Government have cheerfully supported the principle of Pakistan in this country. Had it been accepted in the Eighteenth Century, the United States of America would not have been a united country today but would have been split up into two weak States. I think it is the good fortune of the United States of America that under the inspiring leadership of President Lincoln they succeeded in maintaining a united country against all opposition. Sir, whatever one may think of the demand for Pakistan, but, realizing what the situation in practice is, I will ask my Honourable friends who represent the Muslim League in this House to tell me exactly what are the boundaries of what the Muslims call their homelands? It is clear that they do not want that there should be one common Central Government with authority over the whole of India. They want to disregard the evolution that has taken place, say during the last 100 years. Are they, while wiping out the history of the last 100 years still asking that the old provincial boundaries, which are no less the result of British rule than the present Central Government, should be retained as they are?

THE HONOURABLE MR. HOSSAIN IMAM: No.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: My Honourable friend says "No". Let us understand clearly then what are the limits that they set to the Muslim homelands. This question has been asked repeatedly in the country but it has never been unambiguously answered. My question relates especially to the Punjab and Bengal. I want to know whether they want the whole of Bengal and the whole of the Punjab as they are today, whether they include in their homelands western Bengal and the south-eastern Punjab, or whether their aspirations would be satisfied if they were given full self-government over smaller territories. I was glad to hear from my Honourable friend Mr. Hossain Imam that it was not the Muslim demand that the present provincial boundaries should be maintained intact. I would, however, take leave to remind him and the whole House that the Punjab as we know it today was not the Punjab that existed in the times of the Moguls. That part of the Punjab which is on this side of the Sutlej formed part of a province known as Sirhind. The British united the Province of Sirhind with the Punjab after

its conquest by them in 1856. I hope, therefore, that my Honourable friend Mr. Hossain Imam, bearing past history in mind, and being guided by considerations of fairness and justice, would be able to give an answer which would enable the non-Muslims to understand fully what the Muslim demand is and to consider it dispassionately.

The second question which I want to put to him is whether, when a territory comes to be separated from India, only the views of the Muslim inhabitants of those territories would be considered or whether the non-Muslim inhabitants also would be asked to give their verdict? Judging from what the leader of the Muslim League has said, the Muslim League demands that only the Mussalmans living in the territories which the League desires to be independent should have the right to decide the future fate of those territories. I do not see how such a demand could be justified. The Muslim League has complained that the minorities have not been properly treated by the majority party. It can, therefore, naturally be asked to follow a procedure, in settling the fate of the territories which it regards as its own, which will be regarded as fair by its own minorities. But the demand which the leader of the Muslim League has made does not seem to be consistent with the claim put forward by him that the Muslims will deal with their minorities more fairly than the Congress has dealt with the minorities in this country.

Sir, these are the main questions that I wanted to put with regard to Pakistan. Whatever the causes that have brought them into existence may be, the demand of the Muslims should be seriously considered. I still hope that good sense will prevail in this country and that in the interests of our economic development and the strength of our country we shall have patriotism enough to sink our differences and to face the future unitedly. I for one desire, and desire ardently, to maintain the unity of my country. But there is one thing that I desire even more ardently than unity and that is the freedom of this unhappy country.

And now, Sir, I venture to address a word to the authorities who have it today in their power to decide whether England and India shall be friends or enemies. The authorities seem to take the view, judging from the speech of my Honourable friend Sir Sultan Ahmed in the other House, that Government can, at the present time, consider no measures of a constitutional character in order to bring about a settlement of the differences which unhappily divide the authorities and the people of this country. I am surprised that any Indian Member of the Government should have given expression to such a view. It was therefore, Sir, with a feeling of genuine relief that I heard my Honourable friend Sir Jogendra Singh say that he did not consider that he would be doing his duty if he did not try his best to work for the satisfaction of those aspirations which actuated the country from one end to the other. Let the British authorities remember how they have acted in similar situations in other countries. What I shall say in this connection will answer to the question which my Honourable friend Mr. Hossain Imam put to me at the commencement of my speech. In the midst of the last great war the Irish people despairing of obtaining their freedom from the British Government rebelled in 1916. The Liberal Government was on their side, but the strong minority of Ulster prevented them from doing anything. The situation in this respect was the same in Ireland as it is in India, and what was the result? The Irish people did not want to be under the domination of Germany. Yet in their exasperation they went so far as to ask for German help in order to obtain their freedom. They might have been misguided.

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But nobody can charge them with deliberately working for the victory of the Germans and inviting them to rule over Ireland. This incident ought to enable Government to understand the reality of the situation that exists in this country. No Indian wants to be under Japanese rule. Government know this in their heart of hearts as well as any of us do. Yet they are carrying on propaganda in every quarter of the world against us and telling the world that Mahatma Gandhi is pro-Japanese. It is not, Sir, by such propaganda that England can strengthen its position in this country. It is only by taking account of its own history and by being guided by the wisdom which it showed in other parts of the world that it can succeed in uniting this great country with itself. Mr. Churchill who delivered an arrogant and uncompromising speech recently in connection with India which instead of conciliating has irritated the people and added to the complication of the situation was one of those who took part in the negotiations which were carried on with the Irish by the British Government in 1920. When the war was over there was a second rebellion in Ireland. The British Government did not persist in attempts to suppress it by taking purely military action and Mr. Lloyd George had the wisdom and the greatness to recognise that the aspirations of the brave Irish people for the freedom of their country must be satisfied. He therefore asked for a truce between Ireland and England, invited those very people to his conference whose hands were dripping with the blood of the loyalists and in this conference such noted Conservative leaders as Lord Birkenhead and Mr. Churchill took part. I wish that Mr. Churchill would show even a small part of the wisdom which he showed in helping the Government to arrive at a settlement with the Irish in 1920. In any case he should realize that the conflagration which has spread to the whole country, though it may be put out temporarily, cannot be extinguished for ever. The history of the world tells us that people in despair have followed such methods everywhere. Even in this country the example of Bengal shows that pure repression cannot achieve any permanent results. The British Government have been trying to put down terrorists for over 30 years and although the people at large did not have much sympathy with the terrorists, yet it is a fact that the authorities have succeeded in suppressing terrorism only to the extent to which they have widened the bounds of Indian freedom. This small example ought further to convince the Government of the policy which they ought to follow in their own interests and in the interests of this country. A great deal of harm has been done to Indo-British relations by the unwisdom and short-sightedness of the British authorities. If they are wise they should still reconsider the position and grant the demands put forward by the people. We have argued a great deal theoretically about the removal of the Viceroy's power of veto, but Government if they desire to do great things can in accordance even with the spirit of the Government of India Act, 1935, take steps which will enable us to have a Government which in many important matters will be free from the veto of the Viceroy. This can be understood by consulting section 12 of the Government of India Act which enumerates the special responsibilities of the Governor General. Some of these responsibilities the Governor General cannot be asked to part with in the present circumstances, for instance, his responsibilities in connection with the protection of the minorities or the maintenance of the safety and tranquillity of the country or the defence of the just interests of Indian States. But there are equally other cases in which he can refrain from exercising his special powers. These cases fall broadly under two heads, financial and economic and commercial. The British Government have declared through Sir Stafford

Cripps that in connection with the future Government of India they will not ask for any guarantees for British commerce in this country. The authorities can, therefore, easily put an end by convention to the veto of the Governor General in regard to financial, economic and commercial affairs. They can also transfer "Defence" to us, although we shall not be able to control Defence which we want to have under our power in order to be able to train our people to defend their country as fully as the questions which I have just referred to. These are the two ways in which I think that the British Government can still act in such a way as to win the confidence of the people but if they wish to talk only about the future without parting with an iota of power at the present time I cannot hold out to them any hope that they will be able to establish peace in this country. They may be able to suppress lawlessness by force for a while but the relations between Indians and the Britishers will deteriorate to such an extent that India will be a thousand times worse than Ireland, (Applause.)

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. President, in these days of interdependence and corporate existence and of total war, it is strange and depressing that in India the three forces that count are each pulling its own way and not heeding about the other. I refer, Sir, to the peoples of India, the Army in India and the British Government of India. These three forces when they are facing and fighting with the Nazi menace of regimentation of life yet think of terms of individuality. The Commander-in-Chief of India, the best General that the British Empire has got, comes out with a dictum that he can win the war without the help of the peoples and of the politicians, through the mercenary army that he has got. Did not he have an army in the Dutch East Indies? Was not there a big force in Malaya, and what has happened to the divisions in Burma? Have you not yet seen how American possessions in the Philippines conducted the fight in spite of lack of help, because the people of that country had liberty and they were willing to support the army and the Government? Will not this live for ever as a monument to American justice. Will not the Dutch East Indies ever remain a shameful reminder of the methods of the Government of Holland? (Applause.) Yet even now you believe that by repression and by iron heel methods you will be able to keep India in subjugation and defend it from the menace that is coming to it. Have you realized how great is the danger which India faces today. On the east we have got the dragon of the Rising Sun entering our outer area steps and knocking right at our door. It has already broken some of the staples, the Andamans have fallen. On the west the Nazi cohorts are looming large. They have nearly crossed the Caucasus. No doubt overhead there is the British lion roaring and there is no dearth of Quislings in India to support you, but remember Burma. Your own men, men who have lived their lives here, like Arthur Moore and others are pointing out to you the danger of carrying on government without the goodwill of the people and yet you are not waking up.

Sir, in England, the British are in the perpetual habit of disregarding those who are their real friends. There is no love lost between any Indian and Mr. Churchill. He is a Die-hard, but I must give him his due, that he was the only first class politician who realized the Nazi danger; but what was the result? He was regarded as a warmonger, and kept out of successive British Governments; but when the rainy day came Britishers then realized that Churchill was the only man who could save them. Why did you not realize it before? Because you were complacent. In the same manner you do not realize today

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that it is only we the representatives of political parties who can extricate you out of this morass. *No amount of Indianization, no number of Indian members, no transfer of portfolios, will ever see you through unless you get the support of the recognized parties of India.* (Applause.) Indianization is a failure if it is not accompanied by this first and over-riding consideration that the members must be responsible to somebody outside the Cabinet. They must not look to the Viceroy and the Secretary of State for support. They must be able to force them. It is only by forcing them that you can win the victory. I am hopeless of this Government; I have seen enough of it.

Sir, facing as we do the difficult times I am going to tell you frankly, fearlessly and clearly the truth, however unpalatable it might seem. It might shock my colleagues in this House, but I am going to tell you exactly the truth and nothing but the truth and it is for you, the powers that be, to decide whether you wish to exist at all, because it is now a question of existence, nothing less. The whole British Empire and India stand in jeopardy. If you are complacent and think you can ride roughshod with Indians you can; but with the enemy you cannot.

Sir, India has got an eternal triangle: the Muslim League, the Hindu Congress and the British Government. I welcome, Sir, the change that has come about in the thinking population of India. In spite of the behaviour of certain parties, I find that thinking men, at least in this House, are now realizing the truth and are seeking elucidations, and much of the hostility to Muslim League has disappeared, and there is a genuine desire to understand. Especially, Sir, my very great friend Mr. Sapru has now become a convert to the policy which I initiated in 1941, that Indianization unaccompanied by transfer of power to political parties is useless. He now realizes the truth and even the Honourable Pandit Kunzru has given an inkling that he is also coming round to my view. Sir, I would like to explain that Muslims are the most reasonable people. I do not ask you to believe merely because I say it, but I will prove that according to every canon of democracy and fairplay we have done the utmost that any man could do. We have asked not for 16 annas in the rupee although we could have easily asked for this as the British Government took over India from the Muslim hands. We could have asked that the Government be handed over to the people whom the British dispossessed but we have not done that.

My Honourable friend Dr. Kunzru has asked what is Pakistan? May I say, Sir, that from a man as well informed as Dr. Kunzru and one who has always dealt with his subject so well I am surprised that he should have asked the question: "What is meant by Pakistan?" I am not going to say anything about it. I am just going to read out to you the resolution which we passed on the 23rd March, 1940 because it is self-explanatory and no explanation will be required:—

"Resolved that it is the considered view of this session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principle"—mark the words "basic principle"—"that geographically contiguous units are demarcated into regions which should be so constituted with such territorial readjustments as may be necessary that areas in which Muslims are numerically in a majority as in the north-western and eastern zones of India should be grouped to constitute independent states in which the constituent units shall be autonomous and sovereign".

We do not deny, Sir, any right to the minorities in Pakistan. I do not ask that the Muslim minorities in Hindustan should have the right to secede

or have the right to say that they would remain in Hindustan or Pakistan. They are there in a minority and they must learn to live with the majority on the best terms that they possibly can; and I do hope that the minorities in Pakistan will also be actuated by the same sentiment of democracy. We love democracy so much that we are prepared to live in Hindustan though we are a minority of 11 per cent. for that will be the minority to which we will be reduced in Hindustan, but the non-Muslim minorities in Pakistan who will form 44 per cent. cannot face this. Can cowardice go further than this? You are 44 per cent. strong; you are almost in a position of equality, yet you are afraid of facing it? Look at what is happening now at the present moment in all the five provinces of Pakistan.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Would he mind explaining what is meant by these words "such territorial readjustments as may be necessary"? It is these words that cause ambiguity, and I should be much obliged to my Honourable friend if instead of contenting himself merely with reading out the resolution of the Muslim League he would explain these words.

THE HONOURABLE MR. HOSSAIN IMAM: You will pardon me, Sir, for digressing from what I was saying just now. Without acceptance of the principle of self-determination, I am not going to waste my breath in explaining things when I have no assurance that afterwards you will be converted. The words are there and perfectly clear.

THE HONOURABLE SIR A. P. PATRO: Go on.

THE HONOURABLE MR. HOSSAIN IMAM: Sir, I was saying that the minorities in Pakistan would be very strong, and I think that it is in the interests of the minority to be strong. If you wish to separate and make the minorities in Pakistan smaller, it is the minorities who will suffer. At the moment there are five provinces which are called Pakistan provinces. In Bengal you are carrying on a government with the active help, support and co-operation of the representatives of the minorities, not show boys as the Congress had done. In the Punjab, just now a representative Sikh has been taken in the Cabinet, as my Honourable friend the Member for Education, Health and Lands knows, the new member enjoys the confidence of a large proportion of the Sikh population. Look at Sind. The whole Government is carried with the help of the minorities. It is the majority which is divided. In the Frontier they have no government. How can you distrust? What is there to distrust? Look at it in an honest straightforward manner. Do not be biased. What do we want? Do we ask that the Punjab should be created into a Pakistan today? Do we ask that any province should be constituted into a Pakistan because the Muslim League wants it? No. We say give us the right to decide our own future. Look at the support which the Congress and Hindu India has got of our own traitors. I think it is we who ought to be frightened by the menagerie you have collected.

THE HONOURABLE THE PRESIDENT: May I remind the Honourable Member that if he spends a lot of time over the Pakistan question, he will have very little time left for dealing with the actual subject?

THE HONOURABLE MR. HOSSAIN IMAM: Pakistan is the main issue. I shall be content if I have my full say on Pakistan and satisfy my friends. I shall not take more time than my friend Pandit Kunzru.

THE HONOURABLE THE PRESIDENT: Unless you are desirous of an afternoon session, you should cut short your speech.

THE HONOURABLE MR. HOSSAIN IMAM: Yes, I am prepared for an afternoon session.

THE HONOURABLE THE PRESIDENT: Others are not.

THE HONOURABLE MR. HOSSAIN IMAM: I was just mentioning the forces which are at the beck and call of Congress and the Hindu community. Mr. Fazlul Huq, the Premier of Bengal, Khan Bahadur Allah Bux in Sind; you have got in the Frontier the uncrowned King of the Frontier, Khan Abdul Ghaffar Khan—all in the pockets of the Congress. In addition to that they have got the mighty Zahiruddin, the sole representative of 45 millions of Muslims. You have got the support of more than 100 millions in your pocket and still you are afraid of facing a plebiscite. You say that it is unreasonable of Mr. Jinnah to demand Pakistan. Mr. Jinnah wants nothing except the opinion and the desire of masses of the Muslims to be accepted. If you believe in what your own people, your henchmen, are saying then you ought to come round and say we accept Jinnah's demand. But you know in your heart of hearts that all these claims are false, that there is no public backing behind all these claims, these pseudo-leaders, pseudo-representatives of Muslim opinion, even including Jamiat-ul-Ulema, do not represent the Muslims today. The only body which represents the overwhelming majority of Muslim opinion in India is the Muslim League. I say, Sir, there is nothing undemocratic in demanding Pakistan, and the only reply which I have got from my Hindu friends against Pakistan is that because India has been a united country mostly in slavery, therefore we will keep it down by force of arms. England with a greater force did not use this argument with Ireland. It has allowed Ireland to have its liberty and that action has been praised by Dr. Kunzru. I think if the mighty British Empire can allow Ireland the right of self-determination, a slave India can give easily this right to its own brethren.

The question was put why the League and the Congress did not come to terms. As an Indian I feel ashamed of this. I for one felt humiliated when Mr. Amery referred to the fact that Sir Stafford Cripps came over 6,000 miles and the Indian leaders could not meet each other in their own country. It is really a shameful thing.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: There was no invitation.

THE HONOURABLE MR. HOSSAIN IMAM: It is not a question of invitation. In order to keep 4 annas in your pocket you are allowing the 12 annas to go by. We offer you 12 annas provided you give us 4 annas, and you would rather not have the 12 annas because you hate to give up 4 annas. That is the mentality of my Hindu friends. I am ashamed of this, for I know that if the Congress and the League were to come together, there will be nothing to ask from the Government. We will wrest power by our own force. *No power on earth can keep us down if the League and the Congress were united today.*

Coming to the present unfortunate state of affairs, I say that the Muslims have a natural inclination towards liberty, fraternity and equality. In the natural course of events you would not have found us today here, while the Congress was away. Twice the Muslims joined the Congress in full force and this time too we would have been in the jails and not in these gilded chambers if the Congress had not spurned us and arrogated to itself the right to speak for entire India, a right which we have been contesting for the last five years. In my opinion, Mr. Churchill's statement that the Congress does not represent the majority of Indian opinion is correct. He never conceded the right of the Congress to speak on behalf of entire India. How can the Government go back on its own action of March in September? In March, Sir Stafford Cripps came here with authority to compromise with the Congress and the League, and how can they say now that the Congress does not represent a large section of India. What he means is that the Congress does not represent entire India, and the sooner the Congress realizes that, the better. It can claim to represent entire India but it cannot make others believe that it does so. I had expected the Mahasabha and other Hindu organizations to have the decency to say that the Congress does represent a vast majority of caste Hindu opinion. I have no doubt in saying that it does represent an overwhelming majority of caste Hindu opinion, and no one can speak on behalf of the caste Hindus with that authority with which the Congress can. The Mahasabha should have conceded the Congress demand of speaking on behalf of caste Hindu India at least. The Mahasabha says that the Congress cannot speak on behalf of Hindu India and that it is only they alone who can speak on behalf of Hindu India. Look at the Muslim League. It had the power to say to its people to keep out of this, and we have kept out of it. Why did not the Mahasabha stop people from getting into this rebellion similarly? If the League had not stopped us from the beginning, the Muslims would have been with the Congress. If the Congress had not proved itself hostile and had determined to treat Mussalmans not as equals but as camp followers we would have joined them. Some people have asked why the Muslim League does not find a solution for the present *impasse*. We would volunteer our services but there are two reasons why we cannot do so at the present moment. Firstly, because you want that there should be a settlement first and transfer of power afterwards. Now, settlement first has been denied by the Congress in spite of the fact that Hindu-Muslim unity had been the plank of the Congress since the advent of Mr. Gandhi. But, right at this juncture, Mr. Gandhi has given the go-by to his life-long conviction and has followed in the wake of the Mahasabha, and said that there can be no Hindu-Muslim settlement in the presence of the British. You want us to trust in Congress justice and fairplay, after the two and a half years' experience of their *regime*. Not only the Mussalmans but all the minorities in India, whether they are economic minorities or religious minorities, have had enough of the Congress rule, and not only we but also the other nationalists are saying that the treatment of the minorities by the Congress has been something obnoxious. They picked up a man, posed him as a representative and then said that we must keep quiet because they had got a representative of ours in their Cabinet, just as the British Government are doing now. They have selected a few people and say they are our representatives. I have great regard for these eleven gentlemen, but I think it is their misfortune that they form part of a Government which is so cut away from public opinion and so careless of what people think. I shall develop my point later on, but how can I believe that the Congress is honest when it says that it will not have any talk about Hindu-Muslim unity until the British are removed? How can I approach it? It takes two to make a quarrel. I am willing, but how can I do it when the other party

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says in so many words, that they will not talk of Hindu-Muslim unity until the British are removed? There is only one way of doing it. *There must be from the British Government a clear statement that they are prepared to hand over power to representatives of the people. But if it is to be Tom, Dick and Harry, I would not have it even if the whole of the Cabinet including the Viceroyalty is transferred to unrepresentative Indians.* It will not be worth the name. It will not satisfy us, because I believe in the ultimate responsibility of my men to me. Unless I have that power of ultimate responsibility to me, I would not have it. In the Congress regime we had this system. There, the ministers were answerable to the Parliamentary Sub-Committee, and that was the body which controlled them. Some authority of that kind is necessary to keep the 11 gentlemen here on the right path. The moment you give me that power, I am prepared to support the Indian ministers in every step which they take to wrest power from British hands. But unless I get the control over you and I have the power to check you, to turn you out, I am not going to help you in any way to wrest power from British hands. A friend of mine just now whispered while we were listening to the Honourable Pandit Kunzru that there are some cleaner hands than we find in these eleven. May I say, Sir, as I started by saying, that the Muslim League would have been with the Congress in the jails if the Congress had not treated us like this and had come to terms with us. Similarly, I must warn the British people that there is a limit to patience. You have exasperated the Congress and you are fast exasperating the Muslim League too. For three years you have been dangleing with the Congress. You had the excuse that it was not prepared to support you in the war effort. We have been offering our support. What do we ask in exchange? Acceptance of the democratic principle of self-determination. You are not prepared to grant that and yet you think that the Muslims will support you or even remain neutral. *In sullen despair one's actions are not guided by the head. If the British Government has any regard for its future and has not forgotten the lessons of Burma, it should awaken and concede our demands, because without that concession—I say immediate concession—you will rule the day.* If you are guided by the advice of your own nominees whom you have selected out of the 400 millions of Indians and you think that they can deliver the goods to you, you are welcome to the delusion; but that delusion will not last long. Some of my European friends have given the advice that no transference of power should take place in midstream. Was England not in midstream when the Low Countries were attacked and did not they change the team then? Was not England in great danger a month before Dunkirk when you changed the team. To say that you cannot change it now here is but petty excuse, untenable position, and self-aggrandizement. I say, Sir, with full responsibility that you are listening to gentlemen who had a glorious past and you have given them a good present; but they have no future. Whether the British win or the British lose, the present Indian Cabinet has no future. We had new elections in 1937. None of these gentlemen after the interim Ministry could find a place in the governance of India. Similarly when the day comes and you are victorious and the British people are honest and truthful in their promise of handing over power, if that happens, even then these gentlemen will have no place. We know them; they are amiable gentlemen but they are not in the good books of the political parties. As to the permanent civilians Indian officers as well as British officers are actuated solely by the desire of bettering their position because they know that the time is short. They believe in the promise of Churchill and Cripps that as soon as hostilities cease power will be handed over. Where will they be? They will be nowhere. *It is wrong to expect the Honourable Members*

to commit hara kiri and recommend to the British Government to hand over power to the representatives of the people. They may be willing to do so if circumstances force them to do so, but they will not be human beings if they do not try, the British as well as Indians, to hold on to their position as long as they can. Now, Mr. Churchill's statement is a glorious statement! It at the same time disposes of and treats with one far brush all those who co-operate or who do not co-operate but happen to be unfortunately Indians. We, Muslims, have been given the great right of self-expression. What enormous concession!! What magnanimity!! What generosity!! No share in the Government. No mention of the League in spite of the fact that the League has kept the Mussalmans out of this affair. If the Mussalmans had joined the Hindu friends now or do so at any future time, you will not have a day's rest.

I for one, Sir, not only recognize but I believe in the right, the inherent right, of a slave nation to revolt. It is our misfortune that we are kept in slavery. The primary responsibility for revolt is on those who keep us down and do not give us a share in the Government. I for one have no share in the Government and therefore I do not feel called upon to adjudicate how far the responsibility is that of the Congress or of the others for the present subversive movement. But, Sir, when I said that it is the inherent right of a slave nation to revolt, like every human right it carries with it its liabilities. *The liability of revolt is that it must be for the well-being and freedom of all parts and peoples of the country and not for the exercise of semi-imperialism by the majority over the minorities. It should not be used to keep down a people against its wish under subjection to anyone—it does not matter whether the imperialist is of the same country or of another country.* Ireland could revolt, as I said, and it has been praised for its revolt. The British Government have accepted their demand and given them freedom. If the Congress had come to terms with us and accepted our right of self-determination, I would have regarded that at least in this respect their right to revolt is justified. Then, there is another restraining influence, and that was also stressed by Dr. Kunzru, that Ireland rebelled during the time of the Great War, but it did not get its freedom then. It got its freedom when the war was finished. Similarly if we were to revolt today, what guarantee have I got that we will not be run over by Japan? It is this which has been the restraining influence with the Mussalmans. If Mr. Gandhi had come to terms with Japan and then revolted then he would have a guarantee that the revolt which he was making would, after fructification, get India freedom. But what guarantee have we got? The present-day war is not a war which can be won by non-co-operation or merely by numbers. It is a mechanized war and in that we want the goodwill of the United Nations. It is because we cannot save India from the aggressors without the active help of the United Nations that we have kept out of this revolt and there is no love lost between ourselves and the British. I say it is not the Muslim League which is being utilized, as my friend Mr. Sapru said, by the British people. They are exploiting the Congress. The Congress from the very beginning has been unwilling to share power with others. It can only come to terms with British provided the whole thing is handed over to them alone. When I say this I can quote chapter and verse for it. The Congress assured the British Government of certain fundamental things: that the provisional Government will carry on the war and that they won't come to terms with Axis powers. These assurances have been given without asking, consulting or even knowing the will of the other parties in India. How could the Congress assume responsibility for the entire provisional Government to be formed unless you assume first that Congressmen are the persons who will get the power. It is only then that they can

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give an assurance. The first step therefore which the Mahatma ought to have taken was to have consulted Indian opinion and said, "Am I justified in giving all these assurances to the British people?" and when he had taken the consent of the peoples of India then he should have offered it to the British people. What is the worth of the promise that has been made, that they will give you active support, when it has no backing except that of the Congress people alone. As I said at the beginning it is that assumption which Mr. Churchill has repudiated. I say that the British people are exploiting this position of the Congress because the Congress refuses to come to terms. I have not the time but I have brought with me two booklets: *The Congress and the Axis* (extracts from the *Times of India*) and *Practical Politics or not* (some articles from the *Civil and Military Gazette*). These two booklets have amply proved that the Congress has never been willing to support the war effort due to two difficulties. Firstly, Sir, they said they believe in non-violence. Every political party has a right to have a belief, whatever it likes. I am not going to question that. They are wise people. When they decide that non-violence is the best method they are welcome to it. There have been some changes. Sometimes the Mahatma is deposed and the Congress takes up violence as part of its creed, then he comes back and the Congress hands over power to the Mahatma and so on and so forth. Such come-backs in and goings-out continue. But if you mark, it, every demand by the Congress is every time accompanied with either a prospective revenge of the British or an actual defeat of the British. At times the demands of the Congress may have differed in parts but in effect they are the same. They want complete power. The Congress will then have such nominees as it likes from other parties. They will be nominees of the Congress just as we have got eleven nominees of the Viceroy in the Cabinet. So, Sir, they only want that they should have complete power and that they may be able to end this war whenever they desire and on the terms they desire. I do not say that they have got any sort of agreement with Japan.

THE HONOURABLE THE PRESIDENT: I hope you are not going to say anything on the present situation.

THE HONOURABLE MR. HOSSAIN IMAM: I am going to, Sir. I have got fifteen minutes left, Sir.

I was saying, Sir, that the Congress is not willing to have half powers and you are not willing to give full power. Yet you use that argument to deny power to others, and in the same breath you say that the Congress does not represent a majority of Indians. Was it not just that Mr. Churchill should have announced simultaneously that he is calling the representatives of the other parties—the Muslim League, the Mahasabha and others—to come and join the Cabinet. That would have been the right thing and I may tell you that if we are placed in power we will be able to warn the Congressmen from their misguided actions, because we know them better than the other Indians who do not belong to political parties do. We may have our differences, but we honour each other and we have greater regard in spite of our differences than the Members of the Viceroy's Cabinet can have for us or the Congress and we are better able to be and we will be more conciliatory than the present executive can be. I say, Sir, that the British Government must be willing to hand over to representatives of the parties. Without that they may carry on the Government but the prospects of victory will be gloomy, if nothing more.

As I said, Sir, I am not going to adjudicate on the responsibilities of the Congress and others who are taking part in the subversive activity but I can say this much, that when there is a powder-magazine a wise man will avoid going there with his cigarette or throwing matches. Many of my colleagues have stated the fact, which for one I do not combat, that there is exasperation in India, that people of India are dissatisfied with the present Government. Was it wise in this condition to start the civil disobedience movement? The Congress ought to have known the present position. Mr. Aney, I am told, Sir,—and I speak subject to correction,—while he was in Madras sent a long telegram not on behalf of the Government but in his individual capacity (just as Sir Feroz Khan Noon spoke in his individual capacity at Aligarh) requesting the Congress to forego from its action, to be wise, but it had no effect. And Mr. Aney was once a dictator of the Congress—don't forget this. Was it wise of the Congress to start the movement knowing full well that it will embrace the war effort, knowing full well that this is just the same scorched-earth policy which had been condemned by them but recourse to which would be taken by its own people, if not its own party men. Who is losing? Whose lives are lost? It is Indian lives which are lost; it is Indian property which has been burnt down. Was it wise or statesmanlike to start the movement at this juncture? I say, Sir, whoever might be responsible for this movement it was singularly ill-advised, ill-timed and ill-conceived.

But simultaneously with this I must say that the British Government of India has given proof, positive proof, of its incompetence to govern. In the 8th August statement of the Viceroy's Council they stated that they had pre-knowledge that Congress intended to attack communications. Sir Reginald Maxwell has stated in the other House and perhaps the Leader of the House also stated here that the Governors had warned the Central Government that something of this nature would happen. May I ask what precautions had been taken? Any Government worth the name would have taken precautions to make this kind of arson and looting impossible at least in cities. But is that the record of this almighty, representative and democratic Government of India at the present moment? In the present movement in the City of Delhi, in the Imperial City of Delhi, a Government building was burnt down involving a loss of Rs. 8 to Rs. 10 lakhs, and the fire continued not for an hour, but for hours together, probably 18 hours, and big girders of 12 to 15 inches were distorted by intense heat. I would ask Honourable Members of this House to go and see the Clearing Accounts Office and see the competence of this Government in the Imperial City of Delhi. It can only clap in jail a few leaders, but it could not take measures to prevent such things happening, even with all the armies stationed in Delhi. And this is not a solitary instance, Sir. I could give many but to mention another. In the capital of Bihar, the Patna City station was robbed and burnt, and Rs. 2 lakhs worth of things from the goods shed were looted for 36 hours. This Government has proved itself utterly incapable of handling any situation. Look at the railways. It is now 40 days since this movement started. Between Calcutta and Delhi we used to have six or seven through trains, and we have now got only 1½ trains. I say 1½ because the Parcel Express is very irregular. Sometimes it runs and sometimes it does not. Only the Delhi Mail runs. Is this control? You say that you have got control of this movement when the Congress had not been able fully to organize its movement. Remember this, for that is the only justification for clapping them in jail. If you had given them time they would have perfected their system: and how will you save the situation if and when the Japanese come and fifth columnists are let loose? You may not have saved the telegraphs, but at least you could have saved the railway lines. You should

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have introduced a system of collective responsibility. May I remind you, Sir, that if you look at the map of India you will find that the intensity of this movement is the highest in the provinces in which the Muslims had complained of oppressions in the Congress regime. Bihar is an outstanding example of the present disturbances: and do you know the reason? It is not the entire population that is hostile to you. The hostiles are few. But there are two factors. One is the lurking sympathy which people feel when they have some sort of complaint against the powers that be. Secondly, there is the fear complex. Mobs have been known to retaliate and heavily retaliate on those who side with law and order. You cannot give that confidence to the general public that the forces of law and order will save them unless they have got their own men at the helm. It is only the presence of our own people who can inspire confidence in the public and will make them work for law and order. These military demonstrations will not get the support of the law-abiding citizens. I am not going to cite many instances: but a very unfortunate instance in Bihar, in which two officers were murdered and their bodies paraded through the streets comes to my mind. The whole bazaar saw it: but no one would come forward to give evidence because they were afraid of retaliation, and the mob would have retaliated on these people if they had given evidence. Similarly, Sir, there are instances in which the forces of law and order have also exceeded, and the Government should in all honesty and fairness, while supporting its officers in the exercise of their legitimate power, be willing to condemn acts of excesses wherever they may happen.

THE HONOURABLE THE PRESIDENT: Will the Honourable Member close his speech now?

THE HONOURABLE MR. HOSSAIN IMAM: I am at the end of my speech. I will say this in conclusion, *that to carry on the government is a comparatively easy task, but to face the enemy and defeat the enemy, as you have never done so far in the east, mark these words, it is a different task.* All the time you have been having glorious retreats and masterly withdrawals. The casualty list which was published yesterday showing the number of Indian troops killed, missing and wounded in Burma being less than 5,000, shows how little you fought.

THE HONOURABLE THE PRESIDENT: Will the Honourable Member please finish his remarks now?

THE HONOURABLE MR. HOSSAIN IMAM: I will not take more than two minutes, Sir.

I was saying that in order to carry this war through and to check the order of your eastern battles, that is to win victory, you must have the support of the people; and without that support you may rest assured that victory will never be won, it will ever elude your grasp.

THE HONOURABLE SIR JWALA PRASAD SRIVASTAVA (Civil Defence Member): Mr. President, Sir, I had very little intention of participating in this debate as there are so many other Government spokesmen much more capable than myself to put the Government case. Sir, I am one of the youngest Members of the Government. I am in fact a baby! (Laughter.) But, Sir, I might perhaps place the point of view of the Indian Members before the House.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: All the Indian Members?

THE HONOURABLE SIR JWALA PRASAD SRIVASTAVA: I could not swear to it, but I should say of at least many of the Indian Members. Sir, I do not think we are as bad as we have been painted to be by some of our friends. I do not say this with pride, but I am making a bare statement of fact. Sir, we have endeavoured from the very beginning to do what little we can to resolve the deadlock. I hate the word "deadlock" but still it has got to be used sometimes. Sir, we have been working night and day to restore peace and harmony, and if we have not achieved more success surely the fault is not ours.

Sir, let me give to the House a rapid survey of the events which have led up to the present situation. It will be remembered, Sir, that the Viceroy invited Mahatma Gandhi and Mr. Jinnah soon after the outbreak of hostilities. He had a talk with them, and I believe the object was to reach an arrangement which will hold for the duration of the war. At that time unfortunately the Congress ministries had resigned. I thought and still think, Sir, that that was a great mistake. The Congress were in power in the Provinces and they could have done a lot if they had remained in power. But they chose the other course and they resigned, so that in the Provinces where the people come in contact with the Government, there was autocratic rule, Governor's raj. Sir, that was a catastrophe of the first magnitude to my mind; and I think it is largely responsible for the embitterment of the feelings as we find them to day. If the Congress had retained their positions in the Provinces, I am sure ways and means would have been found by which everybody would have shared in the administration of the country both at the Centre and in the Provinces. I might also recall, Sir, that before that, the proposal to introduce Federation in the Centre was vehemently opposed by many of the leading parties. I feel, Sir, looking back, that if Federation had come in at that time, we would have been on a much stronger wicket today. I think it was a great mistake that we threw away what was a golden opportunity to my mind. If Federation had been accepted, the bogey of Pakistan would not have been raised, and I cannot help feeling that those who are responsible for not accepting Federation at that time are greatly to blame.

I just mentioned that soon after the outbreak of hostilities the Viceroy summoned Mahatma Gandhi and Mr. Jinnah. That talk, I believe, led to nothing. I believe the Mahatma demanded the sole right at that talk of nominating the personnel of a National Government which was going to be set up. I speak subject to correction. But, as far as my memory goes, I think he demanded the sole right and on that rock the ship was wrecked. The Viceroy could not agree to it. Thereafter, the Viceroy pursued his efforts and he summoned no less than 52 of the leading men of the country and had talks with the object of evolving a scheme under which Indians could work the government of the country. Sir, those talks also resulted in nothing. Then the Viceroy made another attempt and that was in August, 1940. He made an offer to the organized parties of the country. We all know, Sir, that that offer too was rejected.

THE HONOURABLE MR. HOSSAIN IMAM: Why?

THE HONOURABLE SIR JWALA PRASAD SRIVASTAVA: I am not going into the "why". I am only stating the fact that that offer too was

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rejected. Last of all there came the mission of Sir Stafford Cripps with which we are very familiar. I believe the main object of that mission was to placate the Congress and the Muslim League, and whatever may be said now, I think that at that time both these parties thought that they were very near the goal. Unfortunately, at the last minute, the Congress rejected the offer and Sir Stafford Cripps had to go back to England. That, I believe, Sir, is the culminating point of the present tension. The information which I received here when I joined my present appointment was that preparations had been going on by the Congress to embark on a mass movement of great magnitude. I do not know whether any of the Honourable Members present here are cognizant of that fact. But I believe that these preparations had been in train for several months and it was openly hinted that the machinery of Government should be paralyzed. I would like the House to look at the position of Government from this background. We were faced with a life and death struggle; the enemy was standing at our doors and we were presented with the prospect of a mass movement of that character. As I have said, I only joined the Government a few days before the crisis took place, but I wish to assure the House that so far as the Government was concerned, they had a lot of information which gave them no alternative, no choice at all, if they were to save the country from a catastrophe of the first magnitude. It may be that the steps they took did not succeed as well as they thought they would. Still, what was the alternative before the Government when they had that kind of information? Sir, it cannot be said that the Government is composed entirely of men who have no love for the country. I do not claim myself as a great patriot although I have my own opinions of love for my country. But there are people in the Executive Council who yield to none in their love for the country and if they all deliberately took a decision like that, the circumstances must have been grave. That is the only thing that I can say on that point. And, Sir, supposing the whole blame rests with the British Government, why did they take such a step? What was the reason? We know very well that they have been endeavouring very hard to win over the Congress. Why should they embark on a step which would cause all this trouble in the country unless they were driven to it? They were on the edge of a precipice and they had to do it. The steps that we took were never intended to be punitive. They were entirely preventive, and although I am not aware of the excesses that have been talked about, I hope my Honourable friend the Leader of the House will answer these charges. I wish to assure the House that we, Indian Members of the Executive Council—in fact the entire Executive Council—was fully agreed that no vindictive steps should be taken, that the minimum force only should be used and that distinguished leaders should be housed in conditions of comfort and even luxury. They are merely detained so that they might not actively support the Congress programme. We had thought that their detention would not be long. We had thought that very soon probably the country would learn better and that this danger would pass off. But things have turned out to be different and I hope the House realizes that we are not doing anything with a view to penalize leaders whom we all respect. I have never been a Congressman myself. In fact I have been a strong opponent of the Congress; but I have great respect personally for Mahatma Gandhi and many other leaders. They are India's greatest sons.

Now, Sir, I turn to some of the points raised by my friends the Honourable Mr. Sapru and Mr. Kunzru. The position of an Executive Councillor under the Act of 1919 is a little bit peculiar. The House is doubtless aware

that so far as the Centre is concerned most of the provisions of the Act of 1919 still apply. Sir, if we had had Federation, then these transitory provisions would have gone. But, Sir, rules are one thing, the Act is one thing, and yet practice and convention can be different. I wish to assure the House that we, Executive Councillors, today are being treated in the most liberal manner and we have never had an instance—if I am not giving away a secret—in which the Governor General has seen it fit to exercise his veto. I make that statement categorically. Of course I have been a member for only six or seven weeks, but during this brief time I have never had an instance of interference and what is more we have been allowed to function as a composite government. Sir, what the law cannot do can be done by practice and convention. As regards the controversy about the Executive Councillors not having done anything to resolve the deadlock or to initiate proposals, I think there is a little misunderstanding. According to the letter of the law no Executive Councillor or the Executive Council as such is allowed to initiate measures for constitutional changes. The reason is very simple. My friends who are eminent lawyers will know this better than I do. My Honourable friend over there says "No". Dr. Kunzru too has been an eminent lawyer at one time. Now, we cannot in the very nature of things frame a constitution affecting ourselves. We are not allowed technically to initiate constitutional measures and I make bold to say that never so far has the Executive Council initiated any such measures. Before us there have been distinguished Indian Members of the Executive Council and excepting in one instance—and that related to the Muddiman proposals: because that was a more or less local matter, they appointed a committee to examine the working of the Montagu Reforms—except in that one instance never have any constitutional proposals been initiated by the Executive Council. Whether this is the right position or not I do not know, but the Act makes it clear. When I have said that I do not mean that the Executive Councillors cannot use their influence and adopt other methods for the resolution of the deadlock. Sir, my friends over there know that we cannot give out secrets of the Executive Council. Our mouth is closed and I do not wish to say definitely what we have been doing or not doing. But, Sir, I wish to assure the House that we are not oblivious of our responsibility in the matter. We are very conscious that something must be done and in doing anything in that connection it is the members of this House who can be of the greatest help. Sir, when we want to put forward any proposal for the establishment of a National Government we are at once faced with this communal deadlock. In fact the speeches which have been made here today give us the completest justification for not doing anything. These speeches had better not been made on the floor of this House. I think these speeches ought to have been made outside the House. It would have greatly strengthened our hands if Messrs. Kunzru and Hossain Imam had come to me or to my friend here with an agreed formula. That is what we are up against all the time. In fact, what is a National Government? A National Government is one in which all parties are united which leaves no room for controversy or opposition, and unless we have these fundamental prerequisites there can be no National Government. What is the use of a National Government from which the Congress or the Muslim League is standing out? We have these real difficulties and I appeal to the House to assist us in solving them. I wish to assure the House that we are most anxious that a way should be found out of the present impasse. We have been exerting all the little influence which we possess in order that a solution may be found, but so far we are no nearer it. Sir, my friend Mr. Hossain Imam has talked of the eternal triangle. That is a very bad thing. I wish he would get rid of the triangle, I feel as soon as we get rid of it we

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shall have our freedom. If only Mr. Hossain Imam and Mr. Kunzru could talk out their differences and come to us as one man, not as a Muslim Leaguer and a Liberal Leader but as one man, I think no power on earth could refuse to give us what is our birthright. It is only these differences that are stopping us. I myself have been and probably am still a member of the Hindu Mahasabha, but all my advice to that body, to whom I owe my loyalty, has been that they should try and reach an agreement with the Muslim League. We have been endeavouring to do it. So far we have not seen daylight and I do not know how long it will be before the two parties will come to an agreement. I wish to assure the House once again that the Indian Members of the Executive Council are at their command, beck and call. We regard you as our masters. I have been a Minister; so I know the position of a Legislative Council. We regard you as our masters and it is for you to command us, to come to us with a definite thing. Give us a definite formula; do not talk in the air and do not make us more confused. We shall carry out your wishes provided you would come and give us a definite lead. (Applause.)

THE HONOURABLE MR. R. H. PARKER (Bombay Chamber of Commerce): We have just heard a very lucid and illuminating description of what has led up to the recent happenings in India. To what has just been said I find I have very little to add. I do not know how any Government could have been expected to have taken no notice of an announcement by the leaders of a major political party of its intention to organize rebellion. There seem to me to be two possible alternative methods of dealing with that. One is the Nazi way and one is, if I may say so, the British Indian way. My Honourable friend Mr. Sapru yesterday rather, I thought, left the impression on my mind that he really believed that there was practically no difference between what he called British imperialism and Nazi imperialism. I hope he did not mean that, because I find it very difficult to believe that anybody can come to that conclusion with a knowledge of the facts as we know them in this world today. In most countries—certainly in Nazi countries—I feel no doubt that the leaders would have been immediately arrested and immediately shot. Now that is a very different line from the line taken by the Government under whom we are now serving today. That Government took a totally different line. They took no action till the very last moment, till they were assured that the recommendations of the Congress Working Committee were going to be accepted by the All-India Congress Committee. There are those—and I think Mr. Hossain Imam is among them—who have grave doubts as to whether they were right to wait so long but I do believe that if we members of this House had had to decide the points which Government at that stage did have to decide we would not have delayed one day longer than the Government did. Whether we would have been able to deal with it more effectively I do not know because I do not know now what the position is. I do not know whether any of us know the immediate position but we know this that a great deal of the damage that has occurred did occur partly because there was the delay which I have already mentioned and partly because we did not take sufficiently strong measures quickly. I think the second important result of the rebellious efforts of the Congress was to reduce the efficiency of the war effort. By doing this it seems to me that Congress, for the time being at any rate, have lost the sense of public duty. After all what have they done? They have done what they could, in effect, to help the Japanese and the Germans and so on and they have done what they could to harm the interests of their own friends—the Chinese, the Russians and the United Nations—quite apart from

the fact that they are harming their own masses themselves. Who were the people who were going to suffer first and primarily as the result of these attacks on communications? Clearly the very people whom they were exhorting to attack these communications. The poor are the people who have suffered, they are the people who have had to go without food or found it more difficult to get or more expensive to buy. It is not fair, it is simply damaging their own people; this sort of thing.

Then here we have, as I have just said, a major political party which has created a rebellion and is still attempting to carry on a rebellion and we are at the same time urged by some people, not by others, to create a National Government, to bring what they call a National Government into being. Now, certainly to an Englishman at a stage like this it seems to be a confusion of thought to talk about a National Government. We in England would certainly not regard anything as a National Government from which any one big party was completely excluded. It would be the antithesis of a National Government from our point of view and for that reason it seems to me that not only is it impossible to create what we have called here National Government but it is also impossible to find the appropriate recipients to whom to transfer the powers which it is urged upon His Majesty's Government that they should transfer. You must find the appropriate recipients and, as the Honourable Member who has just spoken said, if you will only create the conditions—and it is in your power to do so—if you will only create the conditions and make arrangements which will make it possible to transfer power to someone who will exercise the power properly then the whole problem is solved.

THE HONOURABLE MR. HOSSAIN IMAM: Follow Arthur Moore.

THE HONOURABLE MR. R. H. PARKER: There is an unfortunate feeling which has been mentioned in this House, of some doubt as to the real intentions of the British Government—of His Majesty's Government—regarding the handing over of power after the war. There is a suspicion that this is not the real intention. Personally I can find absolutely no grounds for that suspicion at all. I have had a lot of correspondence with people in England and in India and generally speaking the impression left on my mind is that the anxiety is the other way. The anxiety is not, as somebody said this morning, to cling to power by the British Government but the anxiety is to find somebody to whom to hand it over. That is the difficulty that I can see. In fact I know there are those among the British who very strongly hold the view that we have done our best for India and that we ought to say to her "Whether you like it or whether you don't, we shall take no part in Indian affairs after this war is over." Now I do not think that is a right point of view at all. I am one of those who have always believed in co-operation, but co-operation does involve each party helping the other and that is what we have got to learn to do. I think what we ought to do when we have a little time to think about matters is to see whether we can learn anything from the mistakes which seem to have led to this present state of world-wide war in which we are very much concerned. I think the democracies failed in the main because they depend so largely on a high sense of duty being found in a large proportion of the people. The other kind of control, the Nazi kind of control, is based on force and cruelty that we all heartily disapprove of and dislike, but if we wish to attain or retain freedom from the Nazi kind of control we must each of us accept the duty of contributing our individual quota to the affairs of the State. We must not think, as many of us are apt to do now, that when we

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have paid our taxes we have performed our duty. Our duty to our fellow-men is really limited only by our capacity to help them and we have only to look down the past and see the conditions of today to realize the failure of a policy of standing on one side and leaving it to someone else to do our share. All too often such a policy leads to power being in the hands of the incompetent or the actively wicked.

We must therefore watch and work. If we do not we cannot expect reasonable results. If we fail we risk more than existence—nothingness, non-existence, may not be a serious state. The conditions of horror which the Axis States have brought about must be destroyed. That is the first thing.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : Mr. President, Sir, I am reminded of an Arabic proverb which says that truth is bitter. If it was my duty yesterday and the day before yesterday to place before this House true statements of facts and figures and if they have produced bitter repercussions in the minds of the Honourable Mr. Sapru and the Honourable Mr. Kunzru, it only justifies the truth of that proverb. My Honourable friend Mr. Sapru said that my speech was characterized by a lack of statesmanship and irresponsibility. All that I can say is that when we have to face difficult situations, statesmanship and responsibility consists not in ignoring facts but in taking facts into account and trying to find remedies for them. As regards the speech that I made in connection with the Resolution that I moved the day before yesterday, I am glad to find general support from this House. Except for three speakers who evidently took exception to two or three small matters of fact, there has been general support from this House. In the first place the non-Congress opinion represented in this House has been voiced forth by my friends Sir A. P. Patro and Sir Ramunni Menon. They have told us clearly that it is the duty of the Government to maintain law and order and that what the Government have done is right. They have further said that for all this struggle the Congress is responsible, and their responsibility is due to the fact that they could not come to any settlement with the British Government either on the August offer of 1941 of His Excellency the Viceroy : nor would they accept the solution offered by Sir Stafford Cripps six months ago. Then we have got the orthodox Muslim League view put forward by Mr. Hossain Imam who found fault to a certain extent with the Government and to a greater extent with the Congress ; and we have got the orthodox Congress view put forward by my two friends the Honourable Mr. Sapru and the Honourable Mr. Kunzru.

THE HONOURABLE MR. P. N. SAPRU : On a point of order. Neither Mr. Kunzru nor I belong to the Congress organization—

THE HONOURABLE SIR MAHOMED USMAN : I never said that you belong to the Congress. I only said you have put forward their views.

THE HONOURABLE MR. P. N. SAPRU : We have put forward the views of the Liberal Federation and of nationalist India.

THE HONOURABLE SIR MAHOMED USMAN : Unfortunately they coincide with those of the Congress. It is not my fault.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : We have happily put forward views which have been accepted by all the parties unanimously, and which are also the opinions of Sir Tej Bahadur Sapru and Dr. Jayakar.

THE HONOURABLE MR. P. N. SAPRU : You stand condemned as a Government without any support.

THE HONOURABLE THE PRESIDENT : I think you can ignore this interruption.

THE HONOURABLE SIR MAHOMED USMAN : What I meant to say with regard to the present situation was that my Honourable friends Mr. Sapru and Mr. Kunzru found fault with the Government for not allowing Mr. Gandhi to interview His Excellency. If this had been done, things would have been delayed. After the passing of the resolution at Bombay by the All-India Congress Committee, if the Viceroy had permitted Mr. Gandhi to see him, a number of days would have been wasted, and what would have happened was that the Congress leaders would have gone back to their provinces from Bombay, and would have perfected their plans for civil disobedience, as has been said by the Honourable Mr. Hossain Imam and by another speaker here, and Government would have been faced with trouble a hundred times or five hundred times more difficult than what it was on the 9th August. As the Honourable Sir A. P. Patro rightly said, in all these disturbances, as a result of the Congress movement, a number of poor innocent people have lost their lives.

As regards excessive force, of course in a big movement like this, I do not deny that here and there there may have been some little excessive force used by the police or by the military. In such cases I think the Honourable Member should bring such instances to the notice of the local authorities. As far as the Government of India are concerned, from the facts and figures that we have got before us, there are no strong reasons at all to assume that excessive force was used either by the police or by the military. Therefore there would be no inquiry into their conduct.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : You ignore facts : it is shameful.

THE HONOURABLE SIR MAHOMED USMAN : Order, order.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : You are not the man to call us to "Order."

THE HONOURABLE THE PRESIDENT : I have given some latitude. You should not overstep it.

THE HONOURABLE SIR MAHOMED USMAN : I would repeat the Arabic proverb that "Truth is bitter".

As regards the political situation, Sir, speeches have been made from the point of view of the non-Congress, from the point of view of the Muslim League, and from the point of view of the Congress or the Liberal Federation, expressing different views. But unless and until it is possible for leaders to come to an agreed formula, how is it possible for Government to accept any such proposal with such differences of opinion. The views of the Princes and other bodies have to be considered. Unless and until there is a joint agreed formula, I do not see how there could be a real solution of the political problem.

The Honourable Mr. Sapru said that in quelling disturbances Nazi methods were adopted.

THE HONOURABLE MR. P. N. SAPRU : On a point of personal explanation, Sir. I did not say in all cases Nazi methods were adopted. What I said was that people were asking whether in some cases those methods were not adopted and whether there was much difference between Nazi methods and the methods adopted in some places in the country. That is a very different thing.

THE HONOURABLE SIR MAHOMED USMAN : Anyhow some suggestion like that was made. I should like to assure the House that Nazi methods were never adopted by the British Government in the administration of this country at any time. If they had been Nazi-minded, they would not have brought parliamentary institutions like the Legislative Assembly and the Council of State into existence and have allowed a discussion of the present situation.

THE HONOURABLE MR. P. N. SAPRU : What about the bombing of the Hurs? Is it not a Nazi method?

THE HONOURABLE THE PRESIDENT : Do not interrupt now.

THE HONOURABLE SIR MAHOMED USMAN : Today barring the Congress, the whole country stands behind the Government in the prosecution of the war—

THE HONOURABLE MR. P. N. SAPRU : Nonsense!

THE HONOURABLE SIR MAHOMED USMAN : It is due to the sense of British justice and fairplay which they have introduced in the administration of the country.

The Honourable Mr. Sapru condemned the speech of Mr. Churchill, pleaded for the abolition of the India Office, and condemned the attitude of Sir Stafford Cripps. We all know that when Sir Stafford Cripps, well known for his sympathy towards the political aspirations of India and a great friend of the Congress, came to India and carried on his talks with all the important political parties, he discovered that the real object of the Congress was to get unlimited power for itself. As a true Britisher he refused to allow this, as it would be very unjust to other parties. Mr. Amery has been trying to protect in any political settlement the interests of the Muslim community, the Depressed Classes, the Princes and other interests. For this offence the office of the Secretary of State for India should be abolished, according to the Honourable Mr. Sapru. Instead of being grateful to the Prime Minister for making the Cripps proposals as the settled policy of the British Crown and Parliament he is condemned because he spoke the bitter truth that the Congress does not represent the whole Indian nation. When the Muslims have all practically gone out of the Congress and have come under the leadership of Mr. Jinnah, the Congress has lost its national characteristic. If further evidence of this was needed, you will find that the Muslims throughout India obeyed the mandate of Mr. Jinnah and completely abstained from joining the present civil disobedience movement.

As regard the political solution, Sir, we have got the Prime Minister's assurance. He said :—

"The broad principles of the declaration made by the British Government, which formed the basis of the mission of the Lord Privy Seal (Sir Stafford Cripps) to India must be taken as representing the settled policy of the British Crown and Parliament. These principles stand in their full scope and integrity. No one can add to them and no one can take anything away".

And the Secretary of State has made the following statement :—

"Statements already made show that the Viceroy will always be willing to listen to suggestions made within the framework of our previous proposals by any representative body of Indian public opinion".

Thus, the solution of the political problem lies in our own hands. If we do not agree among ourselves and do not show any spirit of give and take, why blame the British Government? (*Applause.*)

The Council then adjourned till Eleven of the Clock on Friday, the 25th September, 1942.

COUNCIL OF STATE.

Friday, 25th September, 1942.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

ADVISORY COMMITTEE FOR THE UTILIZATION BRANCH OF THE GEOLOGICAL SURVEY OF INDIA.

THE HONOURABLE THE PRESIDENT: With reference to the announcement made by me on the 23rd September, 1942, regarding nominations to the Advisory Committee to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India, I have to announce that the following Honourable Members have been nominated for election to that Committee:—

1. The Honourable Mr. Hossain Imam.
2. The Honourable Rai Bahadur K. Govindachari.
3. The Honourable Rai Bahadur Sir Satya Charan Mukherjee.
4. The Honourable Mr. Nikunja Kishore Das.

There are four candidates for two seats and an election will be necessary. The election will be held on Monday, the 28th instant.

QUESTIONS AND ANSWERS.

UNITED NATIONS DAY PARADE IN NEW YORK.

49. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Have Government made any enquiry into the report that British Official tried to discourage representatives of India from taking part in the United Nations Day parade ceremony in New York in July last? What are the actual facts?

THE HONOURABLE SIR MAHOMED USMAN: The Government of India have ascertained from the Agent-General for India in the United States of America that there is no foundation whatever for this report.

2. The facts are as follows:—

The City of New York invited the Indian Agent-General to arrange an Indian entry for the United Nations War Parade to be held in New York City on June the 13th. Naturally no Indian troops were available and the shortness of notice made it impossible to make any elaborate arrangements; but a "Float" was arranged which was favourably commented upon both by the New York Press and Radio commentators, and of which I shall be glad to show the Honourable Member a photograph.

MANUFACTURE OF MEDICAL SUPPLIES AND STORES FOR THE ARMED FORCES.

50. THE HONOURABLE RAJA YUVERAJ LUTTA SINGH: Will Government state approximately what percentage of medical supplies and stores required for the armed forces, are now made in India as compared with the pre-war output; and what steps, if any, are being taken to maintain and increase the standard of supply of Indian medicines and drugs in post-war conditions in this country?

THE HONOURABLE MR. C. MACI. G. OGILVIE: (a) The percentage of the number of items of medical stores required for the armed forces, now manufactured in India, is approximately 68, whereas the pre-war output was only 25.

(b) This matter will be considered by the appropriate Reconstruction Committee together with the general question of ensuring the continued development in the post-war period of industries started during the war.

EVACUATION OF THE POPULATION OF CERTAIN AREAS IN THE UNITED PROVINCES.

51. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that under the direction of the Government of India the ejection of the civil population from certain areas, urban and rural, has been carried out, without any proper notice, or compensation, or arrangements for transport and provision of land and housing for those thus forcibly ejected in the United Provinces? Will Government state the areas from which the population have been compelled to evacuate, the reasons for the same, the total amount of compensation paid to them, or other facilities given? What approximately would be the number of persons affected by this order of evacuation?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: The population has had to be removed from certain areas in the United Provinces in connection with the construction of aerodromes. Such removal has been carried out by the Provincial Government and therefore the Central Government have no information about the payment of compensation or the arrangements for transport and provision of alternative land and houses. In requesting the Provincial Government to acquire this land, the Central Government stressed the fact that District Officers should give as much notice as possible to all persons to be evicted, that no one should be evicted unnecessarily, and that compensation should be on a generous scale. In this connection I invite the attention of the Honourable Member to the Press Communique issued by Government on August 4th about the steps which are being taken to alleviate the hardship caused by certain Defence Measures. They also brought to the notice of the Provincial Governments a Press Note issued by the Director of Public Information, Bengal, Calcutta, on the 15th of April, 1942, detailing the measures which were being taken by the Bengal Government in similar circumstances. Government have no information as to the number of persons affected by the orders passed by the Provincial Government and I regret that it is not possible to specify the areas concerned since this would afford valuable information to the enemy.

EXPORT OF FOODSTUFFS.

52. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state to what countries India has sent food supplies, since the outbreak of war; and how much to each country?

THE HONOURABLE SIR ALAN LLOYD: The following quantities of food-stuffs were exported from India during the period September 1939 to June 1942:—

	Tons.
Rice	827,395
Wheat and wheat flour	430,605
Other grains and pulses	278,449

The countries involved were:—

United Kingdom, Netherlands, Aden and Dependencies, Arabia, Bahrain Islands, Ceylon, Straits Settlements, Federated Malay States, South Africa, Portuguese East Africa, Mauritius and Dependencies, Kenya, Zanzibar and Pemba, other East African Ports, Canada, United States of America, Cuba, West Indies (other than Cuba and Bahamas), Persia, Burma, Anglo Egyptian Sudan and Eire.

It is regretted that figures of export to each country cannot be published as it might disclose information of value to the enemy.

DEATH IN ENGLAND OF THE FAMILY OF DR. W. H. H. SERA SINGHE.

53. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that Mrs. Sera Singhe, wife of an Indian doctor Mr. William Henry Hubert Sera Singhe, of Smethwick, Birmingham, and her three children were found dead at her home in June, 1942 while her husband was patient in a Birmingham Hospital? Has any inquiry been made; and what are the facts and circumstances relating to this incident?

THE HONOURABLE MR. A. V. PAI: The Government of India have no information at present. From the name given the doctor would appear to be a Ceylonese. Inquiries are being made and if he is found to be an Indian any information that may become available will be laid on the table of the House.

NUMBER OF SECURITY PRISONERS IN DIFFERENT PROVINCES AND THE NUMBER RELEASED BY THE SPECIAL TRIBUNAL.

54. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state the numbers of security prisoners in the different Provinces, and the numbers released as a result of the decisions of the Special Tribunals which were appointed to review their cases?

THE HONOURABLE SIR MAHOMED USMAN: Government have no information regarding the present number of security prisoners in the Provinces, nor can they state the numbers released by Provincial Governments as a result of the review of their cases; but they understand that the number of releases has been considerable. Of the 29 cases of Central Government security prisoners reviewed by the Committee appointed for this purpose by the Government of India, 14 have been released and five more cases are still under consideration.

PRISONERS IN THE ANDAMANS.

55. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government state the number of prisoners, including "political prisoners", if any, in the Andaman Islands at the time of the Japanese occupation; and what became of them? (b) Now that the Andaman has become enemy territory, where are the prisoners with sentence of penal servitude being kept?

THE HONOURABLE SIR MAHOMED USMAN : (a) There were about 5,850 prisoners in the Andamans at the time of the Japanese occupation of the Islands. Out of these about 150 were actually in the jail and the rest were outside the jail, either as talabdars or self-supporters. There were no prisoners in the Andamans who were convicted of offences in connection with any political movement. The Government of India have no information as to what has become of the prisoners since the occupation of the Islands by the Japanese.

(b) Prisoners sentenced to penal servitude are not sent to the Andamans but serve their sentences in Indian jails. The Honourable Member is perhaps thinking of convicts sentenced to transportation. For some time past such convicts have not been deported to the Andamans compulsorily. Only those who volunteered for the Islands were sent there provided they fulfilled certain conditions. All convicts now naturally remain in Indian jails.

INDIA AND THE LEAGUE OF NATIONS.

56. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government state (a) whether India continues to be a member of the League of Nations; (b) if so, what financial contribution she has to pay per year, and up to what year such contribution has already been paid; and (c) what other countries and States are members of the League of Nations at present?

THE HONOURABLE MR. SHAVAX A. LAL : (a) Yes.

(b) Each Member-State contributes towards the total expenditure of the League in the proportion of the number of units assigned to her in the scale of allocation for the time being in force. Thus in 1941 India paid 48/522 of the total expenditure which in Indian currency amounted to Rs. 7,54,649.

(c) I would invite the Honourable Member's attention to the statement of contributions (Document No. C. L. 12. 1941. Xa, dated the 15th October, 1941) published by the League of Nations which contains a complete list of Member-States. A copy of this document is in the Library.

EMPLOYMENT OF POLICE CONSTABLES FOR THE PROTECTION OF RAILWAY TRACK IN BIHAR.

57. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is it a fact that arrangements have been made to employ the services of a special batch of about 1,400 police constables to guard the railway tracks belonging to the E. I. R. in the Province of Bihar as a precaution against railway disasters? If so, since Railways is a Central subject, will the expenditure involved fall upon the Central Revenues or upon Provincial Revenues? What approximately will be the annual expenditure?

THE HONOURABLE SIR MAHOMED USMAN : Yes. The expenditure will fall upon Central Revenues. The annual cost will be approximately Rs. 5.5 lakhs.

ALLOCATION OF DEFENCE EXPENDITURE.

58. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is it contemplated to effect a revision of the basis of the Chatfield Committee's recommendations allocating India's defence expenditure between India and England? If so, what are the specific proposals in this connection? And on what basis and in what proportion, if any, war expenditure between India and England is to be divided, in view of the proximity of the war to this country?

THE HONOURABLE MR. C. E. JONES : The allocation of Defence expenditure between India and England is governed not by the Chatfield Committee's

recommendations but by the Financial Settlement described in my Budget Speech for 1940-41 to which the Honourable Member is referred.

EFFECT OF THE RECENT DISTURBANCES ON RECRUITMENT TO THE INDIAN ARMY.

59. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government state whether the internal disturbances in India following the arrest of Mr. Gandhi and other Congress leaders have in any way affected recruitment to the Indian Army? What steps have Government taken to increase the tempo of recruitment for the effective defence of this country against the threatened danger of invasion?

GENERAL THE HONOURABLE SIR ALAN HARTLEY : The answer to the first part is in the negative. Recruiting figures for August are well up to average.

Steps taken to accelerate the pace of recruitment include the expansion of the recruiting organization, opening up of fresh areas and new sub-classes, increased propaganda and advertisement, and enlistment of civil assistance and appointment of civil recruiting officers on an increased scale.

CONSCRIPTION OF INDIANS IN HONG KONG.

60. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Have Government any information that Indian nationals in Hong Kong have been virtually conscripted for military service by the Japanese; while a large number of Indian soldiers has been transferred to Canton where they are being used for sentry and guard duties in order to release Japanese for front-line service?

(b) Is it a fact that Indian students, businessmen, and police have been compelled to register for military service by the Japanese, and have also been compelled to join the Indian Independence League?

(c) Has any attempt been made through neutral or other sources to obtain the foregoing information?

THE HONOURABLE MR. A. V. PAI : The Government of India have no information at present. Inquiries are being made and any information that may become available will be laid on the table of the House.

ELIMINATION OF NON-ESSENTIAL BUSINESS DURING THE WAR AND THE POLICY OF GOVERNMENT WITH REGARD TO OFFICIAL BUSINESS TO BE PLACED BEFORE THE LEGISLATURE.

61. THE HONOURABLE MR. M. N. DALAL : (a) Is it the policy of Government to concentrate official energies so far as possible on activities directly relevant to the war effort?

(b) If so, to what extent will this policy affect the nature and volume of the official business placed before the Central Legislature during the remainder of the war period and the furnishing of information in reply to questions put by non-official members?

THE HONOURABLE SIR MAHOMED USMAN : (a) Yes. Departments have been asked to give complete priority to "essential" work and to eliminate "non-essential" work, as far as possible, even at the cost of some efficiency. Essential work is work which is directly related to the war effort or is concerned with the maintenance of the administration at the minimum safe level of efficiency or the preservation of conditions necessary for the stability and war

resistance of the country or is enjoined by statute or is such that it cannot be postponed for the period of the war.

(b) Government have decided not to proceed with any new proposal for legislation unless its purpose is essential or unless it is likely to yield substantially beneficial results at the cost of a relatively small expenditure of labour. As regards questions, the policy of Government has always been to do their best to furnish all available information in their replies. In accordance, however, with the policy described in answer to part (a) of the question, Government must consider carefully in each case whether the time and labour involved collecting information, which is not readily available, would be in justified in war time by the importance of the matter. While, therefore, questions in the Legislature relating to "essential" matters will as far as possible be dealt with as usual, questions relating to "non-essential" matters will be carefully examined and, generally speaking, information in reply to them will be furnished only if they are of reasonable importance and/or information is available or can be made available without much correspondence and research.

CENSORSHIP OF CABLEGRAMS SENT BY FOREIGN CORRESPONDENTS OF NEWSPAPERS.

62. THE HONOURABLE MR. P. N. SAPRU: Will Government state whether cables sent by U. S. A., Chinese and other foreign correspondents to their countries and the papers which they are representing are liable to be censored and, if so, the reason therefor?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: Yes, owing to consideration of military security in war time.

PUBLICATION OF THE ANGLO-AMERICAN AGREEMENT.

63. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state whether all the terms of the Anglo-American Agreement concluded in March last, relating to the policy to be pursued as regards trade in the post-war period has been made public, in view of India's vital interest in the international trade and commerce and tariff policies, after the termination of the war?

THE HONOURABLE SIR ALAN LLOYD: Yes; and a copy of the Agreement has been placed in the Library.

INDIAN AGENCIES GENERAL IN WASHINGTON AND CHUNGKING.

64. THE HONOURABLE MR. P. N. SAPRU: (i) Will Government state cost of the Embassy to India in Washington and Chungking?

(ii) Will Government state the names of the officers working in these Embassies?

THE HONOURABLE SIR MAHOMED USMAN: (i) I presume the Indian Agencies General in Washington and Chungking are meant. Since the former has been functioning for less than a year and the latter for less than four months an accurate estimate of their annual cost cannot be given; but their combined annual cost will probably be in the neighbourhood of Rs. 6½ lakhs.

(ii) A statement is laid on the table.

Statement showing the names of the officers working in the Indian Agencies General, Washington and Chungking.

WASHINGTON.

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| 1. The Honourable Sir G. S. Bajpai, K.B.E., C.I.E. | Agent General. |
| 2. Mr. T. B. Creagh Coen | First Secretary. |
| 3. Captain D. Chaudhuri, I.A. | Third Secretary. |
| 4. Mr. H. Jennessy | Information Officer. |
| 5. Mr. O. Rahman | Deputy Information Officer. |
| 6. Mr. H. S. Malik | Indian Trade Commissioner. |

CHUNGKING.

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|---|----------------|
| 1. The Honourable Sir Muhammad Zafrullah Khan, K.C.S.I. | Agent General. |
| 2. Mr. H. E. Richardson | Secretary. |
| 3. Major Nazir Ahmad, I.A. | Secretary. |

NUMBER OF PERSONS ARRESTED IN CONNECTION WITH THE CIVIL DISOBEDIENCE MOVEMENT.

65. THE HONOURABLE PANDIT H. N. KUNZRU: (a) What is the total number of persons arrested in each province in connection with the civil disobedience movement?

(b) What are the facilities granted to them, particularly in regard to interviews and the writing and receiving of letters?

THE HONOURABLE SIR MAHOMED USMAN: (a) Government have not received complete information from the Provinces. The total number of persons so far arrested in Delhi is 453.

(b) This is a matter for Provincial Governments. As far as the Chief Commissioners' Provinces are concerned, the Government of India have issued instructions that all persons detained in connection with the movement shall, so far as possible, be segregated from other security prisoners and that they shall not be allowed interviews. This action is based on the need for denying to such persons all facilities for carrying on the movement which intercourse with the outside world would provide. They are, however, allowed to write letters to members of their family, provided that these are of a purely personal nature.

MACHINE-GUNNING OF MOBS FROM THE AIR.

66. THE HONOURABLE PANDIT H. N. KUNZRU: Have mobs been machine-gunned from the air anywhere? If so, what are the places where this has happened?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: Yes, at the following five places:—

- (1) On the railway near Ciriak in Patna district, about 12 miles south of Bihar Sharif.
- (2) On the railway line Bhagalpur to Sahibganj, in Bhagalpur district, about 15 miles south of Kursela.
- (3) Near Ranaghat some 16 miles south of Krishnagar in Nadia district.

(4) At a railway halt between Pasraha and Mahesh Khunt in Monghyr district, on the line from Hajipur to Katihar.

(5) Two or three miles south of Talcher city in Talcher State.

EMPLOYMENT OF OFFICERS OF THE BURMA SUPERIOR SERVICES.

67. THE HONOURABLE PANDIT H. N. KUNZRU: (a) What is the policy of Government with regard to the employment of European officers of the Burma Superior Services in India?

(b) Have any such officers been appointed to posts under the Government of India or the Provincial Governments? If so, will Government lay on the table a list of such officers together with the posts occupied by them and the terms on which they have been employed?

THE HONOURABLE MR. C. MACI. G. OGILVIE: (a) The general policy of the Government in regard to the employment of Evacuee Officers from Burma whether of superior or other services (including European, Indian and other evacuees) is that where a suitable Indian (including Europeans domiciled in India and Anglo-Indians) is not available an evacuee may be appointed.

(b) Yes. Information is being collected and will be laid on the table of the House in due course.

RECRUITMENT FROM NEW CLASSES FOR THE INDIAN ARMY.

68. THE HONOURABLE PANDIT H. N. KUNZRU: (a) What is the percentage of persons belonging respectively to the pre-war enlisted classes and the other classes among the Indian soldiers recruited since the 1st November, 1941?

(b) What are the new classes from which recruitment for the Army is taking place now?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: (a) 50.7 and 49.3 respectively, for non-technical Indian other ranks of the Indian Army. Details of recruitment of technical personnel by classes are not available.

(b) Madras classes.
Hazarawals.
Meos.
Bengalis.
Dekhani Musalmans.
Sylheti Musalmans.
Brahmins.
Christians.
Mahars.
Lingayats.
Hos, Oraons and Mundas.
Minas, Mers and Merats.
Kabirpanthis.
Chamars.
Shilpkars.
Santhals.
Meghs.
Other Hindus.
Any class.

PROPORTION OF INDIAN OFFICERS TO BRITISH OFFICERS IN THE INDIAN SIGNAL CORPS.

69. THE HONOURABLE PANDIT H. N. KUNZRU: (a) What is the proportion of Indian to British officers in the Indian Signal Corps?

(b) What is the proportion of Indian to British cadets under training at the present time for being appointed as commissioned officers in the Indian Signal Corps?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: (a) One Indian to 7 British, approximately.

(b) One Indian to 2.4 British, approximately.

RESERVATION OF SEATS, ETC., IN FIRST AND SECOND CLASS COMPARTMENTS.

70. THE HONOURABLE MR. G. S. MOTILAL: Has Government's attention been drawn to the recent judgment of the Bombay High Court regarding reservation of seats in the 1st and 2nd class compartments? What steps do Government or the Railway Administrations propose to take in the matter?

THE HONOURABLE SIR SATYENDRA NATH ROY: Yes. In exercise of the powers conferred by section 47 of the Indian Railways Act, 1890, a rule is now being framed giving powers to Railway Administrations to reserve seats, berths or compartments, as the case may be, and a Government of India notification to this effect will issue shortly.

SCORCHED EARTH POLICY.

71. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government make a statement with regard to the "scorched earth policy", if they have formulated any policy at all, in view of the latest war situation?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: The term "scorched earth" is a complete misnomer in its application to the measures contemplated in India in the event of an enemy invasion. The term appears to owe its origin to the alleged Russian and Chinese practice of destroying everything, including standing crops, water supply, cattle, etc., before retreating. The Government of India are not aware to what extent such destruction has in fact been carried out in those countries, but they have no intention whatsoever of following any policy of indiscriminate destruction. The policy of the Government will be, should a situation arise—and they have every intention of preventing with all the forces at their command such a situation arising—to deny to the enemy all facilities and materials of immediate military value in order to delay and hamper him. In practice, denial of such facilities is best accomplished, provided time permits, by removal to safe areas of such essential materials, surplus stocks, vital machinery, equipment and means of transportation as are likely to be of military value. As a last resort only, when time will not permit of removal, will destruction be resorted to. If that did occur, the great bulk of property destroyed would be the property of Government. In any case, there is no intention of removing or destroying such essentials as are necessary for the life of the people.

It is obviously not possible for Government to give details of the measures contemplated, since such information would certainly be of value to the enemy, but the Honourable Member may rest assured that any steps that may be taken will be limited solely to the military necessities of the occasion.

AIR-CONDITIONED WARDS IN MILITARY HOSPITALS.

72. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government give the main details of the air conditioning scheme for the Army in this country which has been undertaken on a big scale by the Military Medical Services in India?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: Government are planning to have air conditioning units in at least one operating theatre and one ward in all the larger Indian, British and Combined Military Hospitals throughout the plains of India. In Combined Hospitals there will be one ward for British and one for Indian patients. In addition, all operating theatres and a number of wards for British and Indian troops will be air-conditioned in Base General Hospitals.

Forty-two such units have already been installed and others are being installed as soon as the units become available. The limiting factor is the difficulty of obtaining equipment. In other wards various simpler cooling devices are installed, of which one example now being tested is the "desert cooler."

It is also planned to air condition two ward coaches per train in each Standard Military Ambulance Train in India and one ward in each hospital ship equipped by India. The operating theatre in one such ship has already been equipped.

RELAXATION OF BAN ON EMIGRATION TO CEYLON.

73. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that a provisional agreement has been reached between the Indian and the Ceylon Governments regarding the ban on the emigration of Indian labour to Ceylon and the withdrawal of anti-Indian legislation in Ceylon? If so, what are the main features of this agreement?

THE HONOURABLE MR. A. V. PAI: The reply to the first part is in the negative; the second part does not arise. I may however explain that the correct position is as follows:—

The Government of India have not removed the ban on the emigration of Indian unskilled labourers to Ceylon; they have only relaxed the ban to the extent of permitting the return to Ceylon of Indian labourers already in the island who may come to India on visits.

This was done purely in the interests of the Indian labourers in Ceylon and in order to remove the hardship which was being caused to them by the fact that they were deterred from paying their usual visits to India on holiday or for social, domestic and religious purposes, for fear that their return to Ceylon would be prevented by the operation of the ban. The Government of Ceylon were not a party to the decision taken by the Government of India and there was, therefore, no question of its being accompanied by the repeal of any Ordinances in Ceylon.

LEASE-LEND AID.

74. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Will Government make a statement relating to the position of India in connection with the statement of President Roosevelt that "No financial reckoning will take place at the end of this war in return for Lend-Lease aid" in view of the increasing volume of war materials and munitions arriving in India from the U. S. A. and the presence of increasing number of American troops in this country?

(b) Will Government give a categorical assurance that the financial interests of India and her right to devise and pursue her own fiscal and tariff policy in the post-war international trade and commerce, will not in any way be jeopardized by any commitments made in pursuance of the Lease and Lend aid?

THE HONOURABLE SIR ALAN LLOYD: President Roosevelt made no such statement. I would invite the Honourable Member's attention to the President's Fifth Report to the United States Congress on Lease-Lend operations a relevant extract from which is placed on the table.

With regard to the second part of the question, all relevant considerations including those mentioned by the Honourable Member will be borne in mind in connection with any agreement in regard to Lease-Lend arrangements.

Extract from the President's Fifth Report to Congress. Lend-Lease and the Peace.

The lend-lease programme has already become a prime mechanism in the combined efforts the United Nations are making to win the war. The programme of Lend-lease agreements is also emerging as a factory in the combined effort of the United Nations to weave a pattern for peace. Those agreements are taking shape as key instruments of national policy, the first of our concrete steps in the direction of affirmative post-war reconstruction.

The agreement with Great Britain was signed on February 23, 1942. On June, 2, 1942, an agreement was made with the Republic of China embodying the same terms (See Appendix III). On June 11, 1942, a similar agreement was signed with the Union of Soviet Socialist Republics. The provisions of these agreements are now being offered to our other allies receiving lend-lease assistance.

These basic lend-lease agreements place the problem of the peacetime settlement in a realistic and appropriate setting. The agreements postpone final determination of the lend-lease account until the extent of the defence aid is known and until the progress of events makes clearer the final terms and conditions and benefits which will be in the mutual interests of the signatory nations, and which "will promote the establishment and maintenance of world peace". Final settlement has been postponed since the course of the war may further change the complexion of the issue.

We are now in the war, as we were not in March 1941 when the Lend-lease Act was passed. We have pledged our resources without limit to win the war, and the peace which will follow it. We look forward to a period of security and liberty, in which men may freely pursue lives of their choice, and governments will achieve policies leading to full and useful production and employment. If the promise of the peace is to be fulfilled, a large volume of production and trade among nations must be restored and sustained. This trade must be solidly founded on stable exchange relationships and liberal principles of commerce. The lend-lease settlement will rest on a specific and detailed programme for achieving these ends, which are, as Article VII of the agreements with Great Britain, China and Russia point out, "the material foundations of the liberty and welfare of all peoples".

Co-operative action among the United Nations is contemplated to fulfil this programme for economic progress, in the many spheres where action is needed. It is hoped that plans will soon develop for a series of agreements and recommendations for legislation, in the fields of commercial policy, of money and finance, international investment and reconstruction.

Article VII of each of the basic agreements pledges that "the terms and conditions" of the final determination of the benefits to be provided the United Nations in return for aid furnished under the Act "shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations". By this provision we have affirmatively declared our intention to avoid the political and economic mistakes of international debt experience during the twenties.

A Lend-lease settlement which fulfils this principle will be sound from the economic point of view. But it will have a greater merit. It will represent the only fair way to distribute the financial costs of war among the United Nations.

The real costs of the war cannot be measured, nor compared, nor paid for in money. They must and are being met in blood and toil. But the financial costs of the war can and should be met in a way which will serve the needs of lasting peace and mutual economic well-being.

All the United Nations are seeking maximum conversion to war production, in the light of their special resources. If each country devotes roughly the same fraction of its national production to the war, then the financial burden of war is distributed equally among the United Nations in accordance with their ability to pay. And although the nations richest in resources are able to make larger contributions, the claim of war against each is relatively the same. Such a distribution of the financial costs of war means that no nation will grow rich from the war effort of its allies. The money costs of the war will fall according to the rule of equality in sacrifice, as in effort.

IMPROVEMENT OF SERVICE CONDITIONS OF COLOURED SEAMEN INCLUDING INDIAN SEAMEN.

75. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that service conditions of coloured seamen, including Indian seamen in British ships, are very unfavourable and at a recent session of the Joint Maritime Commission held in London a resolution was passed to the effect that "Members of this Joint Maritime Commission record their admiration of the war effort of Chinese, Indian, and all other seamen from Asia, Africa, and East and West Indies serving in the fleets of the United Nations. They urge that in collaboration with the respective organizations and Governments concerned all practicable steps should be taken to ensure that in the conditions of employment and general treatment of these seamen, there shall be no unfavourable comparison with crews of vessels in similar trades under the same registry"?

(b) Have Government made any inquiry in this connection, and what steps have been taken to improve the service conditions of Indian seamen serving in the fleets of the United Nations?

THE HONOURABLE SIR ALAN LLOYD: Government have recently received a copy of the resolution mentioned in part (a) of the question which is under their consideration. I may add that Government are fully alive to the necessity of improving the conditions of service of Indian seamen as far as possible.

FINANCIAL IMPLICATIONS OF THE AGREEMENT BETWEEN THE UDAIPUR DURBAR AND GOVERNMENT.

76. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state the financial implications to the revenues of India of the agreement which has recently been concluded between the Government of India and the Udaipur Durbar regarding the working of the zinc and lead mines in the State under the newly constituted Utilisation Branch of the Geological Survey of India? How does the American Technical Mission come into this arrangement?

THE HONOURABLE MR. H. C. PRIOR: The terms of the agreement provide for a prospecting lease with the right to a mining lease thereafter. The mining lease will give Government a right to sub-let the lease. Under the terms of the agreement referred to, the following payments (exclusive of certain incidental payments as compensation for damage or timber used, etc.), will be made by the Government of India:—

- (1) *Under the prospecting license now granted to the Government of India.*—Payment to the Mewar Government of a fixed amount of Rs. 1,000

per annum during the prospecting period. If during this period, profits are made by the Government of India, and such profits exceed the sum spent by them, then royalty at 2 per cent. on the gross sale value of products marketed shall be payable to the Mewar Government, as from the date that such profits equal the total sum of money expended by the Government of India plus interest;

- (2) *Under the mining lease subsequently to be granted.*—(1) Payment to the Mewar Government of royalty of 2 per cent. with a minimum of Rs. 10,000 per annum on the gross sale value of all products and bye-products marketed. Royalty payable on gold shall be 5 per cent. on the gross sale value;
- (2) If and when Federation is established any taxes pertaining to mining operations proposed by the Federal Government and approved by the Mewar Government shall be paid by the Government of India;
- (3) Payment of surface rent at the rate of annas eight per acre.

2. The American Technical Mission is not concerned with this agreement.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE MR. C. E. JONES: Sir, I lay on the table the information promised in reply to questions Nos. 130 to 134 and 137 asked by the Honourable Mr. N. K. Das on the 10th March, 1942.

INCOME-TAX ASSESSMENT.

Question Nos. 130 and 131.—Government have received a few representations in the matter. Only eight assesses of Orissa, however, were called to Patna for the production of account books. In all these cases the accounts had been originally examined locally but the assesses had to be called to Patna either because the examination could not be completed on the first occasion or because the assesses themselves had asked for an adjournment. Instructions have been issued that in the matter of production of accounts Income-tax Officers should study the convenience of assesses as far as possible. It will however be appreciated that it is not always possible for the Income-tax Officer to visit the same place repeatedly, so that it may at times be necessary to call assesses to the headquarters of the Income-tax Officer. But such cases should be few.

Question No. 132.—Yes, in March, 1942. He could not do so earlier as the number of appeals pending in Orissa did not justify an earlier visit.

Question No. 133.—Government consider that no sufficiently useful purpose would be served by collecting the information, since it would necessitate every case involving assessment of business income for the entire circle for the years in question being brought under scrutiny for the purpose, which would involve an expenditure of time and labour disproportionate to the value of the results obtained.

Question No. 134.—The number of cases in which penalty was imposed in 1939-40, 1940-41 and 1941-42 was 98,290 and 364, respectively. The amount of revenue derived therefrom up to 1st August, 1942 was Rs. 28,378, Rs. 1,37,418 and Rs. 90,985, respectively.

Question No. 137.—In the case mentioned by the Honourable Member nearly one-third of the tax levied was paid by the assessee in the normal course. Since the balance was not paid in spite of several warnings a distress warrant had to be issued. The assessee then paid a further sum which brought the total payment to more than half the tax levied. The sum recovered, however, as the result of attachment—which was a little more than that stated by the Honourable Member—was small because the assessee had in the meantime removed his moveables from his place of business in anticipation of attachment.

INDIAN COMPANIES (SECOND AMENDMENT) BILL.

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary): Sir, I move:—

"That the Bill further to amend the Indian Companies Act, 1913, as passed by the Legislative Assembly, be taken into consideration."

This Bill, Sir, is, as explained in the Statement of Objects and Reasons, designed to put an end to a possible source of abuse—and, it is believed, an actual source of abuse—in connection with the use of the words "bank", "banker" or "banking" by concerns which are not of first rate standing and which are anxious to escape from the special provisions laid down in the Companies Act as applicable to banking companies. Such concerns are able to escape or attempt to escape those provisions by claiming that they do not fall within the definition of "banking company" as given in the Act. That definition describes a banking company as "a company which carries on as its principal business the accepting of deposits of money on current account or otherwise, subject to withdrawal by cheque, draft or order", notwithstanding that it engages in addition in any one or more of seventeen different kinds of business which are specified in the section. These concerns to which I have referred, although they use the word "bank", "banker" or "banking" in their titles and thereby may be said to hold themselves out to the public as bankers, nevertheless claim that the accepting of deposits of money on current account, etc., is not their principal business and in this way they claim to escape the special provisions of the law which the Legislature has very wisely inserted for the protection of the public in connection with banking companies. For this reason it has been provided in this Bill that any company which uses the word "bank", "banker" or "banking" shall be deemed to be a banking company as defined in the Act. The proposal has been very widely circulated amongst commercial and financial interests as well as Provincial Governments and has received almost unanimous approval. Some criticisms have come from various directions, notably Indian associations, that the Bill does not go far enough and one association, for instance, has suggested that the words "finance", "deposit" and the like used in the title of company should also compel the company to be treated as a banking company but to accept any such proposal would, in the opinion of the Government of India, make it impossible to deal with this subject in a simple manner, which is all that the present conditions allow. At the same time this simple proposal is in the Government's opinion an urgent one. It is the intention of Government, when the position is more favourable, to overhaul the general banking law and when that time comes all these criticisms that the present Bill does not go far enough can be met. There has been one Chamber, whose recommendations were forwarded to us by the Federation of India Chambers, which had suggested that old-established firms which had been using these words in their titles should be allowed to use them without changing their designation, subject to special arrangements for checking their activities by the Government authority. It was not easy to devise such special arrangements and the Chamber concerned and the Federation I think recognized this themselves because they went on to say that if this proposal was not acceptable to the Government they should give these firms plenty of time in order to change their titles. That request has been met by the insertion of sub-clause (2) in clause 1 of the Bill.

Sir, I move.

The Motion was adopted.

(170)

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR ALAN LLOYD: Sir, I move:—

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

INDIAN RUBBER CONTROL (TEMPORARY AMENDMENT) BILL.

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary): Sir, I move:—

"That the Bill temporarily to amend the Indian Rubber Control Act, 1934, as passed by the Legislative Assembly, be taken into consideration."

Sir, the reasons for this small Bill are explained in the Statement of Objects and Reasons in terms which are, I think, rather longer than the Bill itself. Very briefly, as parties to the International Rubber Agreement, we undertook to apply certain controls on exports of raw rubber from India and on new planting of rubber plants. With the occupation by the enemy of the rubber-producing countries in the Far East a situation has arisen in which all the rubber we produce will be required for the rubber manufacturing industry in India itself, which industry has developed considerably in recent years and has been further developed in connection with the war effort. Restrictions on export therefore are out of date. Similarly the need for producing as much rubber as possible during this emergency has led to the desirability of our having freedom to allow new planting of rubber, subject, of course, to Government control, especially in cases where in order to maximize production planters have been urged to tap their trees much more vigorously than is the normal practice, with the result that this immediate action may lead to a diminution of the value of their estates. Looking ahead to the future in such cases a reasonable amount of new planting will be allowed.

Sir, I move.

* THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): May I say two words. Sir, I should like the Honourable Member to enlighten us a little more about facts about the rubber situation in India. Is the Government making any effort to manufacture synthetic rubber in India and also is any export allowed at the present moment out of India to other countries? These are the two questions on which I should like him to enlighten us, and, thirdly, we should like to know the steps which the Government is taking to conserve the rubber resources, because, after all is said and done, in the military vehicles rubber counts for a great deal and rubber is not to be had for love of money at the present moment. We have heard, Sir, that some permits have to be taken by private persons to buy tyres but that is not enough. The military also must be taught to use their rubber tyres as sparingly as they possibly can. We see every day military cars and lorries running about without any rhyme or reason with one person sitting and a big lorry of three tons being driven here and there. There are any number of instances in which you are squandering the rubber resources of the country and as I have the defence of India dear to my heart I do not like this sort of waste to go on and simply a rule of thumb method passed that if a private

* Not corrected by the Honourable Member.

[Mr. Hossain Imam.]

person wants to buy a rubber tyre he will have to go through many difficulties and justify his purchase. You are very careful where pennies are concerned but where pounds are being wasted I doubt if you have taken any care to conserve them. Sir, I should like my Honourable friend to enlighten us on the subject.

THE HONOURABLE SIR ALAN LLOYD: Sir, the first question of the Honourable Member related to synthetic rubber. The Government of India have been carefully examining possibilities in this direction, but I do not think I am in a position to say that it has been found practicable to set up any synthetic rubber plant on the sort of scale which we have read about in America and Germany. The mere fact that highly elaborate and expensive machinery would be necessary makes that very difficult as a short-term opposition. I think it is not in the interests of India as a large rubber-producing country that it should imperil its own rubber industry in the future by setting up a synthetic rubber plant which would certainly need to be subsidized by Government in peace conditions. I can, however, inform the Honourable Member that every effort is being made to explore the possibilities of producing rubber from other plants than the ordinary rubber tree, which I believe is called *Hevea Brasiliensis*, by the research authorities of the Forest Department and our own Scientific and Industrial Research Department.

As regards exports the answer is that exports may be said practically to have ceased and there is no possibility of their being resumed during the war. I cannot be absolutely certain that small outstanding consignment, have not gone but as far as new contracts are concerned export has certainly not been allowed.

As regards the conservation of rubber by the preservation of rubber products in the country I feel that this is really hardly relevant to the subject of this Bill, which is dealing with raw rubber. But I agree that the more rubber we can save in consumption the less the pressure upon the estates and the less the necessity for asking estate owners to indulge in what is described as slaughter tapping. I can, however, if my Honourable friend on the Front bench will permit me to speak on behalf of the War Department, say that it is my understanding that the War Department has been giving this subject their utmost consideration and in particular they have elaborated special organizations for the retreading and reclamation of rubber on a very elaborate scale. I think, Sir, we must leave it to the War Department to put through their programme with that efficiency which I am sure will result from the great attention being paid to the subject.

THE HONOURABLE THE PRESIDENT: Motion moved:—

"That the Bill temporarily to amend the Indian Rubber Control Act, 1934, be taken into consideration."

Question put and Motion adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR ALAN LLOYD: Sir, I move:—

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official): Sir, I move:—

"That the Bill further to amend the Code of Civil Procedure, 1908, as passed by Legislative Assembly, be taken into consideration."

Sir, this is a short Bill, and as will be seen from the Statement of Objects and Reasons, the necessity for this Bill has been indicated by the learned Chief Justice of India in the case of the United Provinces Government *v* Atiqa Begum. For the reasons therein given, I am sure Honourable Members would welcome the Bill.

Sir, I move.

* THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern: Non-Muhammadan): Sir, I desire to lend my support to this Bill. The position, Sir, as I understand it, is that in the recent case of the United Provinces Government *v* Atiqa Begum the question arose whether the Province was entitled to be made a party in a suit in which the interpretation of the Government of India Act or any rules made thereunder was involved. The Federal Court came to the conclusion that the Province had the right of being made a party, but in the course of his judgment the Chief Justice of India indicated that the question was not free from difficulties, and he advised the Government to take suitable action to put the law beyond any possibility of doubt, because according to his interpretation there were certain possibilities open to private parties. They might defeat the Local Government from being a major party or they might come to a private settlement and thus deprive the Province of the right of having the dispute decided by a competent court of law.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): What was the matter in dispute in this case?

THE HONOURABLE MR. P. N. SAPRU: Well, I could not off-hand give the facts of the case. I think I could give by reference to the Law Report the principle point of law, and I am only speaking on what the point of law was. What the Act does is it enables the Advocate General of the Province to advise, because it requires that the Court shall give notice to the Advocate General of India, or of the Province as the case may require, and it further requires that if satisfied that it is necessary or desirable for the satisfactory determination of the question to make the Province a party, it shall order that the Government concerned shall be added as a party.

Sir, with these words, I desire to support the Bill.

* THE HONOURABLE MR. HOSSAIN IMAM: I would like the mover to enlighten with reference to the proceedings of the Federal Court as to what was the point involved, because at the present moment, Sir, the tendency is in every suit, wherever one of the parties finds itself in difficulties it says that it was *ultra vires* of the Legislature to pass an Act or that action which has been taken has been taken illegally. So is it in every proceeding where a plea is made questioning the competence of the Legislature to pass an Act or for that matter, interpretation of any of the provisions of the Government of India Act as regards jurisdiction. If in everything it is necessary to make

* Not corrected by the Honourable Member.

[Mr. Hossain Imam.]

the Government a party the result will be that there will be too many cases in which Government will have to become a party : and in addition the litigant public will have this difficulty, that in every case where this sort of action is taken, the Government will naturally ask for adjournments to consider the matter ; the Provincial Government will be involved in a great deal of expenditure in giving retainers and fees to the lawyers, and in getting copies of other papers ; and the litigant public will be put to long, long delays. I hope, Sir, that after the passage of this rule which I do not question because it has been recommended by such an authority as the Chief Justice of India, the Government and the Courts will have recourse to this Act only in cases where a real and genuine necessity of making the Government a party arises.

THE HONOURABLE MR. P. N. SAPRU : That is provided for by the Advocate General being consulted.

THE HONOURABLE MR. SHAVAX A. LAL : The point made by the Honourable Member is fully answered by the concluding words of clause 2 which clearly gives discretion to the Court to make the Province a party or not as the circumstances of the case may require, for it says "and the Court is satisfied that such addition is necessary or desirable for the satisfactory determination of the question of law involved". It is natural the other party would bring the difficulties to the notice of the Court and ask the Court not to make the Provincial Government a party if that course is not strictly necessary. Therefore we have endowed the Court with discretion in the matter, and we can certainly trust that the courts will use their discretion properly as they do in so many other cases.

THE HONOURABLE MR. HOSSAIN IMAM : What about the genesis of this Amendment Act ?

THE HONOURABLE MR. SHAVAX A. LAL : The genesis has been indicated in the judgment of the learned Chief Justice. The facts of the case are not material to the point now in issue. The only point now in issue is whether the court should have power to make a Province or the Central Government party to a particular suit which raises constitutional issues : not where the question at issue is whether a particular action is legal or illegal—in that case of course the Provincial Government or the Central Government does not come into the picture. Only when the *vires* of a particular legislation is questioned would the applicability of these new provisions arise.

THE HONOURABLE MR. HOSSAIN IMAM : May I explain, Sir, that what I wanted to know is whether the discretion rests with the Government and the Advocate General to be a party or not, or whether in every case they will be compelled to become a party ? The Provincial Government loses its autonomy. It has no say in the matter.

THE HONOURABLE THE PRESIDENT : In a judicial matter the court has to exercise a judicial discretion, and if the court exercises it wrongly, then there is an appeal. Therefore, it is not for the Government to rush into court.

THE HONOURABLE MR. SHAVAX A. LAL : The complaint of the Honourable Member first was that the court is not given the discretion and now his complaint is that the Provincial Government is not given the discretion. How can both have the discretion ?

THE HONOURABLE THE PRESIDENT : Motion moved :—

"That the Bill further to amend the Code of Civil Procedure, 1908, as passed by the Legislative Assembly, be taken into consideration."

Question put and Motion adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. SHAVAX A. LAL : Sir, I move :—

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

CODE OF CIVIL PROCEDURE (SECOND AMENDMENT) BILL.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official) : Sir I move :—

"That the Bill further to amend the Code of Civil Procedure, 1908 (Second Amendment), as passed by the Legislative Assembly, be taken into consideration."

Sir, the objects of this Bill have been sufficiently explained in the Statement of Objects and Reasons. This Bill is designed to improve the machinery for the recovery of court-fees in pauper suits. No important question of principle has been raised.

Sir, I move.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. SHAVAX A. LAL : Sir, I move :—

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

REPEALING AND AMENDING BILL.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official) : Sir, I move :—

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by the Legislative Assembly, be taken into consideration."

Sir, this is a simple Bill. It may be likened to a pruning knife with which dead matter is from time to time removed from the Statute-book. It makes no change of substance.

Sir, I move.

*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, I would like the Honourable Member to enlighten us a little because even the Statement of Objects and Reasons is silent on the fact that we, the Central Legislature, have been endowed with the power which we do not have. An Act of the Governor General cannot be repealed without the previous sanction of the Governor General in Council and there is no mention that the Bill has received such sanction except that it is mentioned at the end that "The Governor General has been pleased to give the previous sanction required by the Government of India Act to the introduction in the Legislative Assembly of this Bill". But it does not mention to what particular items this permission appertains. There are Acts of the Governor General in Council, as well as Regulations of the Governor General in Council, Regulations of the Governor General alone, and Acts of the Governor General

* Not corrected by the Honourable Member.

[Mr. Hossain Imam.]

alone mentioned in this Bill. What is the position of the Central Legislature with regard to all these categories? How are we competent to deal with Acts of the Governor of Bengal in Council? I should prefer if the Finance Department especially will enlighten us on the following point. There is amendment of the Indian Finance Acts of 1937, 1938 and 1939, all three Acts passed by the Governor General himself. How does this affect the position, especially as there is mention of "salt"? Do we take it that the position with regard to "salt" has changed or it is contemplated to change it, or will it be the same as before? I should like the Government benches to enlighten us on these points.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, assuming that there is any validity in the argument of my Honourable friend Mr. Hossain Imam, the answer, to my mind, is that if they are passing a law which is *ultra vires* of the Legislature—

THE HONOURABLE MR. HOSSAIN IMAM : I welcome this measure.

THE HONOURABLE MR. P. N. SAPRU—the question can be settled in a court of law by private parties moving the matter before a court of law at any particular time. Therefore, we need not go into the question as to whether what we are doing is or is not *ultra vires* of the Legislature. There is, in the case of *ultra vires*, a remedy open to a private party in a court of law and therefore the question is immaterial from our point of view as a Legislature.

THE HONOURABLE MR. SHAVAX A. LAL : Sir, a certificate is already printed on the back of the Bill and it will apply to all such provisions as require the previous sanction of the Governor General. Previous sanction is required with reference to the subject-matter of a particular provision, not with regard to the original legislative authority which enacted it, and that should be plain from the sections of the Government of India Act cited in the certificate itself.

THE HONOURABLE MR. HOSSAIN IMAM : What about Acts of the Governor of Bengal in Council?

THE HONOURABLE MR. SHAVAX A. LAL : As I have said, the sanction is necessary with regard to the subject-matter of a particular legislative provision and not with regard to the original legislative authority. So far as the subject-matter requires previous sanction that previous sanction is here. It has nothing to do with who enacted the original Bill. All the measures enacted in the past have been continued in force by section 292 of the Government of India Act and that is the authority from which the sanction is now derived.

THE HONOURABLE MR. HOSSAIN IMAM : Is this Legislature competent, under the division of subjects, to repeal an Act of the Governor of a Province?

THE HONOURABLE MR. SHAVAX A. LAL : Yes, Sir. If the subject-matter is within the competence of this House, then this House is certainly competent to repeal that Act. If it is not within the competence of this House, then it is not competent to repeal it.

THE HONOURABLE MR. HOSSAIN IMAM : Whether in the Concurrent Legislative List or in the Federal Legislative List?

THE HONOURABLE MR. SHAVAX A. LAL : The provisions of the various Acts mentioned here are either within the Concurrent Legislative List or the Federal Legislative List. My Honourable friend may rest assured of that.

THE HONOURABLE THE PRESIDENT : Motion moved :—

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by the Legislative Assembly, be taken into consideration."

Question put and Motion adopted.

Clauses 2, 3 and 4 were added to the Bill.

THE HONOURABLE MR. HOSSAIN IMAM : May I ask the Finance Department to enlighten us as to the effect of the amendment of the Finance Act as well as the repeal of the Sugar Industry (Protection) Act?

THE HONOURABLE MR. SHAVAX A. LAL : Which Act does the Honourable Member refer to?

THE HONOURABLE MR. HOSSAIN IMAM : I am referring to the fourth page, Act XX of 1939, and the Indian Finance Acts, under Acts of the Governor General on page 5.

THE HONOURABLE MR. SHAVAX A. LAL : They are not repealed, Sir. The repeal is this, the words and figures commencing "to fix the duty on salt" and ending "Indian Post Office Act, 1898, and".

THE HONOURABLE MR. HOSSAIN IMAM : That means the salt duty is removed.

THE HONOURABLE MR. SHAVAX A. LAL : No.

THE HONOURABLE MR. HOSSAIN IMAM : The whole of the Sugar Protection Act is repealed, last but one item on page 4, Act XX of 1939. That is what I want the Commerce Department to enlighten us on. Are we by means of this repeal entering into a new policy?

THE HONOURABLE MR. SHAVAX A. LAL : Not at all, Sir.

THE HONOURABLE SIR ALAN LLOYD : May I explain, Sir? The protection to the sugar industry rests upon a different Act as passed by this Legislature last session. The previous protective duty has been superseded.

THE HONOURABLE THE PRESIDENT : It is superseded by a subsequent Act.

The First Schedule was added to the Bill.

The Second Schedule was added to the Bill.

Clause 4 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. SHAVAX A. LAL : Sir, I move :—

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

FEDERAL COURT (SUPPLEMENTAL POWERS) BILL.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, I move :—

"That the Bill to confer supplemental powers on the Federal Court, as passed by the Legislative Assembly, be taken into consideration."

The Statement of Objects and Reasons explains the necessity for this Bill and it is unnecessary for me to comment further on that Statement. It is self-explanatory. The Bill is non-controversial and I hope therefore that the Bill will be accepted by this House.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. P. N. SAPRU: Sir, I move:—

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Sir, I am not making the Motion standing in my name today but I shall move it on Monday. The reason for not moving the Motion today is that the representative of the Home Department has not yet been nominated to this House.

THE HONOURABLE THE PRESIDENT: I suppose the Honourable the Leader of the House has no objection?

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): No objection, Sir.

RESOLUTION RE ALLOCATION OF DEFENCE EXPENDITURE.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Sir, I rise to move:—

"Whereas the war has now come to India and its defence from major aggression is primarily the duty of His Majesty's Government, whereas the war in India is an essential part of the world strategy of the Allied Powers, and whereas the financial capacity of India is very slender, this Council recommends to the Governor General in Council to enter into a fresh agreement with His Majesty's Government for the allocation of Defence expenses on an equitable basis, fixing India's share at Rs. 800 millions per annum."

Sir, when I gave notice of this Resolution I had not had a chance of discussing the matter with my other colleagues of this House nor had I the opportunity of knowing the debate that took place in the other House on a Motion for Adjournment on the subject of the Honourable the Finance Member's visit to England. Sir, I have learnt much from these sources, and as you will find, Sir, notice of an agreed amendment had been given by my Honourable friend Mr. Sapru. In my speech I shall stress the Resolution in the amended form rather than in the form in which I have moved it as I accept the amendment. The matter at issue, Sir, is a very simple one. I should like to say publicly that we have heard from reliable sources that the Honourable the Finance Member when he visited England tried his level best to safeguard the interests of India, and how far his efforts have met with success is being hidden by the Finance Department itself. But I do wish that the Government of India as well as His Majesty's Government should realize that this is a question of such great importance that we cannot allow it to be decided one way or the other without the consultation of the people's representatives. I hope, Sir, that the Indian Members of the Executive Council, if they have any say in this matter, will use their influence to associate the members of the Legislature in this desirable objective. I, Sir, could trace the past history of the inequitable agreements made by Britain with India with regard to the Defence expenses. There are many instances, notable instances, of the Government of India standing out for our rights in the days when Indians were not associated with the Government of India. Even in the recent past a Commander-in-Chief of India—I am referring to the Montford Reform days—a Commander-in-Chief of India put up a strenuous fight in the British Cabinet that the whole of the expenditure on the British personnel and of the Army in India should not be charged to the Indian exchequer because of the fact that India was the ground where you kept your reserves for imperial purposes. In all the Eastern Possessions, Dependencies, Protectorates and others, you had

* A Committee to report on Bill to provide for better administration of Muslim Wakfs in Delhi.

no army to speak of; only in Hong Kong you used to keep a battalion from India and you used to pay for it, but in the rest of the country you had scarcely an army worth the name. It was fundamentally inequitable to make a settlement whereby the Armies in India were charged to the Indian exchequer but used for imperial needs. A tardy justice was done to India after Garron Tribunal by acceptance of a partial payment of a crore and a half in the first instance and two crores latterly for the use on imperial purposes of the Indian Army, but, Sir, those are ancient histories. I am not going to stress much on that aspect of the question because that is full of both the valiant defence put up by the Government of India of the old days, and the trampling down of every reason and equity by His Majesty's Government. I should like, Sir, to base my arguments for reconsideration of the present agreement mainly on the present-day practice of His Majesty's Government and all other Allied Powers. We have before us the example of Egypt where an Army is stationed by His Majesty's Government and the United States of America but no contribution is paid by Egypt towards the cost of that Army; as the Army there is not primarily for the safety of Egypt but in effect to guard the frontiers of the British Empire. We have, Sir, instances after instances of American troops coming over to Australia, to India, to Egypt, to Great Britain itself, without involving the country in which that Army is stationed in any expenditure. The present-day war, Sir, is a different war from those of the past. *The distribution of war costs is not made on the geographical basis of the stationing of the fighting forces but on the more equitable and just principle of firstly, whose interests it primarily serves, and, secondly, what is the capacity of each individual partner to pay? The payment must be in proportion to the capacity to pay and not on the location of the armed forces.* The present agreement, which was entered into by the Government of India before the advent of the eleven valiant gentlemen, was made, Sir, without even being formally adopted by the Legislature. The Legislature were faced with a *fait accompli*, and we had no say either to its entry or its make-up. We were told by the Finance Department, Sir, that it was a very reasonable and just apportionment of expenses. He has been further strengthened by the remarks of the Public Accounts Committee which has taken upon itself part of the responsibility for this agreement. As I am saying things which might not be in favour of the Finance Department I will give at least this testimony in its favour. It says:—

"We were informed that not only the method of allocation but also the detailed calculations carried out for the purpose of arriving at the actual figures debitable to either country are fully checked by audit."

Be that as it may, that is a matter of past history. It will serve no useful purpose for us to say now whether that agreement was favourable or unfavourable, but there is this to be said that the conditions existing at the time of the agreement and today are altogether different. That agreement was, Sir, made at a time when the real fighting was taking place outside the borders of geographical India and we entered into a pact whereby all the cost of the Army which is sent abroad would be charged to His Majesty's Government. That question, Sir, will no longer arise when the fight takes place within the borders of British India. By implication under the old terms all the cost of the Army raised in India will be debitable to the Indian exchequer. Now that, Sir, is a proposition which requires reconsideration. I am not going to trot out the Congress formula that this war has been entered into without our consent (which is factually correct) and therefore we should not be liable to pay the cost of it. They are welcome to this formula, but I for one would face the situation in its reality and I am prepared to concede that a part of the cost

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of the defence of India is rightly chargeable to the Indian exchequer. But the question of quantum and the method of allocation is a very important question. I know, Sir, that it may be said that all the Allied Powers are shouldering their own burdens why should not India also shoulder its own burden. But is that correct, the United States have no interest in the countries where they have sent their Armies. Cannot we ask Britain to give us this small concession that the cost of all the British Army should be debitable to His Majesty's Government and no part of it should be paid from the Indian exchequer. When we had no outside Army we were paying the cost of 45,000 British troops and paying Rs. 8 crores as capitation charges. At least these charges, which come up to nearly Rs. 24 crores are included in the basic figure of Rs. 42 crores, charged to Indian revenues, ought to be removed. If the United States, which has no connection with us, can send its Army and not charge us for its cost, the least the British Empire can do and His Majesty's Government should do is to forego that charge for the British personnel of the Indian Army. That, Sir, should be the first step towards apportionment of the cost. Secondly, Sir, this is a mechanized war. Long before the war started, to be particular in February, 1939, the Committee of Experts which visited India came to the conclusion that Indian resources are not sufficient to cover the cost of the mechanization of the Indian Army. Therefore, I claim, Sir, that the cost of all the machinery, aeroplanes, and their parts, tanks, anti-aircraft guns, anti-tank guns and all the multifarious things which are needed for a fight should be given to us by His Majesty's Government just as America is giving it to all the belligerent Powers under the Lease-Lend. We who have been part of the British Empire, who have in the past borne a great share of the imperial defences, deserve to get that concession which America, out of its generosity and its particular interests, is giving to countries with which it has no concern. These are my first two basic demands from His Majesty's Government.

Now, Sir, coming to the cost and the pay of the Army in India, of the Indian personnel raised during this war, there is no denying the fact that you have fixed the scale of expenditure in keeping with your own standards. If we had an army of our own, raised by a National Government, it would not have been half as costly as your army is, and in that connection, Sir, I quote the instance of the pay of the Japanese soldier as well as the pay of the German soldier. Compare these two, and also of Russia and of China. What are they? They are in certain cases one-fifth or one-sixth of what you are paying in India because of two reasons. In those countries the cost of living has not gone up to the sky as it has done in India. I do not suggest that you are squandering our money in giving this pay to our own people. You have to give this pay because of your want of control in other spheres. *Nazis and Fascists manage to do things cheaply because they regulate all phases of life and all supplies.* It can pay a rupee and make that rupee remain at 16 annas whatever happens. We saw that in spite of the gold backing that England had it could not stand on the gold standard. But Germany, with a third or even a quarter of the gold that England had, maintained the gold standard right through the depression period. Regimentation has its drawbacks and its advantages. But I say, Sir, that, be that as it may, the country is faced with a high cost of the Indian Army, and that cost is being borne because of your action. This fight is waged not for the safety of India alone; but Imperial and Allied interests are inseparably concerned with the safety of India. *It is undeniable that if you lose India you lose the entire East; you will have no place to stand up anywhere either in Africa or in*

Asia. This is the one centre, just as America is the centre for England and for all the other Allied countries. India is the one centre which is supporting your entire effort in the East, whether it be Egypt, Palestine, Iran or Australia. As this thing, Sir, is primarily in the interests and for the benefit of all the Allied nations in general, and of Britain in particular, I claim, Sir, that not because I am not ready to take up the burden but because my resources do not allow it, His Majesty's Government should contribute towards our Indian Army expenditure. It was, Sir, with this end in view that I had given the figure of 800 million rupees. But as I said, Sir, when I consulted my friends, we felt that it was an imperial formula. I had no basis for it, and I admit that I have no basis for fixing the military expenditure at 800 million rupees.

THE HONOURABLE SIR RAMUNNI MENON (Nominated Non-Official):
Rs. 2-8-0 per head.

THE HONOURABLE MR. HOSSAIN IMAM: Considering that our national income is so slender and the cost of living so high, I think even this is too much. Nevertheless, Sir, we thought that it would be better that we should know what the Government's case is and on what basis they wish to have this allocation. The words, Sir, that "expenditure undertaken by India in her own interest should be charged to Indian revenues" are very vague and it leaves a lot of discretion and a lot of loopholes to allocate expenditure unjustly either to India or to His Majesty's Governments. I would like to have a formula which would be more fool-proof: and I say, Sir, that the Report of the Public Accounts Committee reveals that when India was not called upon to make any appreciable war effort, when no war had started in the East and in the West too, when the war was far far away from the borders of India, in the year 1940-41—the year which concluded on 31st March, 1941, the Public Accounts Committee had to make some strong strictures. And we know the composition of the Public Accounts Committee and the fact that in reality the opinion of the Public Accounts Committee is the opinion of the Auditor General because they are guided in all their decisions by the Audit Department and the Auditor General himself. This is the remark, Sir, of the Public Accounts Committee:—

"Competition over a large field has practically disappeared and its place has had to be taken by the non-competitive methods of single tenders and negotiated contracts."

The urgency with which work is now required to be done led last year to the evolution of a much simplified procedure for sanction to works. Even that procedure however we regret to note has in some cases not been followed."

It goes on to say:—

"And for such clear breaches of the instructions it is difficult to find any adequate excuse."

They further remarked:—

"But we cannot help feeling that the delegations of power and relaxations of financial control generally have now been carried to the limit of safety and should go no further."

They also remarked:—

"There were cases of wastage owing to the abandonment of works before completion due to a too frequent change in the plans of the Military authorities."

There are any number of such remarks, Sir, in which it is mentioned that there is a great deal of waste. Stores are sent but they are untraceable. No receipt is received to show whether they have ever reached their destination or verification that they were even despatched, except a paper indicating that they have been despatched.

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Sir, there is any amount of wastage and lack of control in these affairs. In addition, now that we are facing the danger from the East, we are embarking on many expenses which India would never have done in normal times. I refer, Sir, to the construction of airfields and aerodromes. I am not going to give any secrets but there is one district in which several aerodromes and airfields are being built, and each aerodrome or airfield costs anything between Rs. 50 lakhs and Rs. 2 crores. These high expenses are being incurred—

THE HONOURABLE SIR JEREMY RAISMAN: Do I understand the Honourable Member to disapprove of that scale of defence?

THE HONOURABLE MR. HOSSAIN IMAM: I say, Sir, that it is beyond our capacity to bear. I don't question the construction but the cost. I rather condemn you for having started too late and for not having started enough. Even though this scale is very considerable, it is not enough considering the scale at which they are fighting in Russia. I do not condemn you for this scale. I condemn you for being too late and for being scanty even now and too expensive. But what I say is that this expenditure is beyond our capacity. I do not give any specific mandate. I do not fix any figure. I do not ask the Government to pledge themselves to any rule or regulation. I only demand that the present basis has outgrown its utility and the circumstances have so changed that a new basis should be found and that basis should be framed in consultation with, and with the advice and knowledge of those in whom the Indian people have trust. I hope, Sir, that the Indian Members of the Executive Council will justify their inclusion in the Cabinet by supporting this claim of ours of association of India in the defence of India. I for one, Sir, would desire an intensification of the efforts that are being made if we had this assurance that part of the cost will be met out of the pockets of the richer allies in this fight for democracy. I am not against the war efforts. We are ready to co-operate with you in the war efforts. But we are ready only on condition that you associate us as equals and not as slaves and camp followers. If you want our willing help and support, if you want to rouse the country, you have to make some gesture to show that you do not distrust India, for the distrust of India would mean that this fight is not for the liberty of India, that after all what you are saying is only lip sympathy, and that in the end you intend to keep us down and treat us as shabbily as you did after the first Great War of 1914-18, when you made great promises but everything fizzled out when the war was ended. If you trust us now we will feel some security that you are sincere and really mean what you say.

Sir, I move.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan): Sir, the amendment of which I have given notice runs as follows:—

"That for the words beginning with the words "this Council recommends to the Governor General in Council" and ending with the words "per annum" the following be substituted:—

"this Council recommends to the Governor General in Council that for the present agreement for the apportionment of war expenditure between His Majesty's Government and the Government of India, a new basis be framed in consultation with the representatives of the parties in the Central Legislature".

Sir, the question of the apportionment of charges between His Majesty's Government and India is a long and complicated one and the Honourable Mr. Hossain Imam has dealt with certain aspects of the question. As the House

knows, the defence of India has a local aspect and an imperial aspect. In recent years the Indian Army has been considerably increased. I think the Honourable Mr. Hossain Imam was right in saying that on many occasions the Government of India has stood out for the rights of the Indian exchequer and it was only due to the Government of India to acknowledge this in public in the Legislature. We have no desire to escape our legitimate share of Defence expenditure. We are not approaching the question from the point of view of those who think that the defence of India is no concern of the Indian people or of the Government of India. But we want a reasonable adjustment between our claims and the claims of His Majesty's Government. We are ready to bear our share of the burden, and we think that His Majesty's Government should be prepared to bear its legitimate share of the burden which is primarily imperial in character. Part of the Indian troops are needed not only for the defence of India but also for imperial purposes and therefore it is necessary that to the extent that they are needed for imperial purposes His Majesty's Government should bear the cost of those troops. We know that in recent months the Defence expenditure has gone up very considerably since the last Budget was passed. Many developments have taken place in the Indian defence force and the Indian war effort has been intensified. We have spent a good deal more on aircraft and aeroplanes than we were doing before, and all this, of course means additional expenditure.

Now, the Legislature is interested in the question of India's finances. We notice, Sir, that the Honourable the Finance Member went on a flying mission to England to discuss certain matters with His Majesty's Government. We do not know what the nature of the discussion between His Majesty's Government and the Finance Member was. Perhaps he will take us a little more into his confidence and indicate to us at all events what were the topics that he discussed with His Majesty's Government. We want that the Honourable the Finance Member should give us an assurance that before any irrevocable or final decisions are taken, this House will be taken into full consultation in regard to India's defence expenditure. The average taxpayer is very much interested in this question. This House as the custodian of the rights of the average taxpayer is very much interested in this question and therefore it is desirable from every point of view that an assurance should be given to this House that before any final decision of an irrevocable nature is taken this House shall be consulted. Now, Sir, not only this, but I would go a little further than this. If you come to this House with your minds made up, your decisions announced, then the discussion that takes place in the House is of an unreal character. We know, and you know, that decisions have already been arrived at and therefore our criticisms have little influence on your decisions. The discussion too is apt in those circumstances to be somewhat more critical than it need have been, because there is an atmosphere of unreality about the whole affair. Therefore what I am suggesting is that it is desirable in the formulative stages of their decision Government should associate, not I say the entire Legislature, but representatives of the Legislature. They should consult Party leaders in regard to any decisions that they may take. My concrete suggestion is that Government before they arrive at a new basis in regard to the apportionment of charges between Britain and India should take into consultation the representatives of the parties or Party leaders. I think that is not an unreasonable request. I think, Sir, that Party leaders can be trusted to take a reasonable view of the difficulties of Government. They can be trusted to approach the question with an unprejudiced and a reasonable mind and I think they ought to be trusted to keep the discussions also confidential. If they agree to any fresh agreement, then they will be able to influence the opinion

[Mr. P. N. Saprū.]

of the Parties they lead or of which they are representatives. Therefore from the point of view of Government itself it will be an advantage to have these Party representatives associated with the Government before a new basis of revising the present agreement between His Majesty's Government and the Government of India is framed. I am making, Sir, a very reasonable request. Within the last three or four days we have been hearing of the mighty achievements of the Indian Members of the Executive Council. I do not know, Sir, what their achievements in the constitutional field or the political field will be. They have themselves confessed their inability to tender any advice to His Majesty's Government or to the Governor General in regard to the constitutional question. But I think, Sir, that in these financial and administrative questions they can be, if they so desire, of some use to their country. Now, I do not know whether they will regard it as falling within their legitimate sphere of duties as Members of the Executive Council to bestir themselves on behalf of the Indian taxpayer. The request that I have embodied, namely, that non-official opinion as represented by the representatives of Parties should be consulted with regard to the basis underlying any new agreement between His Majesty's Government and the Government of India in regard to war expenditure, is a very reasonable one and I hope they will accede to this reasonable request which is embodied in my amendment. Therefore I would say to the Finance Member that I have no desire to anticipate at this stage the decisions that he has arrived at. I do not know what the decisions he has arrived at are. I would not speculate as to the nature of those decisions. I would not—

THE HONOURABLE SIR JEREMY RAISMAN: Sir, they are not decisions.

THE HONOURABLE MR. P. N. SAPRU: I would not speculate as to the nature of the consultation—I should rather use the word "consultation"—as to the nature of the consultations which he has had with His Majesty's Government. I do not wish in any way whatever to prejudice the atmosphere which any new agreement that may have been provisionally arrived at between him and the Government of India will be considered by this House. I rather wish to strengthen his position *vis-a-vis* this House by the request which is embodied in my amendment. If he takes non-official opinion into consultation in the formative stages of his decision, then he will be in a much stronger position than he is today with the House and it may be that we shall be in a readier mood to accord our support to any agreement which has the support of our representatives. Sir, I do not wish to take more time of this House than is absolutely necessary, and with these words I commend this amendment to the acceptance of the House.

THE HONOURABLE THE PRESIDENT: Discussion will now proceed on the amended Resolution.

*THE HONOURABLE SIR A. P. PATRO (Nominated Non-Official): Sir, it is not necessary to elaborate arguments on this Resolution. What is the aim of this Resolution? Is there any real object in this Resolution? What we have got already in the statements and in the speeches of the Honourable the Finance Member on the Budget indicates that so far as the allocation of expenditure is concerned the British Government pay all the expenditure of the Indian Army serving overseas outside the boundaries of India, and also share the expenditure of the British Army in India. Therefore there is a basis of allocation of expenditure between Great Britain and India and on the basis of that allocation our Budget was prepared last year and the British Government after this understanding was to contribute to India a large sum of money in sterling and it has done so. Therefore it seems to me that it would

be too soon to disturb the arrangement which has been entered into. Last year at the budget time there was the impending war. As stated in the Resolution the war has come over to India. On the borders of India there were apprehensions of the war and the budget was prepared on the basis of that understanding. Today there is also this request made that there should be representatives of the Houses associated in preparing new basis or revising the arrangement that has been made but already there is a representative Committee elected by the House to advise, to be consulted by the Finance Department in matters financial, and at the time of the budget allocation surely this Committee will have an effective voice in the matter. Therefore it seems to me that in the matter of the allocation of expenditure it has already been done and it is sure to be more or less on the lines which have been indicated in the Budget Speech of the Honourable Member last year and the Finance Committee in existence is to be consulted. There is an organization already in existence and what further representatives could be elected to this I am not able to understand, nor the Honourable Members who spoke before me have given an indication of the sort of representatives whom they would like to elect into a separate Committee or strengthen the existing Finance Committee. Therefore, Sir, as I said before, it seems to me that there is no aim or object in having this Resolution unless it be that they want to draw the attention of the Honourable the Finance Member that greater care should be taken in the matter of allocation of war finances which I am sure he is such a caretaker of the finances of India that we need hardly take the trouble of reminding him again. His recent visit with regard to the financial adjustments necessarily implies that he is very careful in the matter of Indian finances and would not yield an inch to the British Government in the matter of any expenditure to be allocated over the head of India. So having had past experience of the way in which he was fighting for the benefit of Indian finance it seems to me that at present, before the budget could be prepared, it is unnecessary that we should have this Resolution at all.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): I think that the amendment which my Honourable friend Mr. Saprū has moved is of a moderate character and should meet with the acceptance of Government. I am not unaware, Sir, of the terms of the agreement arrived at between His Majesty's Government and the Government of India regarding the allocation of war expenditure. The principles on which this agreement is based are not in any way, speaking in the abstract, open to criticism. In any case, the arrangements that have been made now for the distribution of war expenditure between India and England are a great improvement on the system, or rather the want of system, that existed during the Great War. Nevertheless, Sir, difficult questions regarding the apportionment of expenditure between the Governments of India and England might arise even in connection with measures, the object of which is to strengthen India's defences. This has been frankly admitted by the Finance Member in his speech in the other House in connection with the Adjournment Motion that was moved there practically on the subject that we are discussing here today. He pointed out that even under the terms of the existing financial settlement certain questions might arise regarding the share which might be allocated to India of the cost of measures which related to India and which at the same time covered a wider objective. In thinking, therefore, that the principles underlying the agreement that has been arrived at, though sound in theory, might still cause difficulties in practice, we are not saying anything which can not be acceptable to the Finance Member. This being the state of things it is natural that the representatives of the taxpayer should ask that

* Not corrected by the Honourable Member.

[Pandit Hirday Nath Kunzru.]

at the present time when the expenditure on war measures is increasing rapidly they should be taken into confidence regarding the equitable distribution of war expenditure between the Governments of India and England. In doing so we should not be supposed to be forgetful of the expenditure that is already being borne by His Majesty's Government in connection with various measures relating to India's defence. His Majesty's Government have agreed to continue to implement the Chatfield programme, the cost of which has arisen considerably on account of the war. They have also agreed to provide the initial equipment required for the forces that are being raised in pursuance of the scheme for the expansion of Indian forces. They have further undertaken to supply to India without charge large quantities of aeroplanes, vehicles, guns and other equipment required in connection with the expansion of India's Navy, Air Force and Army, and the Honourable the Finance Member told us in his last Budget Speech that the cost of the equipment thus supplied to us would roughly amount to Rs. 60 crores by the end of the current year. We are thus aware, Sir, of all the aid that we are receiving from His Majesty's Government, but we still ask that the representatives of this House should be consulted in a larger measure, in a much larger measure, in connection with war expenditure than has yet been the case. We have to bear in mind the financial capacity of India and the growing cost of the war.

Sir, as Honourable Members are aware the war expenditure of India may be divided into two categories: the normal peace-time expenditure and the cost of the measures necessitated by the war. Now the rapid increase that is taking place in the latter kind of expenditure will become evident to the House on a comparison of the figures relating to the years 1940-41 and 1942-43. In the year 1940-41, only a small sum of Rs. 6½ crores was provided for India's war measures. But in the Budget of 1942-43 this cost has risen to over Rs. 81 crores. Now when war expenditure is rising by leaps and bounds it is obvious that it must cause concern, and serious concern, to the Indian Legislature, even though it is anxious that India's defences should be strengthened. Members of the Legislature are fortified in their demand for being consulted to a greater extent also by the fact that His Majesty's Government and the United States of America are at the present time engaged in defending other countries also the security of which is necessary to save the cause of freedom and to maintain the British Commonwealth of Nations. I am not acquainted, Sir, with the arrangements that are in force in such countries which are in a similar position to India. Perhaps the Honourable the Finance Member will be able to give us some information on the subject. But, while I have no knowledge on this subject, I seriously doubt whether all the expenditure that is being incurred owing to the war in countries which occupy a position similar to that of India is being borne by the people of the countries concerned. Apart from this, Sir, I agree with my Honourable friend Mr. Hossain Imam that had we been free to provide for the defence of India in the manner we thought best, we might have adopted measures which, while providing for her defence in ordinary times could be expanded at much less cost to the country than the cost of the existing expansion schemes. There has also to be taken into account the fact that we have in computing the cost of the war to take into account the expenditure incurred by us in connection with the British troops that form part of the Indian Army. I do not however want to over-emphasize this point, because the money that might be saved by the substitution of Indian for British troops, though it might be considered a very large amount in ordinary times, cannot but be small in

comparison with the total expenditure undertaken in connection with India's special war measures. But when all these factors are taken cumulatively into consideration, they do create, to my mind, an impression that we should be fully justified in asking Government to take us into their confidence on the important subject which we are discussing today.

THE HONOURABLE MR. HOSSAIN IMAM: Hear, hear.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Mr. Sapru said that if any change was made in the existing arrangement, the representatives of the Legislature should be consulted. My request, however, goes further than this. My Honourable friend the Finance Member has already stated in the other House that if the present agreement were altered in any respect, we would be entitled to discuss any new agreement that might be arrived at even separately from next year's budget. But it must in the first place be made plain, as it was in the other House, that the Indian Legislature and the representatives of the Parties in it, should be consulted before any agreement is arrived at, so that the Legislature might usefully be able to tender advice to the Government of India. If the Legislature or the representatives of the Parties are consulted only after an arrangement has been agreed to, the views expressed by the Legislature would be of no practical value. In the second place, Sir, I ask that in view of the rapidly growing expenditure of the war which has already become heavy, for the war budget for the current year, including all relevant items, amounts to the large sum of Rs. 133 crores, and the anxiety caused by the rapidly mounting expenditure, the House and the representatives of the Parties in the Legislature should be given an opportunity of considering the arrangement arrived at in 1940 in detail, and of understanding how the cost of measures which might concern both India and England is at present allocated by the authorities. The Government of India will lose nothing by accepting our request in this respect. Indeed we feel that if the Government of India is doing all it can to bring about a fair allocation its hands will be considerably strengthened. On the other hand, Sir, if there are any loopholes in the existing system we shall be able to give advice which the Government of India may be grateful for.

Now, Sir, it may be said in reply to what I have said that there is a Finance Committee already which looks into financial matters, and that therefore it is quite unnecessary to have another body to deal with the same subject. But the Finance Committee which is concerned with the voted items consists entirely of Members of the Legislative Assembly. The Council of State is not represented on it. Yet, the Council of State has to consider the Finance Bill like the other House and to make itself responsible for the provision of the money that Government might need. For this reason, Sir, I feel that although a Finance Committee exists, another *ad hoc* body should be constituted by Government in regard to the important subject before us.

Sir, this is all I wish to say in connection with the present Resolution. But I hope that the Honourable the Finance Member will permit me to put a question to him before I sit down even though it might not, strictly speaking, be relevant to the proposal before the House. We have been told, Sir, that under the Lend-Lease arrangements we are receiving help from the United States of America. It has, however, been stressed recently from the American side that the materials supplied by America under these arrangements should not be supposed to be a unilateral affair, that the Lend-Lease arrangements are not one-sided, but imply reciprocal obligations. I should like to know what are the obligations that the Government of India have incurred owing to the acceptance of assistance from America under the Lend-

[Pandit Hriday Nath Kunzru.]

Lease arrangements. No information has been given on this subject either in the House or in any press communique issued by Government. The matter is, however, important and I hope that my Honourable friend the Finance Member will take this opportunity of enlightening us on this subject.

THE HONOURABLE SIR JEREMY RAISMAN (Finance Member): Sir, I find myself in a position of some embarrassment in attempting to reply to this debate and to deal with this Motion, and that for two reasons. In the first place, as the House is aware, it is not usual or possible to present a complete financial picture at any stage other than the usual Budget session, because it is only at that time that the Finance Department is able to bring together all the relevant information and to survey the situation as a whole. Any discussion regarding the financial position of the country and regarding its financial capacity must to a large extent be either abstract or unrelated to the current situation if it takes place at a time other than the Budget session when complete figures are available and are presented to the House. That is my first difficulty. But my second difficulty is even more acute. As the House is aware from discussions which have been held in another place the whole subject of the Defence financial relations between the Government of India and His Majesty's Government is at present under consideration by the Government of India. In these circumstances it is virtually impossible for me to make any useful statement. The facts have all been presented to my Honourable colleagues and here let me say that I have no doubt whatever that my Indian colleagues are in full possession of the whole subject and that no one need have any apprehension as to whether they will fully exercise their influence on behalf of securing an arrangement which is satisfactory to this country. I am very grateful for the remarks which have been made about my own stewardship of India's finances up to this stage, but if there were any doubt of my own anxiety to protect India's interests to the utmost, I think I may say that the present constitution of the Government would make it impossible for any dereliction of duty of that kind to take place. For these reasons it is extremely difficult for me to traverse not only the detailed arguments but even what might be called questions of principle. I see that my Honourable friend the mover of this Resolution got into some difficulty himself. The first form of his Resolution was one with which I might have dealt with some facility, as he probably realizes, and I wish he could have informed me a little earlier that he had decided to abandon that particular form of the Resolution because it would have saved me some trouble in marshalling arguments with which I need not now trouble the House. But even the second form of this Resolution is one which I would suggest to the House is not necessarily in the best interests of India. The amended form of the Resolution commits itself to a recommendation that a new basis be framed in consultation and so on with the representatives of the Parties. I would ask my Honourable friends to consider—and here I will take the opportunity of acknowledging the helpful spirit in which their remarks have been couched and their patent desire to assist the Government of India in this matter—whether in all circumstances they would commit themselves to a definite recommendation that a new basis of some kind should be framed. Might it not be—and I only throw this out as a possibility—might it not be that on a full review of all the circumstances, and particularly if they had knowledge of the point of view taken by the other principal party in this matter, that all their efforts would be concentrated on endeavouring to maintain the present basis? Let them not be disposed to forget that up to this stage at any rate in the war, India has come off very satisfactorily. I merely throw out that possibility, and if that is a possibility, then how can my Honourable friends

commit themselves to a form of recommendation that regardless of the nature of the only alternatives which might conceivably be acceptable to the other party, namely, His Majesty's Government, the Government of India should definitely concentrate on securing a new basis? I said in the other place that the question of consultation with the House or with leaders—it amounts to the same thing—must surely depend on the nature of the decision which the Government of India was disposed to adopt. I indicated there that if the Government of India were contemplating or were faced

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with a possibility of a new type of liability or something which went beyond the principles of the existing settlement, then there would undoubtedly be ground for considering whether at that stage the Legislature should not be given an opportunity to express its view on such a departure or such a new liability. But I said that if the situation were otherwise it would not necessarily follow that a useful discussion could take place apart from the Budget session. I also indicated that the Government of India would consider the desirability of putting out a statement sufficiently in advance of the Budget discussions to enable members of the Legislature to consider the implications of the position before they actually came to deal with the Budget proposals. Well, Sir, I do not think that I can usefully add anything to what I said in the other place and which is already familiar to the mover of this Resolution. I would repeat once more that I would ask Honourable Members opposite to consider very carefully the point which I just threw out about the possibility that any alternative basis might prove on an examination of the facts to be definitely less satisfactory to India than the existing basis.

Now, Sir, my Honourable friend Pandit Kunzru addressed a question to me regarding the present Lease-Lend arrangements. Well, Sir, I would strongly recommend that he should read President Roosevelt's Fifth Report to Congress on the subject of the Lend-Lease operations. (I think they are now in America called Lend-Lease instead of Lease-Lend; I do not know why. That change I believe has been made.) I have before me only an extract from that Report and I do not know if I would be justified in reading some sentences from it to the House. But perhaps I might select some brief extracts. President Roosevelt said:—

"These basic lend-lease agreement place the problem of the peace-time settlement in a realistic and appropriate setting. The agreement postpone final determination of the lend-lease account until the extent of the defence aid is known and until the progress of events makes clearer the final terms and conditions and benefits which will be in the mutual interests of the signatory nations, and which will promote the establishment and maintenance of world peace. Final settlement has been postponed since the course of the war may further change the complexion of the issue".

Further on he says:—

"We have pledged our resources without limit to win the war, and the peace which will follow it. We look forward to a period of security and liberty, in which men may freely pursue lives of their choice, and governments will achieve policies leading to full and useful production and employment. If the promise of the peace is to be fulfilled a large volume of production and trade among nations must be restored and sustained. This trade must be solidly founded on stable exchange relationships and liberal principle of commerce. The lend-lease settlement will rest on a specific and detailed programme for achieving these ends".

Now, the most important extract is perhaps the passage which I will now read:—

"All the United Nations are seeking maximum conversion to war production, in the light of their special resources. If each country devotes roughly the same fraction of its national production to the war, then the financial burden of war is distributed equally among the United Nations in accordance with their ability to pay. And although the nations richest in resources are able to make larger contributions, the claim of war against each is relatively the same. Such a distribution of the financial costs of war means that no nation will grow rich from the war effort of its allies. (Hear, hear.) The money costs of the war will fall according to the rule of equality of sacrifice, as in effort".

[Sir Jeremy Raisman.]

Well, Sir, I was glad to see that Honourable Members opposite recognized the underlying equity of the principles which were enunciated by President Roosevelt. And I should say that whatever may be the final position in regard to the financial settlement between India and His Majesty's Government India will certainly not secure less than would be her due under the application of this principle. But, as I said a little while ago, that may not be the whole story. It may be that India would find some difficulty about subscribing fully to that principle. India might find that for her contribution to the war to be evaluated in accordance with the principle enunciated by President Roosevelt would involve a heavier burden than she is prepared to contemplate. I said at the beginning of my speech that it is exceedingly difficult and embarrassing for me to make a useful contribution to a debate of this kind whilst the subject is under the consideration of the Government and I must therefore refrain from being drawn any further into an indication of the issues at stake. I trust that in the light of what I have said Honourable Members opposite will come to the conclusion that in the best interests of India and if they wish to help the Government of India to secure a most satisfactory ultimate allocation of Defence charges they should not press for the Resolution as moved. (Applause.)

THE HONOURABLE MR. HOSSAIN IMAM: Mr. President, the speech of the Honourable the Finance Member was conciliatory but, as is the case with the Members of the Government of India, always evading the main issue: the issue whether we the representatives of the Indian people have any right to know what is happening in our own house or not? We are strangers, beggars and outcasts in our own homeland. If anything is referred to us, it will destroy the whole basis and structure of the Government of India. They can consult everybody but the representatives of the people have no place in the temple, the sacred temple, of the Government of India. I could have understood, Sir, if the wording "a new basis be framed" had been changed to something which could be acceptable to the Finance Member. For the words "framing of the new basis" you might have said "the elucidation of the old basis". Government could have suggested that "any development or agreements entered into on new principles enunciated thereunder"—any kind of change you might have liked. As the Government does not meet us, I insist that it is my right to know what is being decided by the Government which calls itself—and I say it wrongly calls itself—the Government of India.

Sir, I myself realize that my Resolution was not happily worded and that it would have been very easy for the Honourable the Finance Member to have torn my Resolution in shreds because of the quantum which I had fixed. I realize also that our amendment which has been put in has made the position of the Honourable the Finance Member a little difficult, because I fail to understand how you can avoid having a new basis. The old basis that the expenditure incurred for the purposes of the defence of India will be charged to Indian revenues is so vague that the whole of it is dependent on elucidations and consultations used to take place in consultation with the representatives of His Majesty's Government, the War Office, and a man from our own office. That was the procedure. Now this system is an arbitrary system and when I said that I wanted a new basis what I meant was that it should not be so loosely worded. There is no check except the General Headquarters, or the British Headquarters, think that it is primarily for India, so we should be charged. There is no method of checking it. It might be, Sir, that you may come to the conclusion, which indeed has been given by the Honourable the Finance Member in the other place, that the cost of the General Headquarters is to be

borne in the ratio of 50 : 50. We are apprehensive that that is going to be the basis for the future settlement of the expenditure: that expenditure in India should be debited 50 : 50 to His Majesty's Government and the Government of India. I for one, Sir, could not concede it because it would place too heavy a burden on the shoulders of India. We all, Sir, accept the principle enunciated by President Roosevelt; as it is just. But is it wrong that we should ask that when you give effect to that principle you should allow me to come into your company? Would the heavens fall if we are called in? If the Government of India—which now predominantly consists of Indian Members—can be consulted, why not we? I don't think we are asking for much. The right vests with the Government of India. *If you are still so much estranged from the people and so afraid of associating with the real representatives of the people, God help you. That is all I can say.*

Sir, let me tell you how we are kept uninformed of what happens. Even at the time of this Resolution the Honourable the Finance Member did not care to give us any inkling of the probable cost of the war. I am only asking for this year's revised figures. You framed your budget in January, 1942 when Rangoon had not fallen and when the whole of Burma had yet to be fought out. I do not know whether it did contemplate the fall of the Dutch East Indies or not, but I do not think it had been drawn with the foresight and the knowledge that Burma would have fallen and the enemy will be knocking right at our doors. We have the authority of the Public Accounts Committee for saying that it was the deliberate decision of the Legislature or of the Finance Department that only those expenditures which had been incurred or which were in train for being incurred were incorporated in the budget and I think that principle has been followed in this instance too. Was it not right and just that when the Central Legislature was in session we should get some sort of indication that the budget is going to be exceeded by so much. I do not want a final figure. I agree that you cannot give us a full and complete picture.

THE HONOURABLE SIR JEREMY RAISMAN: Is the Honourable Member complaining that we have not presented a supplementary budget? I must point out to him that no Government can present accounts of its expenditure without also going into the revenue side.

THE HONOURABLE MR. HOSSAIN IMAM: We are prepared to be taxed. When we want responsibility we are prepared to take the liability.

THE HONOURABLE SIR JEREMY RAISMAN: I am glad to hear that.

THE HONOURABLE MR. HOSSAIN IMAM: But you refuse us the rights and you cannot saddle us with the liabilities.

Sir, I regret that even the actual expenditure brought to our accounts for the year 1941-42 has not been indicated. It is a fact that revised estimates are exceeded in actuals. We have not been told what was the actual expenditure on Defence in the last completed year. The policy of denial to enemies of facilities is being acted upon where the Legislature is concerned. We are denied everything.

THE HONOURABLE SIR JEREMY RAISMAN: I would like to point out that I myself do not yet know what are the final figures of actual expenditure for the year 1941-42.

THE HONOURABLE MR. HOSSAIN IMAM: Sir, in any Legislature, after such a catastrophe as has befallen Burma the Legislature would have been told the war position and the military position, but in India we could not have even a secret session and we do not know our position vis-à-vis Burma. When I say, Sir, that we are denied everything I have chapter and verse for it. Yesterday,

[Mr. Hossain Imam.]

Sir, in the speech of our Honourable colleague Sir J. P. Srivastava and in that of the Leader of the House, we were asked to come with some terms of agreement among ourselves and we were told that then we would get whatever we asked for. But today when we unitedly ask, when two sections of the House ask that we should be associated over this matter, you deny us this. How are we to believe you that what you say has got real intention and real backing?

Sir, I was also intending to ask a question about the Lease-Lend agreement : but that has already been asked by Pandit Kunzru, and the Honourable the Finance Member has elucidated the point. But I should like to know one thing about our agreement with His Majesty's Government. Whatever we get from His Majesty's Government in the shape of equipment and Air Force materials, is it a free gift or is it subject to the condition that after the termination of the war it will also be brought into account, or that the proceeds from its disposal may be taken by His Majesty's Government? That is, Sir, a minor question. But it would indicate the intentions of His Majesty's Government. I, Sir, for one have not been able to understand how a revision would open the flood gates, and an elucidation would keep them closed. If you remain on the old basis, "primarily for the defence of India", it does not differentiate between the defence of India in the Imperial interest and the Allied interests; and in the interests of India alone. That point has to be elucidated, and you cannot escape responsibility for coming to some sort of arrangement as far as this aspect is concerned; because this question did not rise up when this agreement was entered into. The demand of this House, Sir, differs, and materially differs, from the promise which has been made by the Honourable the Finance Member. The Honourable the Finance Member contemplates that if and when a change is made in the present Agreement, then the House may be consulted, should be consulted. What I say is that this agreement is not suitable enough. It is not that it is not in the interests of India, but it does not suit the present conditions. A fresh agreement is required not to favour India but to be in consonance with the condition of things. And when we are told that if we reopen discussion His Majesty's Government will make heavy demands, my reply is that the Government of India can either agree to it or disagree with it. If it has any *locus standi*, if it has any position, it can as easily disagree with it : but if it is a subservient government, a government under orders, no amount of evasion will free you from the burden that might be thrown on you by His Majesty's Government. Either you have an equal existence—

THE HONOURABLE SIR JEREMY RAISMAN : There is no question of subservience in this matter. This is purely a matter under discussion as an equitable arrangement. What I suggested to my Honourable friend was that he might think that no other possible equitable arrangement might exist. I did not say that that was the case : but I merely threw out the possibility.

THE HONOURABLE MR. HOSSAIN IMAM : May I, Sir, say that even for the decision that this agreement as it exists does not require any change and it requires simple elucidation, you can easily consult the representatives of the Parties. My appeal to the Government is not to be afraid of the Legislature, and not to regard us as *Harijans* and untouchables. Two people can play at that game. If you feel so, we too can have the same feeling. And in these days of total war you know the consequences of this attitude. The responsibility will be yours for throwing the people into the arms of enemies which may not be favourable to you. In the end I ask the Government to reconsider its position. Our demand is not unreasonable. It does not bind you to anything—except that it does make you listen and lay your cards. If you are not prepared even to listen, I think it will be useless to continue the farce of having

the meetings of the Central Legislature. You had better suspend it as you have done in the Provinces. If you have got no provision in the Government of India Act I would appeal to the Government of India at least to save the taxpayers' money; and abolish these Legislatures rather than keep up the farce of carrying on consultation when they do not mean to have anything to do with the Legislatures : Government can easily dispose of the eleven Indian Members, too. They can carry on with an I.C.S. executive as the Provincial Governments have been carrying on without the association of the Legislature in as efficient manner.

Sir, I regret that I do not see my way to withdraw my Resolution.

THE HONOURABLE THE PRESIDENT : The Resolution, as amended, reads thus :—

"Whereas the war has now come to India and its defence from major aggression is primarily the duty of His Majesty's Government, whereas the war in India is an essential part of the world strategy of the Allied Powers, and whereas the financial capacity of India is very slender, this Council recommends to the Governor General in Council that for the present agreement for the apportionment of war expenditure between His Majesty's Government and the Government of India, a new basis be framed in consultation with the representatives of the parties in the Central Legislature".

Question put : the Council divided :—

Yes 11.

Ataullah Khan Tarar, Hon. Chaudhri.
Chettiyar, Honourable Mr. Chidambaram.
Dalal, Honourable Mr. M. N.
Das, Honourable Mr. N. K.
Hossain Imam, Honourable Mr.
Kunzru, Honourable Pandit Hirday Nath.
Mahtha, Honourable Rai Bahadur Sri
Narain.

Muhammad Husain, Honourable Haji
Syed.
Ram Saran Das, Honourable Rai
Bahadur Lala.
Sapru, Honourable Mr. P. N.
Sinha, Honourable Kumar Nripendra
Narayan.

NOES—22.

Charanjit Singh, Honourable Raja.
Das, Honourable Rai Bahadur Satyendra
Kumar.
Ghosal, Honourable Sir Josna.
Haddow, Honourable Mr. R. R.
Hissamuddin Bahadur, Honourable Lt.-
Col. Sir.
Hartley, General the Honourable Sir Alan.
Jones, Honourable Mr. C. E.
Khurshid Ali Khan, Honourable
Nawabzada.
Lal, Honourable Mr. Shavax A.
Lloyd, Honourable Sir Alan.
Menon, Honourable Sir Ramunni.
Muhammad Usman, Honourable Khan
Bahadur Sir.

Mukherjee, Honourable Sir Satya
Charan.
Nihal Singh, Honourable Sirdar.
Ogilvie, Honourable Mr. C. MacI. G.
Pai, Honourable Mr. A. V.
Parker, Honourable Mr. R. H.
Patro, Honourable Sir A. P.
Prior, Honourable Mr. H. C.
Roy, Honourable Mr. S. N.
Subha Singh, Honourable Sardar
Bahadur.
Srivastava, Honourable Sir Jwala
Prasad.

The Motion was negatived.

The Council then adjourned till Eleven of the Clock on Monday, the 28th September, 1942.

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COUNCIL OF STATE.

Monday, 28th September, 1942.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

MEMBER SWORN:

The Honourable Sir Richard Tottenham (Home Secretary).

QUESTIONS AND ANSWERS.

RECOMMENDATIONS OF THE GRADY MISSION.

77. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state the scheme by virtue of which the Government of the United States of America have made a loan to India, in an advisory capacity, of a Railway Administrator with two assistants as experts in operation and maintenance? What are their functions and the scope of their activities as well as their emoluments?

THE HONOURABLE MR. C. MACI. G. OGILVIE: The recommendation of the Grady Mission to which the Honourable Member refers has not been implemented as the personnel have not yet been selected by the United States Government nor have the terms of reference been decided. These matters have recently been taken up again with the Government of the United States by whom the question of emoluments has not yet been raised.

CONFIDENTIAL COMMUNICATIONS BETWEEN HIS MAJESTY'S GOVERNMENT AND THE GOVERNMENT OF INDIA.

78. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Will Government state whether they received any communication from Mr. Churchill, the British Premier, either directly or otherwise, before he left England for Moscow, about August disclosing his plans for talk with M. Stalin, as he communicated to all Dominion Prime Ministers, in accordance with the well established practice of inter-empire communication whereby the Dominions Governments are kept fully informed of the plans of the British War Cabinet?

THE HONOURABLE SIR MAHOMED USMAN: Government are not prepared to make any statement as regards confidential communications passing between them and His Majesty's Government.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Does the Honourable Member realize that the House does not want to know what the nature of the communication was? It only wants to know whether a communication was received in the same way as the Governments of the other Dominions received it.

N. B.—Question, against the Honourable Raja Yuveraj Dutta Singh, was put by the Honourable Pandit Hirday Nath Kunzru.

THE HONOURABLE SIR MAHOMED USMAN: I am unable to add anything further.

THE HONOURABLE MR. HOSSAIN IMAM: Would we be correct in inferring that no communication has been received?

THE HONOURABLE THE PRESIDENT: The Honourable Member has said that that is all the answer he could give. You may draw your own conclusion.

THE HONOURABLE MR. P. N. SAPRU: May I ask whether it is a fact that the Dominion Governments have received a communication from Mr. Churchill?

THE HONOURABLE THE PRESIDENT: That is not a question for this Government.

THE HONOURABLE MR. P. N. SAPRU: The question proceeds on the assumption that the Dominions received the communication. If we are told whether the Dominion Governments received a communication or not, then we can draw our own inference.

THE HONOURABLE THE PRESIDENT: That may be only non-official information; it is not official information.

DAILY EXPENDITURE ON DEFENCE.

79. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) What is India's defence expenditure for a day? (b) What is the expenditure per day in connection with—

(i) the American Army in India; and (ii) the Australian and Chinese Armies, if any, in India?

THE HONOURABLE MR. C. E. JONES: (a) The expenditure on Defence and on Supply brought to account in the books of the Military Accountant General is at present of the order of Rs. 1½ crores a day. How much of this will be charged to India and how much to His Majesty's Government cannot be estimated until the revised estimates for the current year are framed.

(b) There is no Australian Army in India. It is not possible to say at present what portion of the Rs. 1½ crores mentioned in my answer to part (a) relates to the American and Chinese forces in India.

THE HONOURABLE MR. HOSSAIN IMAM: Is it a fact that the cost of the supplies to the American Army is debited to Indian accounts?

THE HONOURABLE MR. C. E. JONES: I think possibly it is a little misleading to say that it is debited to Indian accounts. It is brought to account in the books of the Military Accountant General in India.

THE HONOURABLE MR. P. N. SAPRU: What is the exact distinction between the two positions?

THE HONOURABLE MR. C. E. JONES: The expression "debited to Indian account" might be regarded as implying that the cost of the supplies is a liability on the revenues of India; to say that it is brought to account in the books of the Accountant General, Defence Services, means that it is military expenditure which is allocable at the end of the year between India and His Majesty's Government.

CONFIDENTIAL COMMUNICATIONS BETWEEN HIS MAJESTY'S GOVERNMENT AND THE GOVERNMENT OF INDIA.

80. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Have Government received any invitation from President Roosevelt to send a representative to the United States for consultation, in the same way as Australian, South African and New Zealand Prime Ministers were invited recently?

THE HONOURABLE SIR MAHOMED USMAN: Government are not prepared to make any statement as regards confidential communications passing between them and His Majesty's Government.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is it a confidential matter? If President Roosevelt asks the Government of India to send a representative to the United States of America is that to be treated as a confidential matter?

THE HONOURABLE SIR MAHOMED USMAN: Yes, it is a confidential communication.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: We have sent our representatives to the War Cabinet and the Pacific War Council; but that has not been treated as a confidential matter.

THE HONOURABLE SIR MAHOMED USMAN: I have already clearly said that Government are not prepared to place confidential information before the Council.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Will the Honourable Member condescend to give some reason for what he has said?

THE HONOURABLE SIR MAHOMED USMAN: No reasons are to be given.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: No reasons are to be given, but your power is to be exercised?

CLERICAL CADRE OF THE POSTS AND TELEGRAPHS DEPARTMENT.

81. THE HONOURABLE SAIED MOHAMED PADSHAH SAHIB BAHADUR: (a) Is it a fact that formerly recruitment to the clerical cadre of the Posts and Telegraphs Department was mainly from outsiders, and that after Government had fixed the percentage of Muslim representation in the Services at 25 per cent, half the number of vacancies in the clerical cadre has been reserved for Departmental officials, to be filled up by promotion? Did this not result in reducing the number of first appointments, to which alone the Government order on communal representation is applicable, by 50 per cent, with the result that the Muslim representation works out practically to 12½ per cent, instead of 25 per cent.?

(b) If so, do Government propose to take steps for giving the Muslim community its proper share of 25 per cent. of the total number of appointments?

THE HONOURABLE SIR MAHOMED USMAN: (a) The facts are not as stated by the Honourable Member. Prior to 1937 unlimited preference was given to departmental candidates for promotion to the clerical cadre and direct recruits were taken only to fill vacancies for which suitable departmental candidates were not available. Since the introduction, from 1937, of the revised method of recruitment of clerks, through the medium of an open competitive examination, 50 per cent. of the vacancies only have been reserved for departmental candidates who however have to appear at the same examination and

to obtain qualifying marks. If sufficient departmental candidates do not qualify in the examination, the balance of the vacancies reserved for them is filled by direct recruits to whom the communal recruitment orders apply. Experience of the examinations so far held has shown that the number of departmental candidates who succeeded in obtaining qualifying marks was only sufficient to fill about 3 per cent. of the vacancies, thus leaving 97 per cent. for direct recruits. The Honourable Member will, therefore, see that there has not been in fact any reduction in the number of appointments open to outsiders.

(b) Does not therefore arise.

THE HONOURABLE MR. HOSSAIN IMAM: Is it a fact that in no Department of the Government of India promotion to clerical staff is made from the menial staff?

THE HONOURABLE SIR MAHOMED USMAN: I must ask for notice of the question. I shall examine it.

THE HONOURABLE MR. HOSSAIN IMAM: Will the Honourable Member state whether the age limit for the menial staff is the same as for the clerical staff or there is an increased age limit?

THE HONOURABLE SIR MAHOMED USMAN: Notice, Sir.

CLERICAL CADRE OF THE POSTS AND TELEGRAPHS DEPARTMENT.

82. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: Is it a fact that candidates between the ages of 19 and 21 alone are eligible for appointment to the clerical cadre in the Posts and Telegraphs Department and that owing to this restriction in the age limit an adequate number of candidates is not available from the Muslim community to fill the requisite number of vacancies in all the recruiting units? If so, do Government propose to raise the age limit to 25?

THE HONOURABLE SIR MAHOMED USMAN: It is a fact that the age limit prescribed for candidates for appearing at the recruitment examination for posts in the clerical cadre in the Posts and Telegraphs Department is 19 to 21. Ordinarily, the number of Muslim candidates appearing at such examinations has been well in excess of the number of reserved posts for that community, but on certain occasions and in only two postal circles, the number has been inadequate. Government have no reason to believe that this was due to the existence of the upper age limit. The last part of the question does not, therefore, arise.

THE HONOURABLE MR. P. N. SAPRU: Will the Honourable Member be pleased to state why the age has been fixed for candidates to clerical appointments at 19 to 21 years? Is the age not very low?

THE HONOURABLE SIR MAHOMED USMAN: The upper age limit for entering the clerical service has been prescribed roughly to correspond to the pre-university age so that the candidates may not have to join the college and their guardians and parents are saved the needless expense of giving them costly university education.

THE HONOURABLE MR. P. N. SAPRU: Why has it been considered necessary to eliminate the university men from this competition?

THE HONOURABLE SIR MAHOMED USMAN: The Government had to fix some age and they have fixed this age. If the Honourable Member has any concrete suggestions to make they will be considered. More than this I cannot say.

THE HONOURABLE SAIYED MAHOMED PADSHAH SAHIB BAHADUR: Since the introduction of the age limit of 19 to 21 what has been the effect of the operation of this rule? Have graduates been kept out from admission into the clerical service?

THE HONOURABLE SIR MAHOMED USMAN: I am afraid I cannot answer this question off-hand.

THE HONOURABLE MR. HOSSAIN IMAM: Does this age limit apply also to the menials or not?

THE HONOURABLE MR. P. N. SAPRU: My Honourable friend should not use the word "menial".

THE HONOURABLE MR. HOSSAIN IMAM: We have been talking about the ministerial staff and I think we should also know the position about menials.

THE HONOURABLE SIR MAHOMED USMAN: I must ask for notice, Sir.

THE HONOURABLE MR. HOSSAIN IMAM: May I ask, Sir, if in any other Department of the Government this upper age limit of 21 has been introduced.

THE HONOURABLE SIR MAHOMED USMAN: I shall examine that question, Sir.

ADVISORY COMMITTEE OF THE UTILIZATION BRANCH OF THE GEOLOGICAL SURVEY OF INDIA.

THE HONOURABLE THE PRESIDENT: With reference to the announcement made by me on the 25th September, I have to announce that the Honourable Rao Bahadur Govindchari and the Honourable Sir Satya Charan Mukherjee having withdrawn their candidature for election the following Honourable Members have been elected to the Advisory Committee constituted by the Government of India to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India:—

(1) The Honourable Mr. Hossain Imam.

(2) The Honourable Mr. N. K. Das.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official): Sir, I beg to present the Report of the Committee appointed in pursuance of the Resolution adopted by the Council of State on the 21st of September.

REPORT OF THE COMMITTEE APPOINTED TO CONSIDER THE QUESTION OF THE SUSPENSION FOR THE DURATION OF THE PRESENT EMERGENCY OF THE RIGHT TO FREE HAULAGE OF A MOTOR CAR TO AND FROM DELHI BY MEMBERS OF THE COUNCIL.

We, the undersigned members of the Committee appointed in pursuance of the Resolution adopted by the Council of State on the 21st September have the honour to present our report.

2. The Resolution in pursuance of which we were appointed was adopted as an amendment to a Resolution recommending the suspension for the duration of the emergency of the right to free haulage of a motor car to and from Delhi and we have confined our deliberations to the question whether this right should be so suspended, and, if so, what alternative facilities should be provided.

3. We recommend—

- (1) that the right to free haulage be suspended for the period of the emergency ;
- (2) that with effect from the next session of the Council of State and for so long as the right to free haulage is under suspension, the conveyance allowances now admissible to a member who does not avail himself of the right to free haulage—Rs. 5 a day in case of a member residing outside New Delhi and Rs. 50 per mensem in the case of a member residing in New Delhi—be enhanced to Rs. 10 a day for all members irrespective of their place of residence.

4. The question was raised of the position of a member who having had a motor car hauled to Delhi in pursuance of the right to free haulage has since retained the car in Delhi. We recommend that a member in this position should be free at his option either—

- (1) to retain his right to free haulage of the car to his home whenever transport can be made available and in the meantime (if he resides elsewhere than in New Delhi) to draw the existing petrol allowance of Rs. 75 per mensem, but not (wherever he resides) the proposed new conveyance allowance, or
- (2) to draw the proposed conveyance allowance of Rs. 10 a day but not the existing petrol allowance and to relinquish his right to free haulage of the motor car to his home.

C. E. JONES.

MD. USMAN.

R. H. PARKER.

K. RAMUNNI MENON.

P. N. SAPRU.

HOSSAIN IMAM.

S. A. LAL.

SYED MD. HUSAIN.

NEW DELHI ;

The 25th September, 1942.

DELHI MUSLIM WAKFS BILL.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, I rise to move :—

"That the following gentlemen be nominated to serve on the Joint Committee to consider and report on the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi in place of the Honourable Sir Feroz Khan Noon, Sir Muhammad Yakub and Mr. E. Conran-Smith who have ceased to be members of the Council of State :—

The Honourable Sir Mahomed Usman, Leader of the House.

The Honourable Sir Richard Tottenham, Home Department.

The Honourable Mr. Khurshid Ali Khan."

The Motion was adopted.

RESOLUTION RE UNITED KINGDOM COMMERCIAL CORPORATION.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, the Resolution that I desire to move runs as follows :—

"This Council invites the earnest attention of the Governor General in Council to the widespread apprehensions among the commercial community in India at the growing monopolist activities of the United Kingdom Commercial Corporation in India and elsewhere so far as the export and import trade of this country is concerned and recommends to him to take all proper steps to allay these apprehensions with all convenient speed."

The House will observe that in the operative part of my Resolution all that I seek Government to do is to take proper steps to allay all these apprehensions with all convenient speed. I, in other words, would like Government to clarify and elucidate the position that exists in regard to the United Kingdom Commercial Corporation. For this reason there should be no difficulty on the part of Government in accepting my Resolution, because I am not asking the Government to commit itself to any position. I am seeking to do what Government has been trying to do through *communiqués* and through answering short questions in the Legislative Assembly. Therefore, so far as the operative part of the Resolution is concerned, there should be no difficulty in the way of Government accepting the Resolution.

Now, Sir, coming to the terms of my Resolution I would like to say—I do not say that I necessarily associate myself with that opinion but I would like to say—that this Corporation has been described as a new East India Company, almost as monopolistic in privileges in the matter of India's export trade as the old East India Company which founded Britain's Empire in this country was. Therefore, Sir, I should like Government to supply us with full information about the details of this organization, the aims and objects of this organization, the authorities through which and the manner in which it operates in this country and other countries.

Sir, it would appear that this organization came into existence in 1940 and I think Lord Simon was one of the sponsors of it. It was originally formed with the object of organizing Britain's trade with the Balkan countries and the countries of the Near East after war had been declared with Germany and before the entry of some of these Balkan countries into the war. After the Balkans had come under the control of Germany and her satellite, Italy, its activities, I mean the activities of this Corporation, were transferred to countries like Iraq, Iran, Saudi Arabia and India.

In the winter of 1941 we had a number of distinguished commercial men, I think Lord Swinton was also among them, here in Delhi, and they were staying in connection with the activities of this organization. The Corporation, Sir, has a capital which has been subscribed to entirely by the British Treasury, and in matters of broad policy it acts—so we have been told by the Government of India's Press Communique—in consultation with His Majesty's Government. In other words—I am merely paraphrasing the Government of India's communique—it is subject to the control of His Majesty's Government. The fact that the organization is financed, and to some extent controlled, by His Majesty's Government, makes it automatically an influential and powerful organization: and Indian commercial men have—now I do not know what the measure of truth in this assertion is ; I would like Government to answer whether there is any measure of truth in this assertion or not—asserted that privileges conceded with are denied to other bodies in the matter of purchase and sale, and that it operates in the field of foreign trade under a favourable position. A complaint which has been made by Indian commercial interests is that—and the Indian commercial interests ought to count a normal country for after all, the country is the country of Indians—the Commerce, Supply and, the Transport Departments consider it their duty to supply this Corporation with whatever facilities the Corporation desires. Therefore, Sir, a point that needs elucidation is whether any Corporation of this character is operating in the British Dominions like Australia, Canada, South Africa or New Zealand. Why, Sir, has it been considered necessary to have an export organization to encourage and assist export trade in this country ? Is it not—now here again I am merely asking a question—I am not expressing an opinion because I should like to hear what the official Members have got to say—is it not a fact that

[Mr. P. N. Sapru.]

owing to the Axis occupation of several countries and to the difficulties of transport, India at the present moment enjoys certain advantages in the matter of the supply of raw materials to the countries situated in the Middle East? Now if my proposition is correct that India does enjoy certain advantages in the matter of the supply of raw materials to other countries, it would follow as a matter of logic that it is for these countries to obtain supplies from India. Why should the aid of the United Kingdom Commercial Corporation be sought to provide the supplies of essential articles such as food-grains for these countries? The answer of the Government is—and this is what I have been able to gather from the Press Communique and short notice question answers—the answer of the Government is that the privileges enjoyed by the United Kingdom Commercial Corporation are in respect of trading commodities essential for war purposes. Now, Sir, we know as a matter of fact that the volume of civilian trade has been very much restricted and reduced on account of restrictions in regard to priorities and shipping. If the object is merely to assist in the supply of commodities of military importance, and it is felt that this work of supplying commodities of military importance cannot be done by private concerns, then it strikes me that the Corporation should concern itself with carrying articles like arms, ammunitions, railway material and machinery only. The Corporation at the present moment does not confine its activities to these commodities only. It deals also with such articles as piecegoods, yarn, jute, jute manufactures, wheat shellac, tea, oil, oilseeds, rice and other raw materials and manufactured goods. Therefore, Sir, the activities on the part of an organization controlled by the British Government, as I have pointed out in the opening part of my speech, are open at all events to the suspicion that Government is interfering with the freedom of trade in its normal channels. Now, Sir, passing on to another kind of complaint, I would ask this question—Is it a fact that the Corporation is allowed, or can utilize semi-Government transport agencies or transactions in carriage denied to shippers and traders in this country? The case of the Government is that the Corporation handles operations which cannot be performed normally by commercial enterprise or by private trading concerns. Now is it a fact that trade with Russia, which used to be run directly between Indian trading interests and the Soviet Government and for which payment used to be made at the time of shipment by the Reserve Bank, has been directly affected by the activities of the United Kingdom Commercial Corporation? In regard to Iran, the position in regard to sugar was that it used to be exported to Iran by Indian shippers who had letters of credit in their favour by the Iran Government. To what extent—and this is a point which needs clarification—to what extent has the position of these Indian exports been affected by the Government notification of 18th April 1942? This notification gives almost a monopoly of the export of sugar by the sea route to Iran to the United Kingdom Commercial Corporation.

We read the other day that there has been a modification in the policy regarding the export of sugar from this country by sea. The Government of India are not going to ratify the International Convention to which this country was a party. Why has there been this reversal of policy? We were even originally opposed to this restriction on export of sugar by sea to other countries. But Government was not of our view? Why this change of attitude now? Is the unwillingness of the Government to adhere to this International Sugar Agreement due to the fact that it wishes to facilitate the work of this Corporation? That is a question which also needs to be answered by the Government spokesman.

I now turn to the position in regard to tyres. We also used to export to Iran some tyres and tubes brought through India. Is there truth in the statements which have appeared in the Press that the export of these commodities has been affected and is there truth in the further rumour that the export of tea will also be handed over to the United Kingdom Commercial Corporation by the Government? The position in regard to these matters requires to be elucidated and clarified.

Is it the contention of Government that merchants are not prepared to take risks in the present abnormal times? If that is so, Government should make the position clear. Will Government also make it clear that the Corporation has not in effect tendered to supply traders in Saudi Arabia with rice and other foodstuffs from Calcutta, Bombay and other places? Sir, there has been much criticism of the prices at which sugar has been sold by this Corporation in the Middle East; in Iraq the price at which the sale of sugar has been effected by the Corporation appears to one at first sight an exorbitant one. There are one or two questions I should like to ask with regard to this price business. Will Government enlighten the House as regards the price at which the United Kingdom Commercial Corporation purchases sugar in India and the price at which it sells it in markets supplied by it. Will Government also state what, if any, are the measures it has taken to ensure that the Corporation through these transactions does not make excessive or undue profits. Sir, I understand that the Corporation purchases sugar at the rate of Rs. 12-8-6 per maund in India and the price at which it sells it is something in the neighbourhood of Rs. 37 per maund. As the Corporation is not a corporation of Indian origin or Indian domicile, the excessive earnings derived by these transactions do not benefit the Indian exchequer or the Indian trader in any way whatever.

THE HONOURABLE MR. HOSSAIN IMAM: It harms the exchequer on account of the drawback of the excise duty.

THE HONOURABLE MR. P. N. SAPRU: Yes, it harms the exchequer on account of the drawback of the excise duty. The Honourable Mr. Hossain Imam is an expert in all financial and commercial matters and even though he belongs to the Muslim League and even though there is no agreement amongst us in regard to Constitutional Issues—so the Government at all events says—even though all these differences exist, in all matters of broad policy relating to the economic and financial position of this country the Muslim League and we are, more or less, at one always. Is it a fact that in making these purchases the United Kingdom Commercial Corporation demands unpriced invoices on the steamer thereby not disclosing the rate it has obtained for the goods? I would like, therefore, to know the manner in which the organization operates in regard to its prices. Take again wheat. The Government say that there have been no previous exports of wheat from this country to Persia. I shall assume the correctness of their position. What I would like to ask is, has the Corporation had sufficient expert knowledge and experience in this line of export of wheat to Persia? Take sugar Sir. Why has it become necessary to permit this organization to export sugar to Iran by sea particularly at a time when there is serious dearth of shipping and when in the interests of the Indian tax-payers the overland route should have been encouraged? The overland route has in fact been closed down. Is it a fact, Sir, that the Indian Sugar Mills Association was informed that no fresh licences would be issued to Persia except through the United Kingdom Commercial Corporation? If all this is correct, what is it except a monopoly that you have given to this newly formed East India Company or to what has been called the new East India Company for a resurrected British Empire?

[Mr. P. N. Saprū.]

If it is said that the purchases were made for the Ministry of Food, then why should not that Ministry have made the purchases direct? Why was it necessary for that Ministry to delegate its functions to this Corporation? It is these privileges which make many people think that the United Kingdom Commercial Corporation is a monopolistic concern. Is it a fact that the Corporation is obtaining priorities and special facilities in the matter of railway booking and that even the British Ministry of Shipping provides it with special facilities?

I now turn to another aspect of the matter. It appears that an arrangement has been arrived at between the United Kingdom Commercial Corporation and the British Government whereby Turkey's trade with the British Empire will be maintained through the medium of this United Kingdom Commercial Corporation. If this is a fact, then the position is that trade between this country and Turkey will hereafter be in the hands of the United Kingdom Commercial Corporation and Indian merchants, exporters and shippers, will be deprived of their opportunity of establishing—and from our point of view it is very important because we want to establish commercial relations with foreign countries—exporters and shippers will be deprived of their opportunity of establishing direct contact with commercial interests and markets outside India. Then, Sir, I shall come to the question of the relationship of this organization with the Supply Department of the Government of India. This is a question which I should like to ask. What is the nature of the purchases which the Supply Department of the Government of India makes on behalf of the Corporation and the procedure which the Supply Department follows in this matter? The question, Sir, is of some importance as the purchases made by the Supply Department are made at controlled rates. An arrangement like this, assuming that there is an arrangement of this nature, strikes one as hardly fair to Indian commercial interests. Sir, the explanation given by Government is that the Supply Department wishes to avoid competitive buying and that the Supply Department does not wish to be interfered with in getting the requisite quantities of commodities it requires at satisfactory prices. Sir, if this explanation is the only explanation that Government has to offer, is it unreasonable for us in the circumstances to infer that the United Kingdom Commercial Corporation activities constitute competitive buying? Is it proper for Government in these circumstances to permit such activities? Sir, assuming that it is necessary at this moment of the war for Government to have an independent body to conduct operations which cannot be adequately performed by ordinary commercial people and which in war time ought to lie beyond private commercial enterprise, the question that we can ask legitimately is, why has not an Indian body been set up for the purpose of doing the export trade of this country? No Indian Government, whether it be of the Muslim League or of the Hindu Mahasabha or of the Congress or of any other organization, would allow facilities in the shape of priorities and price advantage to an organisation not belonging to the people of the soil and permit it to function in markets and trades connected with the export and import trade of India. Government have said nothing in their communique—at least I have not been able to find anything in their communique—as regards the suggestion that an Indian agency of organization should be established for the sort of work the United Kingdom Commercial Corporation is called upon to do. The case of the Government of India is that the Corporation is a measure for war expediency. I should like to ask this question. Is that the view of His Majesty's Government also? Do His Majesty's Government contemplate its dissolution after the war? The question of international trade in its higher

aspects, export and import aspects, is getting linked up with political issues. And let us be clear about the situation with which Great Britain will be faced after the war. President Roosevelt's policy has unified the Americas. Great Britain has lost, as was said by one of the junior Ministers, ground. Mr. Harward Johnstone said so in his speech which was subjected to much criticism by the Leftist press. President Roosevelt's policy has unified Americans, the result of which will be that Britain will lose a good portion of her trade with South America. She had a flourishing trade before the war with South America; she will lose a very good portion of it after the war. In the Balkans also she will have to face fierce competition in the post-war world. For the Russian market there will be fierce rivalry between England and the United States. Russia for her—I do not say resurrection in the case of Russia at all—Russia for rebuilding her strength will require finance and capital from the United States and the United Kingdom and there will be competition between these two countries for the Russian market in this respect also. Then the post-war period will be characterized by possibly a slump in trade and Britain will have to become to a large extent a debtor country to the United States. It will be vital for her for this reason to maintain her export trade and because of her heavy financial indebtedness it will be necessary for her to maintain her export trade. Now in that post-war period marked by these characteristics big commercial organizations having State backing controlled by the British Government will be regarded as pillars of British financial and economic prosperity. Therefore, Sir, on these broader grounds this organization ought not to be allowed unduly to interfere with India's trade. Sir, we have been hearing a great deal about Britain's obligations towards this minority and that minority, towards Indian States, towards Depressed classes and towards a hundred other minorities and interests which will be multiplied before self-government is conceded to this country and the theory of trusteeship is being trotted out every day in our face by our British masters. May I ask whether they are trustees only for these interests for the purpose of delaying Indian freedom or whether they are trustees also for the purpose of seeing that proper justice is done to every interest in India, to commercial interests and to small business and big business? I have never been a supporter of big business. As the House knows my sympathies are in the leftist direction and I have always been a supporter of the under-dog. That is why I find myself absolutely opposed to the Tory Party in England and I am even more opposed to Nazism and Fascism. I certainly want Indian interests—if you are not going to abolish big business altogether or if you are not thinking in terms of socialization of industry altogether—I certainly want Indian business to have fair play. I do not see why I should be ashamed of supporting big Indian business when my friends can support big British business. Therefore, Sir, these are the reasons why I think Government should make its position clear in regard to this organization. I have already pointed out that my Resolution is so worded as to make it possible for Government to accept it without any amendment.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I rise to support the Resolution which my Honourable friend Mr. Saprū has moved. Before the last Great War the policy of the United Kingdom was that of free trade, but when the Government of the United Kingdom realized that free trade was not at that period in the interests of Great Britain the principle of free trade was put aside and protective tariffs were introduced and a heavy wall was put against the foreign imports. Now, Sir, what we find is that the Government in this war has had to undergo a further change and that is that in India but in no other British country they are introducing British firm United Kingdom Commercial Corporation who have been given sole monopolies of export trade. As far as my information goes no such concern has been established in Australia, South Africa, New

[Rai Bahadur Lala Ram Saran Das.]

Zealand or other Dominions of the British Empire. Why has India been singled out for that step-motherly treatment? I call it step-motherly treatment, Sir, because we all know and particularly the businessmen know it very well that India since some years back has established its connections so far as trade is concerned with Iran, with Turkey, and with other ports in the Red Sea and even as far as East Africa. It also cannot be denied that Indian exports are also made to Iraq and other ports in the Persian Gulf, of sugar, tea, wheat, flour, and other materials and that trade was passing through the land route. It is now not a closed secret that the new railway line which was recently constructed to feed Russia with military stores goes as far as Zahidan in the Persian territory. Its extension of Quetta-Nushki Railway to Zahidan and from Zahidan the motor transport takes goods to Russia by road. That route was also adopted by the Indian firms who exported sugar and other materials to and through Iran.

Now, Sir, we find all of a sudden the British Government have forced the Indian Government, and the Indian Government readily consented to this dictation. In my opinion the Indian Government has made a great blunder which will be instrumental in breaking down the Indian export trade which has been built up during the past forty years. My information is, Sir, that the United Kingdom Commercial Corporation takes blank invoices from the Indian merchants and buys material at controlled prices and sells them in foreign countries like Iran, Arabia and Turkey at the prices they like. My information is—and if I am wrong the Honourable Sir Alan Lloyd will put me right—that this United Kingdom Commercial Corporation has been buying sugar in India at Rs. 12-3-6 per maund and selling it in Persia at Rs. 35 per maund. Now why should not the Indian merchants be allowed to reap that huge profit which Government by force—I say by force because they having been dictated by the United Kingdom Government—have surrendered to the United Kingdom Commercial Corporation and have adopted a policy which hitherto, the British Government have hated—the policy of monopolies—the policy of big and huge combines? Why, now when it suits British traders to make huge profits through this Commercial concern at the expense of Indian interests should Government be a party to such an arrangement? Why should not the Government regulate the profits being made by the United Kingdom Commercial Corporation Agency in foreign countries? The reply given by His Majesty's Government is not convincing at all. The United Kingdom Commercial Corporation is a new concern, practically a Government concern, financed by Government, helped by Government and helped also by the Government of India. Sir, this clearly shows that the interests of the Indian export trade are being sacrificed at the hands of His Majesty's Government. We have a Supply Department here, a very well-organized department which is functioning so well. Why should not His Majesty's Government place all their orders with the Supply Department if they find that the Indian merchants are not capable to deliver goods as they desire, although I differ from that view because I hold that since some years past the Indian trade has been successfully growing in Persia, Iraq and Turkey, in the ports in the Arabian Sea, the Persian Gulf and in the Red Sea. A denial of that freedom to Indian merchants to continue business in export trade developed by them at the present time of war when you want sympathies of all the Indian people would alienate their sympathy and, mind you, businessmen are endowed with a strong commonsense. Is it justified in the interests of winning the war? Is it justified in the interests of the Indian export? and is it justified when Indians can do the job to suppress that Indian enterprise and to oust it by force by a British concern?

Sir, the very nature of favourable situation of India for supplies places it in a unique position. In the first place, Sir, may I ask the Government how are they justified in sending all the material by sea when there is such paucity of ships. Why should all the shipping space be placed at the disposal solely of the United Kingdom Commercial Corporation?

Then you say, Sir, that your object was to entrust to this concern only military requirements. As far as military requirements are concerned, Sir, wheat, flour, tea, sugar,

12 Noon.

piecegoods and such like material should not be considered as purely war material which the Indian exporters used to trade or to place on foreign markets. In practice, Sir, we find that everything which is exported can be defined as a military requirement, and that I think is also not justified. Indian export trade with foreign countries has not been built up in a few years. It has taken forty years to develop and when trade connections have been so established, the Government has taken this unwise action in putting a stop to the export trade by Indians and thus doing the greatest harm to those unfortunate people who adopted export trade as their business.

Sir, all the concessions that are now existing in India—such as priority in railway booking, priority in many other respects, buying at controlled prices, are enjoyed by the United Kingdom Commercial Corporation. I think it is the solemn duty of the Government of India to incorporate a similar Corporation in India consisting of those Indians who have experience of foreign trade and give them a monopoly. Then we may deem that the Government of India is working for Indian interests, and in the interests of advancing the trade and industry of this country.

Well, Sir, it is my unfortunate task to tell the Government not to alienate the feelings of the masses and of the businessmen. You want everybody to sympathize and everybody to be helpful to you in these days of war. But to give a British concern (semi-Government) the sole monopoly of the Indian export trade is very wrong and is neither in the interests of India nor is it in the interests of the Government of the United Kingdom. I would therefore earnestly request the Government of India to put a stop to this favouritism and to this racial discrimination. Racial discrimination is one of the evils—nay is in fact the root of discontent. Past history tells us what has been the results of racial discrimination. Racial discrimination has been proved, I am sorry to say, in the case of the Indians living in Malaya and in Burma, in the treatment meted out to them by the authorities. The evacuees who have come from both these places tell us horrible stories about the colour complex and racial discrimination. At this time, Sir, all people should co-operate with the Government to win the war, and it is necessary to apply the purpose for which the war is being fought to India as well. The Atlantic Charter ought to be extended to India. The denial of the extension of the Charter to India has injured Indian feelings, and I think, Sir, that to omit India from the application of the Atlantic Charter is one of the grossest blunders of the British Government. I will not take much time, Sir, and I would strongly request the Government of India to do away with the sole monopoly of the United Kingdom Commercial Corporation and incorporate an Indian Corporation in India, giving all the concessions that were given to the United Kingdom Commercial Corporation to them.

*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Mr. President, the Resolution before the House has been moved by my Honourable colleague Mr. P. N. Saprú in such mild and reasonable terms that I do not see how even this irresponsible Government can, consistently

*Not corrected by the Honourable Member.

[Mr. Hossain Imam.]

with its dignity and professions, get out of it. Mr. President, as the Honourable Member said in the beginning of his speech, it is a Resolution designed to elucidate and get information on certain aspects of the matter: and if the reply of the Government is satisfactory, there will not be any need to press this Resolution. But if it is unsatisfactory, then of course we will have to put this Resolution to the vote.

The Honourable Mr. Sapru has made it clear that it is not spirit of support for big business which has prompted him to bring forward this Resolution. I and my friend feel alike over big business. We are more often against it than for it, and it is the Government which has usually taken up the cudgels on behalf of big business. At the moment, Sir, when it is a question of big business *versus* small business or the consumers, the Government sides with big business: but where big business comes in contact and in clash with British interests, well they are bigger, they naturally get the support of the Government, and when it is a question of His Majesty's Government, of course a subservient Government having no existence outside its own imagination cannot fight on terms of equality, and it has always got to give in. If thus our Government has been forced to do it, I would regret it, but would not blame the Government. But if it was a willing surrender, then I think, Sir, that they had no right to surrender.

I also had some questions to ask and elucidate but many of them have already been traversed by my two friends who preceded me. Therefore, Sir, I shall be very short in my discussion of the question. The excuse that has been trotted out in the Government communique of which I have got a copy by the courtesy of the Commerce Department is that the United Kingdom Commercial Corporation really does business for Russia and only incidentally for other Eastern countries where ordinary trade cannot participate. These are days of difficulty when the normal course of trade is not open and abnormal steps are being taken. Firstly, there is the new innovation in the opening of credit accounts. The Government opens a credit account for a foreign country to get goods in the country and payment is made by the Government of the country and they make some sort of settlement either through exchange of goods or for future settlement like lease-lend or other things. Do we take it that the trade of Russia is being financed on a cash basis or on the basis of accommodation by His Majesty's Government? That is my first question. My second question is, how is this trade financed? How does His Majesty's Government get hold of rupees? Is it one of those things which go up and multiply in the shape of our sterling balances and payments by His Majesty's Government at the end of the year or is it a day-to-day purchase by United Kingdom Commercial Corporation of sterling through the Reserve Bank? The difference between the two measures would be enormous. We know how anxious His Majesty's Government is to reduce our sterling balances by fair means or foul. If that is being followed, I for one would not be a party to any continuance of this activity for the simple reason that I do not want my money to be locked up in England which I cannot get delivery here, and even if it is operating through the Reserve Bank I wish to enter my emphatic protest against the manner in which the Reserve Bank is at the moment trying to help British business by means of a subsidy against Indian business. The Reserve Bank of India is, under section 41 of the Act, bound to take sterling payments for rupees if any one tenders at the rate of 1s. 6 $\frac{3}{4}$ d. But I have seen three reports of the Reserve Bank and all throughout purchases have been made at 1s. 6d. That means it has been an open market purchase and not a tender under section 41. If the Reserve Bank were to keep out of the market and

enforce the bankers and the sterling holders to get rupees by means of tender under section 41, we would have got something like Rs. 2½ crores more than we have got, and our resources are more than sufficient to finance our needs. The payments made by His Majesty's Government, together with our holdings on the 30th August, 1939, were more than enough to meet all our expenses and leave a margin. The purchase of 260 millions of sterling has been made by a method which should not have been adopted, namely, at a lower rate than we could have got if we had stood by section 41 of the Reserve Bank of India Act. I doubt, Sir, whether it is not in order to give facilities to people of this kind, the United Kingdom Commercial Corporation and other big trading interests that we are selling in the market. When you have got enough supply, there is no reason for the Reserve Bank of India to get into the market every day and thereby incur a loss of Rs. 2 to Rs. 3 crores to the Indian taxpayer. Then, Sir, I find that this Corporation is trading in commodities which are scarce in India itself. This is a thing of which any National Government which had even a pretence to that name will be ashamed of indulging in. We are short of rice and yet rice exports are taking place to countries like Ceylon which have never treated our nationals fairly, which have discriminated against our trade, and yet, while rice is selling at scarcity prices in parts of this country, we are exporting rice. Wheat is almost in the same category. We have not enough for our own needs. Of course I will not mind the export of wheat to countries where our own nationals are, for instance, for our army in Persia and Egypt. I would not mind export being made to these countries for military needs and for civilian needs also because there are certain civilian employees of ours who are living there with the army. But you should not make it general. There are certain items in which we would like to encourage the export trade. For instance, jute and cotton. A National Government ought to use its power of restriction and encouragement in order to meet the requirements of the country and it should not play second fiddle to anybody, even to His Majesty's Government. I have looked into the Press statement issued by the Government to find out if they have indicated anywhere that they exercise any sort of control over the commodities which the United Kingdom Commercial Corporation export. I have not found any restriction being put on the United Kingdom Commercial Corporation.

THE HONOURABLE THE PRESIDENT: You have exhausted your time.

THE HONOURABLE MR. HOSSAIN IMAM: I have not very much more to say, Sir. Many points have already been covered. I will be very brief, Sir. I will refer to the export monopoly. I find two statements, one by the Government and the other by the Federation of Indian Chambers. India was unfortunately a party to the unlamented sugar agreement which was entered into in opposition to Indian public opinion. I want to know whether the export took place before the demise of that agreement or after. You say that it was only through the Ministry of Food which got special permission to export sugar in spite of the agreement.

THE HONOURABLE SIR ALAN LLOYD: I can answer that at once—"before".

THE HONOURABLE MR. HOSSAIN IMAM: If India had entered into an agreement not to export sugar, how was the export being made?

THE HONOURABLE SIR ALAN LLOYD: May I answer at this stage in order to save time? The International Sugar Committee gave permission for India to export sugar for the requirements of His Majesty's Government but did not give permission for any other exports. The sugar was exported to the order of His Majesty's Government and was not bought by the United Kingdom

[Sir Alan Lloyd.]

Commercial Corporation which in these transactions only served as the transport agency for His Majesty's Government. The sugar was actually bought by other agencies in India, mainly under the direction of our Sugar Controller.

THE HONOURABLE MR. HOSSAIN IMAM: That, Sir, gives us a very good reason. If it can be done once, why can't it be done again? Why give the monopoly to the United Kingdom Commercial Corporation? That was the reason why I put that question. Once you have done it, you can do it again. There is no earthly reason why it should not be done by private interests. You have given your own case away. So far as the question of tea is concerned, I was unable to understand because I learn that the Ministry of Food Production has purchased the entire exportable quota of tea. How can it be possible for private interests to export any tea? I should like the Commerce Department to enlighten us on that question.

Then I come to the question of the exports to Saudi Arabia. I wish to draw the attention of the Government to the fact that this is the pilgrimage season. Our own people are going there and the price of wheat especially is very high. If wheat can be exported to other countries where our interests are not concerned, I think Hejaz has a prior claim; especially at this moment when Indian pilgrims are going there in thousands. I hope that the Government will give facilities to private interests to export a small amount. A thousand tons would be more than enough for the whole of Saudi Arabia for the season. Such a small amount the Government could very easily permit private interests to export. There is a question as regards the business for the United Kingdom Commercial Corporation by the Supply Department. I should like to know whether the Supply Department charge any commission on these transactions. We have had experience. In the beginning we used to levy a small charge on account of commission for purchases made on behalf of His Majesty's Government. Although our supply organization has increased out of proportion and the expenditure has gone sky high, yet the small charge we used to make on His Majesty's Government has been dropped and the whole of the cost of the Supply Department is now borne by Indian revenues. Is it the same case with the United Kingdom Commercial Corporation also? Is it treated as part of His Majesty's Government and no commission charged? Our men are employed on the work and I claim, Sir, that we have a perfectly justifiable right to ask for a *quid pro quo*. In the first place, business should not have been done. If it had been done, it should be charged. I would further like the Commerce Secretary to enlighten us what is the position of the Indian trade *vis-a-vis* Turkey. Is it under any sort of credit upon His Majesty's Government or is it a cash transaction? If it is a cash transaction, I claim that our nationals have a prior right to it, because I feel, Sir, that we do not want to get any more sterling. Sterling acquisition has become a dangerous thing because it is so tempting to His Majesty's Government that they always look upon it as a thing that they can readily wipe off the slate.

Well, Sir, our Indian friends in the Executive Council have now an opportunity of proving or disproving what is being said in the country. The Congress has given them a nickname which was stated in the law courts when a procession passed. The Muslim League regards them as unrepresentative and my Honourable friend Mr. Sapru gave them an epithet which was resented by them. But I think if Honourable Members would consider it they ought to be proud of the title. That was the title which was given to the British expeditionary force in the Great War, "the Contemptibles" and they won the war.

Sir, my objection to this Corporation is that it is not in the interests of the people of India or the Government of India. A Government organization should be an organization of the Government of India and not that of the United Kingdom. Here I should like my Executive Councillors to enlighten us whether this matter had been before the Executive Council or not. If it has not been before the Executive Council, I think it is about time that the Members asserted their right and had this matter threshed out. Then, we will know where the responsibility lies, whether with the collective Government of India as they say or with the individual Department as I believe.

In conclusion I should like to say that I hope the Government will give us an answer which will not only satisfy us but which will remove the doubts which exist about the *bona fides* of the Government at the present moment in the country.

Sir, I support the Resolution.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Mr. President, several speakers have spoken about the origin of the United Kingdom Commercial Corporation. Nevertheless I think something can be usefully added to the information that they have already given. I take the information that I am going to place before the House from an article that appeared in the issue of *The Economist*, dated the 17th January, 1942. It appears from what the writer of the article says that the United Kingdom Commercial Corporation was registered early in April, 1940 with a capital of half a million pounds, wholly subscribed by the Treasury. The capital was raised to 1½ millions in August, 1940 and to 3 millions in July, 1941. It was originally formed for pushing on British trade in the Balkans. It has also been utilized in the interests of British trade in countries like Turkey, Spain and Portugal where trade is carried on not on ordinary commercial lines, but with the political help of the Governments of the merchants concerned. The writer of the article that I have already referred to says:—

"For such operations, which are largely divorced from the competitive level of world prices, the normal channels of foreign trade will not serve. An organization such as the United Kingdom Commercial Corporation through which can be mobilised the financial and economic power of the country, is required. Serving in this capacity, the United Kingdom Commercial Corporation has acted as the highly effective spearhead of our trade offensive, acting in close collaboration with the Foreign Office and the Ministry of Economic Warfare and ultimately under the broad directive of the War Cabinet."

The question is whether the commercial association I have referred to under the circumstances is likely to end its activities as soon as the war is over. The writer of the article that I have referred to more than once refers to the fact that at the present time the bulk of British overseas trade is transacted by the Government. At the same time he says:—

"But there is another aspect of this Government encroachment on the field of overseas trade which, though less generally known, is more significant and perhaps more permanent than the direct bulk operations of the Ministries."

He then refers to the activities of the United Kingdom Commercial Corporation and its various branches. It is natural, Sir, that when there is such an organization which is backed by all the resources and the might of the British Government and which might become a permanent organization for the expansion of British trade in other countries there should be an apprehension in India that its operations might ultimately be to the detriment of Indian commercial interests. Many complaints have been made on this score. The Government of India dealt with these complaints in a Press Note issued by them on the 5th August. It is dated New Delhi, August 5th, but I have got a clipping from the *Tribune*, dated the 8th August.

THE HONOURABLE SIR ALAN LLOYD: It was published on Friday the 6th.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The Press message is dated New Delhi, August 5th. Well, anyway the date of the communique does not matter at all. Government have by this communique tried to deal seriatim with the complaints made by Indian business men with regard to the activities of the Corporation and their apprehensions with regard to its effect on the future of Indian trade outside India. Now, this Press Note itself shows in my opinion that the United Kingdom Commercial Corporation has already in some instances acted in such a way as to justify the fears of Indian business men. I shall refer, Sir, first to the export of sugar. I do not want to repeat what the previous speakers have said but I want to deal only with the reply given by Government to the complaints of Indian business men. Government have said that it is wrong to assert that a monopoly of sugar export to Persia has been given to the United Kingdom Commercial Corporation. The fact is that sugar has been sold by India to the Ministry of Food, which has decided how the sugar that it has purchased should be sent to Persia. Now what does this mean, Sir? It means that the British Government having got certain commodities here are taking advantage of their resources and authority to create business for their nationals. Is that the position that the Government of India are going to accept? Whether the sugar was sold to the United Kingdom Commercial Corporation or to the British Government the effect of it is the same. Whether the British Government buy sugar and then make it over to their nationals for export to Persia or whether a commercial corporation buys it and then exports it to Persia the effect of it on India is just the same. There was no reason why the Government of India should have sold sugar either to the Ministry of Food or to the United Kingdom Commercial Corporation. They could have themselves sent the sugar wherever the British Government desired.

In this connection, Sir, I should like to inform the House that there is in the Middle East a Corporation known as the Middle East Supply Commission or Corporation. Now we have received no exact information with regard to the activities of this organization and I hope that my Honourable friend Sir Alan Lloyd, when he replies to the debate, will be able to throw some light on the subject. When was this Association established and what are its exact functions? These are the points we would like to be enlightened on. Well, while in the Middle East there is this Association, in India there is the Supply Department of the Government of India which has in certain instances according to the Press Note issued by Government helped the United Kingdom Commercial Corporation to buy the things it required. If the Government of India can help the United Kingdom Commercial Corporation in this way through one of their Departments why cannot they ask this Department to establish a branch in the Middle East which, after receiving the goods from India, can hand them over to the Corporation, that I have referred to. When there are these two organizations at either end of the line what is the need for having a third organization intervening between them? That is an important point on which I should like to have information from Government.

Again, Sir, take the case of tea. My Honourable friend Mr. Hossain Iman referred to tea and wanted to know what the intentions of the Government in regard to its export were. Well, a question was put on this subject in another place by Mr. Jamnadas Mehta and the Honourable the Commerce Member replying to his question said:—

“The entire Indian exportable surplus of tea would, under the block purchase scheme, be sold to His Majesty's Ministry of Food. The machinery which they would arrange for the distribution of the consuming countries other than the United Kingdom was still under discussion”.

Now the monopoly of export of tea has been given to His Majesty's Government. The only question that is still under consideration is the means by which this tea will be distributed in countries other than the United Kingdom. Now this is a case of the same kind as that of sugar. If His Majesty's Government wanted tea for the Middle East why could not the services of the Supply Department of the Government, or even of a commercial organization built up by them be utilized? His Majesty's Government bring a commercial corporation into existence for the purpose of trade between the Middle East and certain other countries. Why cannot the Government of India take a leaf out of the book of His Majesty's Government and start a similar organization in this country? It would be as helpful to Indians as the United Kingdom Commercial Corporation is to British nationals. Have not the Government of India neglected their duty in this matter and failed to come to the help of Indian businessmen? Had the Government of India been a National Government I have little doubt that they would have acted in the same way as His Majesty's Government have done. They would have seen that Indian businessmen came into direct touch with the importers in other countries, so that a connection might be built up which would be useful not merely during the war but also afterwards for the expansion of Indian industries.

Sir, these are the main points which I wanted to urge before the House today. There are other points also which can be usefully mentioned in this connection. But the chief concern of the representatives of Indian commerce and the Indian public is that the Government of India should stand up for Indian interests and devise arrangements which will enable Indian businessmen to take advantage of the present conditions to devise measures as far as possible to deal with the circumstances that would arise after the war. The Government of India have so far taken shelter behind pleas which are more or less technical, for example, with regard to Russia and Saudi Arabia. Taking Saudi Arabia first, Indian merchants were in touch with it and used to do business with it. But if the Saudi Government asked the United Kingdom Commercial Corporation to supply it with rice it shows how much the prestige which this Corporation has acquired owing to its connection with the British Government is helping it in the Middle East partly to the detriment of India. Now take the case of Russia. It cannot be said that Indian businessmen were not in direct contact with Russia. Some time ago they were in touch with Russia and payment was made for goods supplied by them to Russia by the Reserve Bank of India. Could not the machinery that was in existence have been developed? Could not a commercial organization have been built up here, backed up by the Government of India whose duty it would have been to overcome those difficulties, which according to the reply of the Government of India the United Kingdom Commercial Corporation has been brought into existence to surmount? It seems to me, Sir, that even in respect of those places where normal trade machinery has broken down, Indian businessmen could have done a great deal for their country with the help of the Government of India, but unfortunately this help was not forthcoming. A vivid illustration of this is supplied, Sir, by the export of sugar which I have already referred to. Sugar used to be sent by the overland route to Persia. If this method of transport involved delay the Indian exporters could have been helped to ship sugar to Persia. But the Government of India instead of helping Indian sugar exporters, have sold the sugar to the Ministry of Food which will export it to the United Kingdom Commercial Corporation. It would be difficult to find an example of such treatment of an established trade in any other country. The duty of the Government of India was to help Indian businessmen concerned with the sugar trade and open out another channel for them: but instead of doing that, on the plea of delay, they deprived them of the trade they already

[Pandit Hirday Nath Kunzru.]

enjoyed, though it may be said that the sugar purchased by the Ministry of Food is still purchased through the ordinary Trade Machinery.

Sir, I do not want to prolong the debate any further : but I think that the activities of the United Kingdom Commercial Corporation in this country, and particularly the supine attitude of the Government of India in this connection, have given rise to many and important questions : and if the Government of India are anxious for their reputation, if they care in the least to protect the legitimate interests of Indian nationals, they should freely and frankly answer the questions that have been put before them and take such steps as they can in future to advance Indian trade in the Middle East through Indian agencies. *(Hear, hear and Applause.)*

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary): Sir, the Honourable Member who moved this Resolution described the Resolution as exploratory, and I should have been very glad indeed to accept that description of it if he had seen his way to drop two words which seem to my mind to beg the question. Those are the words "growing monopolist" before "activities". If the Honourable Member would care to amend this Resolution by dropping those two words, I should have great pleasure in supporting it.

THE HONOURABLE MR. P. N. SAPRU: May I just point out that I am only giving expression to a feeling in the commercial community here of widespread apprehensions at the growing monopolistic activities?

THE HONOURABLE SIR ALAN LLOYD: Well, Sir, I think if the word "supposed" or "alleged" were inserted before "growing monopolist activities" that would put it right.

THE HONOURABLE MR. P. N. SAPRU: I have no objection to the word "alleged" being inserted.

THE HONOURABLE SIR ALAN LLOYD: If the Honourable Member accepts that, I will very gladly accept his Resolution because I am well aware that a great deal of uneasiness, in my opinion uncalled for, has been created and does remain in existence even after the very full statement from which the Honourable Pandit Kunzru has quoted and to which others have referred.

Now, Sir, what is the best means of giving all the information that is necessary in order to allay the anxiety to which my Honourable friend has referred? I feel, Sir, that it would be indeed difficult for me to reply in a *viva voce* manner to the very long series of questions that have been put to me from various quarters of the House. Indeed some of them I am not in a position to reply to in detail without time for further examination. I propose therefore, Sir, not to attempt to go through all the particular points to which attention has been drawn because I think a more satisfactory answer on this subject can be supplied by a formal reply which we shall have to send to a very long and detailed letter just received by the Government of India from the Federation of Indian Chambers of Commerce and Industry,—in my case received yesterday, so that I have not had time to reply to it. That letter, possibly by coincidence, covers a great many of the points which have been mentioned by the Honourable Member who moved this Resolution. Other points have been raised in the course of this debate which were not mentioned in that letter, but it will be quite easy, when we reply to that letter, to allude to these other points by reference to the proceedings of this House. With your permission, Sir, I shall not, therefore, attempt the superhuman task of answering at extremely short notice all the questions that have been put to me but shall content myself with speaking on the point raised in more general terms. I should say that I am quite prepared to undertake that our reply to this letter from the

Federation of Indian Chambers of Commerce shall be given full publicity and certainly a copy will be placed in the Library of the House.

Speaking, therefore, in more general terms, I think it is my first duty to distinguish between immediate war time conditions and prospects of future conditions after the war is over. Sir, the Government of India have no doubt in their minds that there is no idea on the part of His Majesty's Government of setting up a new East India Company, of erecting a commercial concern supported by their own capital which will remain as an intruder in India, not in the trade between India and England but in trade between India and neighbouring countries, after the conditions which have led to the establishment of that concern at the moment have disappeared. It is not, Sir, I am convinced, for the purpose of making profit of any kind that this Corporation has been formed. His Majesty's Government have undertaken considerable responsibilities in the matter of assisting the Middle Eastern countries. One example is offered by the case of Turkey to which reference has been made by my Honourable friend Mr. Hossain Imam. There is an agreement between His Majesty's Government and the Turkish Government which has led to the employment of the United Kingdom Commercial Corporation as the agent of His Majesty's Government, not as a private adventure, but arising out of an agreement between those two Governments, in order that payments should be financed as between the Turkish Government and the sterling area on a Governmental basis. That is one example. In the case of countries nearer here, it is easy for any one with a little imagination to see that there have been occasions of maldistribution of commodities, inadequate supplies in one place, excessive supplies in another,—in short, private trade, when left alone, had resulted in a chaotic condition and the Governments of these countries approached His Majesty's Government who again have employed this Corporation, which is a sort of Government Department under another name, as their agency. Now, Sir, a commercial transaction has two ends, the supply end and the importing end. If the Governments of the importing end have elected, because of the assistance they are receiving from His Majesty's Government, to employ the United Kingdom Commercial Corporation as their agency of importation and distribution, it is not unnatural,—in fact it is quite the best arrangement from the practical point of view,—that the exportation should be actually conducted by representatives of the Corporation in this country. Here there is one point that I wish to make as evidence of the improbability of any suggestion that His Majesty's Government contemplate a permanent occupation of a place in the Indian business world of the United Kingdom Commercial Corporation. This is the fact that their representative in India is working in a honorary capacity and I think the deduction from that is fairly obvious that this is really and essentially a Government show and not comparable with private enterprise.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Does His Majesty's Government control the sale price in the foreign countries?

THE HONOURABLE SIR ALAN LLOYD: The Honourable Member is referring to the price at the distribution end?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Yes.

THE HONOURABLE SIR ALAN LLOYD: I think there is not the slightest doubt that the prices are controlled as far as the activities of the Corporation are concerned. It is possible that in some cases goods pass out of the Corporation and find their way into the black markets. That is a thing that happens anywhere. But in general the position is that the Corporation is not making much profits but is working, I believe, more or less on an expense basis.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Does it mean that the sale price of sugar in Persia by the United Kingdom Commercial Corporation which I cited is wrong?

THE HONOURABLE SIR ALAN LLOYD: If the Honourable Member will refer to the Press Communique of which his neighbour has a copy, he will see the answer to that question. With your permission, Sir, I will not traverse all the ground that has already been covered by the Government communique. That is the general approach to the question that I wish to make. I feel convinced that it is quite improper to regard this as anything but an ephemeral arrangement which is for the benefit of the countries to which the goods are sent and which will be terminated when the prevailing conditions are themselves terminated. But, even so, Sir, I should like to say something as regards a question asked by my Honourable friend Mr. Hossain Imam. He asked whether we had willingly surrendered to this. I do not think it is improper for me to disclose that the Commerce Department, from the outset, have watched all these developments with the utmost jealousy. It is our policy as much as that of any Member of this House to keep the channels of Indian trade flowing where they can be kept open. It has sometimes happened that the easy course for His Majesty's Government has been to employ the United Kingdom Commercial Corporation but that we have shown that the problem can be quite satisfactorily handled by leaving our own trade channels to operate so far as export from this country is concerned. That is a solemn statement of fact. We are continually watching this and it is only after the most careful scrutiny that we are now allowing new developments of this kind to take place. There is no question of our having willingly surrendered. My Honourable friend the mover of the Resolution admitted that there might be a necessity for setting up this organization and I am glad he admitted it because it shows that we shall not appeal in vain to the general public in India if we taken the stand that I have taken that in certain conditions it is necessary, because of war arrangements for the importation and distribution of goods at the other end, to go on with this plan. But he went on to say that the organization—by implication he said it could have some justification for existence—should not be allowed to interfere “unduly” with Indian trade activities. That, Sir, is precisely our own attitude and as I have just said we have been watching this very jealously and we have sometimes made ourselves rather a nuisance by insisting on giving Indian trade its chance before canalizing the business at the export end also. But let me add, Sir, that even when—I am talking now of goods other than those actually essential for war requirements—even when export trade is carried on by the United Kingdom Commercial Corporation, that Corporation, whose head in India is in close touch with us and fully appreciates our attitude in this matter, conducts its purchases in the market in the ordinary way. It does not get any advantages in the matter of prices. It does not get—unless some over-riding war consideration comes in on a particular consignment—it does not get any advantage in matters of transport and so forth. Even where the Supply Department—I think it is stated in the Press Note—even where the Supply Department supplies goods for the Corporation, it does so at market rates. In the case of actual war supplies, special Government contracts come into consideration, such as the arrangements for the purchase of jute goods. As regards these war supplies, it is a little difficult for me to say how much I am at liberty to disclose in detail. But I do feel that the House will realize that there is nothing normal at all, nothing that can be related to past trade in any way whatever, in the matter of Indian goods going to Russia. That is emphatically a business which if it had not been arranged between His Majesty's Government and the Soviet Government would have had to be arranged between the Indian Government and the Soviet Government. The financial side of it, details of which I regret I am

unable to give to the satisfaction of my Honourable friend from Bihar, the financial side of it is entirely in the hands of His Majesty's Government. I for one think that the Indian exchequer may be well pleased indeed that that is the position because I am quite certain that this is not a money-making proposition; like all these things it is much more likely to be a money-losing proposition, although as I said I do not know the details. One thing I can say to the Honourable Member; goods are paid for in rupees. I am afraid I shall have to leave the matter for elucidation, when a suitable time occurs, by someone who knows more of governmental finance than I do myself.

My Honourable friend Mr. Kunzru made an inquiry about the Middle East Supply Centre. I do not know what the source of his information is. He called it an association. I know of no such association. I do know of the Middle East Supply Centre which is a purely Government organization not engaged in trade but only in the direction of trade, deciding in a time of great difficulty which country shall be asked to supply another country with this or that commodity. Well, I am in a great difficulty here. I do not know how much I am at liberty to disclose in this respect, but I do say that that body is only, as I said, a directive organization and not a trade organization and I do know that it is the body to which we must look when conflicting claims are made by different consuming countries for small quantities of certain goods that we are able to dole out. The existence of that centre has been a great help to us in relieving us of certain responsibilities, for example, in the matter of the export of wheat, which is a commodity that we have had absolutely no desire to see exported from India at present beyond the amounts necessary to satisfy the dictates of common humanity. Now, my Honourable friend also asked why should not the Supply Department itself export these goods to those countries. I think, Sir, that would only be putting another cog in the wheel. I have explained that by arrangement between His Majesty's Government and those countries a great deal of control of import and distribution is in the hands of the United Kingdom Commercial Corporation, not as a money-making arrangement but for the benefit of the country in which that organization is working. Therefore even if we exported through our own Supply Department, we should only be able to export to the United Kingdom Commercial Corporation and surely it is more convenient all round that the exports should be made not by the Supply Department here to the United Kingdom Corporation there, but by the general public here, traders in the open market, to the Honorary representative in this country of the United Kingdom Commercial Corporation. No, Sir, I do not think the answer lies there. The actual problem is the extent to which we should agree to the cutting out of purely trade transactions. There, Sir, one must consider the consignee. If he wishes trade to be canalized, it is very difficult for us to say “No”. We have again and again insisted upon that plan, but it is not always possible to carry our wishes through.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Which plan did the Honourable Member refer to?

THE HONOURABLE SIR ALAN LLOYD: The plan of allowing all to have their share in the trade—allowing our exports at this end to be made by the ordinary trade, when imports and distribution are canalized at the other end.

And that brings me to one last remark with which I will trouble the House. This, Sir, is not a problem of such gigantic dimensions as the atmosphere of the speeches that have been made seems to suggest. I have obtained figures of the shipments made by the United Kingdom Commercial Corporation in a period of three months to all the countries in the Middle East and I have compared them with the total of exports of Indian merchandise to those countries. I had to

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estimate value in the former case because I had only quantities. On that calculation, made at short notice, the position is that not 10 per cent. of the exports to these Middle East countries has been made by the United Kingdom Commercial Corporation, and 90 per cent. of the trade is still being retained in the hands of ordinary commercial organizations. That, I submit, Sir, is a proof, if proof were needed, that the invasion in the commercial field by this Corporation is neither by intention nor in fact a serious attempt to oust Indian trade from its proper position—the position in the economy of the world which the Government of India in the Commerce Department is as anxious to see maintained as any member of this House can be. At the same time, as I have said, I welcome the opportunity that has been afforded to us when we have gone through this letter, of making a fuller and more detailed statement of the case and, as the Honourable the mover of the Motion is prepared to accept the insertion of the word “alleged” before the words “growing monopolistic activities” in the Resolution, I will, on that understanding, accept the Resolution because we are also anxious to see these anxieties allayed.

THE HONOURABLE THE PRESIDENT: Will you move this amendment? May I know how you would word it? “commercial community in India at the ‘alleged’ growing monopolist activities of the United Kingdom”?

THE HONOURABLE SIR ALAN LLOYD: Yes, Sir. I shall have pleasure in moving that amendment.

THE HONOURABLE MR. HOSSAIN IMAM: Will the Honourable Member kindly enlighten us about the commission that is paid to the Supply Department?

THE HONOURABLE MR. P. N. SAPRU: Sir, I am glad that the Honourable Sir Alan Lloyd has accepted the Resolution even in an amended form. Sir Alan Lloyd made a distinction between immediate war-time conditions and post-war conditions and he has stated that the British Government has no object of setting up a new sort of East India Company. Now, Sir, he said that this organization has been started for war purposes. I do not know how far in making this statement he was representing the mind of the British Government. I think he could speak for the Government of India but I do not know whether he could speak in this matter also the mind of His Majesty's Government.

THE HONOURABLE SIR ALAN LLOYD: On a point of personal explanation, Sir. May I tell the Honourable Member that I gave expression to my own belief, my own conviction. I did not claim to know what was in the mind of His Majesty's Government.

THE HONOURABLE MR. P. N. SAPRU: That was exactly my point—that the Honourable Sir Alan Lloyd was giving expression to his own belief. He could not obviously give expression to what was in the mind of His Majesty's Government. All that we do know is that this organization was started with a capital first of half a million, then of a million and subsequently now it is over two million sterling and first with the object of trading with the Balkans and the countries of the Near East and now its operations have extended to India and other countries. Also I gathered the impression from what Sir Alan Lloyd said that the Government of India would have preferred an arrangement whereby India could be the supply base and we could have an organization for supply in the Middle East but that His Majesty's Government thought that an arrangement which was more directly under their control through a Corporation of this character was more to the advantage of India and Britain.

and the other countries than the arrangement originally contemplated by the Government of India. Now that, Sir—

THE HONOURABLE SIR ALAN LLOYD: The Honourable Member must have misunderstood me. What I said was that the procedure that we always try to maintain until it is found impossible is that of continuing trade through normal private trade channels.

THE HONOURABLE MR. P. N. SAPRU: Anyway, Sir, that channel was found inconvenient by His Majesty's Government. Now that is one thing which leads to apprehensions in the mind of those who are conducting trade and industry in this country.

Now, Sir, there was one point which was raised by the Honourable Mr. Hossain Imam which has not been answered by the Honourable Sir Alan Lloyd. I think the question raised by Mr. Hossain Imam was whether any commission is being charged for purchases made by this Corporation through the Supply Department. There used to be a small charge which we used to pay on supplies purchased by us for His Majesty's Government. Are we charging this commission from this United Kingdom Commercial Corporation or not? That is a point which was raised by the Honourable Mr. Hossain Imam and which, I think, Sir Alan Lloyd inadvertently omitted to reply to.

Then Sir, a question which I think was raised by the Honourable Lala Ram Saran Das and also expressed by the Honourable Dr. Kunzru is that assuming that private agency was not sufficient at this time to organize supply bases in the countries of the Middle East why has not an Indian organization been started for this purpose? Sir, so far as the directorate of this organization is concerned it is purely British and it can in no sense be described as an Indian organization at all. At the moment we have—I think my Honourable friend Mr. Hossain Imam can speak with greater knowledge than I can—but we have sufficient sterling balances in England to be able to float a big Indian organization for the purposes of organizing our export and import trade primarily for war purposes, and after the war there will be time enough for us to think what we should do with this organization. Why are those sterling resources not being utilized for this purpose and why must we rely upon a Corporation organized by His Majesty's Government primarily and necessarily in the interests of Britain? I mean we only come in second in the picture or third or fourth. We do not come in first in the picture. We wanted to have an organization of our own and to this there has been no answer forthcoming from Sir Alan Lloyd. I do not think he gave any reply to this question which was raised by the Honourable Lala Ram Saran Das, by Dr. Kunzru and by Mr. Hossain Imam.

Then, Sir, another point I think which has remained unanswered was: Why were not Indian exporters of sugar helped to ship sugar by sea if the land route involved unnecessary delay? Why was this right given to the United Kingdom Commercial Corporation and why were the Indian exporters of sugar not encouraged to develop the sea route by shipping facilities being given to them and the ban in their case being removed on export of sugar to the countries where sugar is being exported by the United Kingdom Commercial Corporation.

Sir, in view of the fact that the Resolution has been accepted by the Honourable Sir Alan Lloyd I do not think it is necessary for me to make any further comments and the debate was initiated with the object of allaying apprehensions. We have been able to get answers to some of the questions that we put in the House. The Government has issued—and I acknowledge this quite readily—a press communique explaining their position. It may be that we do not regard the position as quite satisfactory but I would not like the Resolution to be defeated. I therefore accept the Resolution in the amended form proposed by the Honourable Sir Alan Lloyd.

THE HONOURABLE MR. HOSSAIN IMAM: May I then request the Honourable the Commerce Secretary to reply to some of the points raised here?

THE HONOURABLE SIR ALAN LLOYD: I have already said that I would reply to the points raised here in our reply to the letter from the Federation of Indian Chamber of Commerce and Industry.

THE HONOURABLE THE PRESIDENT: Amended resolution moved:

"This Council invites the earnest attention of the Governor General in Council to the widespread apprehensions among the commercial community in India at the alleged growing monopolist activities of the United Kingdom Commercial Corporation in India and elsewhere so far as the export and import trade of this country is concerned and recommends to him to take all proper steps to allay these apprehensions with all convenient speed."

Question put and Motion adopted.

RESOLUTION RE FREEDOM OF THE PRESS.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Mr. President, I beg to move:

"That this Council recommends to the Governor General in Council that the restriction imposed on the Press which have given rise to serious dissatisfaction should be modified so as to take fuller account of the rights of the Press and the public and that, in particular, pre-censorship of news reports and statements should be abolished except in so far as it may be necessary for military purposes."

Mr. President, this Resolution is of considerable importance. It is of importance not merely to the Press, but also to everyone who lives in this country. I may go further and say that it is not merely of national, but of international importance, for it is of the utmost importance at the present time that the allied countries should be as much in touch with one another as possible. A free Press is necessary for the education of the public. That is a trite saying but it may nevertheless be forgotten by Governments when they are in difficult positions. They may then use their powers to curtail the freedom of the Press in such a way as to make us all feel that we were all living in a sort of prison, each living in a separate prison unable to communicate with others. The result of the restrictions may also be to make the country as a whole feel that it was surrounded by a wall which cut it off from the outside world. That this has been in part, or I should say in a large measure, the result of the Press restrictions imposed by the Government of India it will be my endeavour to prove in the course of my remarks.

Sir, the system of press-advising was started some time in 1940. It was originally intended to afford guidance to correspondents, but no correspondent was obliged to seek the advice of the Press Adviser, nor, having sought it, to accept it. The arrangement was such as to leave the Press free in every respect to discharge its responsibilities and functions in a responsible manner. Now I understand that this system worked fairly satisfactorily, to put it mildly, until Mahatma Gandhi started his civil disobedience movement. It was about November, 1940, that Government found that they had to deal with a somewhat difficult question. Two matters had to be dealt with at the time, one regarding the manner in which the writings of Mahatma Gandhi should be dealt with; and the other regarding the manner in which news relating to the civil disobedience movement should be conveyed to the public. It was at this time that the All-India Newspaper Editors' Conference was established. Press Advisory Committees were established at the same time both at the Centre and in the Provinces, and a system of consultation with these committees on which responsible newspaper editors were represented, was devised. These consultations, Sir, were not of an omnibus character. They did not cover every kind of news

that a newspaper might publish. They related, generally speaking, to statements by important persons which in the opinion of Government could not be published in full. The committees were also meant to consider any lapses on the part of newspapers, whether they were members of the conference or not. Apart from this, Government expressed their willingness not to punish newspapers as a rule without previous warnings, and the agency of the Press Advisory Committees was to be utilised for conveying these warnings. What I have said so far relates to the transmission and publication of news in this country. Now, so far as other countries were concerned, it was agreed I understand that deletions from messages sent to them would be brought to the notice of the correspondents, and that alterations in the messages would be made with their consent. This system also, I understand, worked fairly well. Government, in their letter to the Standing Committee of the Newspaper Editors' Conference, dated the 4th May, 1942, while admitting that a large body of editors had discharged their duties with a due sense of responsibility and in such a way as not to impede the war effort, stated that there was a small but diminishing section of the Press which had not shown itself unfortunately to be alive to its responsibilities. The Standing Committee, however, expressed the opinion that the complaint of the Government was in no small measure due to the failure of the several Provincial Governments to honour the Delhi agreement. According to it certain Provincial Governments took action precipitately and if the Press Advisory Committee had been allowed to function in the normal way, in all probability the pressure of the Standing Committee, and of the Conference would have sufficed to bring the erring editors to a proper realisation of their duties. The Local Governments, of whose action the Standing Committee, I believe, complained, were the Governments of the United Provinces, Bengal and the Punjab. In the United Provinces I know what has happened with regard to the *National Herald* and a Hindi paper at Agra called the *Sainik*. Whatever the faults of these papers, I submit that there was no reason why the advice of the Press Advisory Committee should not have been sought and why as a rule action should not have been taken only after giving them an opportunity of exercising their moral influence. In regard to the *Sainik* particularly, action was taken which turned public opinion against the Local Government, and it was taken at a time when Government were not confronted with the difficult situation which faces all of us now. I can give illustrations with regard to the Punjab and Bengal also, but I think the instances I have given with regard to the United Provinces will suffice to convey to Government and to the Council what were the considerations on which the complaint of the Standing Committee regarding the attitude of the Provincial Governments were based.

During the last few months, Sir, the Government of India, not satisfied with the powers that the Provincial Governments enjoy and with their refusal to consult the Advisory Committees, began to tighten up the arrangements for the control of the Press by the imposition of fresh restrictions and by letting the system of consultation diminish considerably in importance. In a letter which my Honourable friend Sir Richard Tottenham wrote to Mr. Srinivasan, the President of the Editors' Conference, he admitted the help which he had received from the Press. He admitted further that there was only a diminishing section of the Press which had given cause for complaint and went on to make suggestions which made it appear that press-advising had been made practically compulsory. Mr. Srinivasan was naturally unable to accept the views put forward by Sir Richard Tottenham. He expressed his surprise that Sir Richard Tottenham, in spite of the admissions which he had made and his recognition of the responsible attitude of the Press in general should try to impose fresh restrictions on the Press and cogently demanded that the old

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system which had worked satisfactorily should be maintained. His advice however, was not heeded and after the All-India Congress Committee passed their resolution relating to the starting of a mass movement on the 8th August, 1942, the Government of India imposed a number of restrictions on the Press. I am speaking of the latest resolution passed by the All-India Congress Committee. The Government of India thought of tightening up the Press restrictions after the meeting of the All-India Congress Committee at Allahabad and they took actual steps to impose restrictions on the Press after the meeting of the All-India Congress Committee in Bombay. The House would like to know what were the restrictions that the Government of India placed on the Press. They prohibited the publication of news unless it was derived from official sources or the Associated Press of India, the United Press of India or the Orient Press of India or a correspondent of the newspaper concerned, whose name has been registered with the District Magistrate of the district in which he resided. Not satisfied with these severe restrictions, they issued a Press Note two days later, i.e., on the 10th August, in which they said that "the editor of any newspaper who opposed the measures taken by Government to stop or suppress that movement will be guilty of an offence against the law". This warning shows more eloquently than the restrictions that I have read out before the House the spirit and temper in which the Government of India meant to insist on the observance of the restrictions which they had imposed. It is true, as Sir Richard Tottenham pointed out in his last letter to Mr. Srinivasan, that Sir C. P. Ramaswami Iyer tried to clear up the position at a Press Conference. He said that all that the Government of India desired was that no editor should write in such a way as to foment trouble or create unnecessary feeling against the measures adopted by the Government of India. Sir, the assurance given by Sir C. P. Ramaswami Iyer did not go a long way to satisfy the Press, and I do not, frankly speaking, blame the Press. The Information and Broadcasting Department is nominally an independent Department but in reality it carries out the policy of the Home Department. The public were therefore naturally surprised that the Department which was responsible for imposing the restrictions did not itself come forward to explain fully the policy of the Government. The Home Department having imposed these restrictions it was their duty to come forward and satisfy the public that the Press Note which had been issued was unfortunately worded and that the intentions of the Government were not as prejudicial to the freedom of the Press as might be thought on a bare reading of the Press Note. The assurance given by Sir C. P. Ramaswami Iyer did not therefore satisfy the public and the restrictions that I have spoken of gave rise to serious dissatisfaction. The Standing Committee of the Editors' Conference protested against them and submitted a reasoned representation to the Government of India. These restrictions were found irksome by the foreign correspondents also, as censorship was exercised not merely with regard to news relating to disturbances published in the country but also with regard to messages sent out of the country to, say, America and China, and messages coming from those countries to India. I shall refer to this in a little more detail afterwards. But it is enough to say that generally speaking—and I think I am justified in saying so—messages giving the nationalist point of view were press-advised to a large extent. Important passages were deleted so that the messages might fail to convey a true picture of the state of things existing in India. Similarly, press comments from America and China of a pro-Indian character were frequently suppressed. As an example of this one might refer to the speech of President Roosevelt on Washington's birthday in which he said that the Atlantic Charter applied to all nations. But the reference to the Atlantic Charter in his speech was not allowed to be published in Indian papers.

Again, Sir, while adverse American comments were allowed to be published without let or hindrance in the Indian papers the favourable comments of the Chinese Press were not allowed to appear. Outgoing messages were censored on the plea that the news sent out might prove to be of military importance or might prejudice the authorities in their task of defending this country.

THE HONOURABLE MR. HOSSAIN IMAM: Against enemies inside the country?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The Honourable Member might put his question to Sir Richard Tottenham. I have no doubt that he thinks that he is at present fighting two wars, one external and one internal, and that the parties, whether internal or external, whom he is fighting are his enemies. So great was the severity of the restrictions that the Government had imposed that not merely Indian correspondents in Delhi but a number of foreign correspondents also sent a joint memorandum to the Viceroy complaining of this system. It is also understood, though I do not know how far my information is correct, that one or two American correspondents went out of India for the purpose of sending despatches to America giving a true account of the situation in the country.

Sir, I have already referred to the dissatisfaction expressed by the Standing Committee of the All-India Newspaper Editors' Conference with the restrictions announced by the Government on the 8th August, 1942. The Home Department invited a deputation consisting of some members of the Standing Committee to meet them. It is alleged by the Government of India that at this Conference they succeeded in getting the agreement of the Standing Committee to pre-censorship of all news. Yet from the correspondence which took place between Mr. Srinivasan and Sir Richard Tottenham it is abundantly clear that the Standing Committee never agreed to wholesale pre-censorship. Finding that the Government of India were adamant, that they were not prepared to trust the Press to discharge its responsibilities fairly, notwithstanding the help that they had received from it, they tried to find out some way of getting relief from the severe handicaps they had to work under. It was in these circumstances that they agreed to pre-censorship but pre-censorship, as the letter of Mr. Srinivasan shows, of news belonging to certain categories only and not of all news. Sir Richard Tottenham undoubtedly stated in his reply on behalf of the Home Department that the Home Department were not prepared to make any such distinctions and that pre-censorship must cover all news. But while the Government of India have the power to insist on their views, they cannot in fairness claim that the system which they have now brought into force has the consent of the Standing Committee of the All-India Newspaper Editors' Conference. Apart from the letters that I have referred to, the convener of the Standing Committee has denied that such an agreement has been reached and Mr. Srinivasan, the President of the All-India Newspaper Editors' Conference, has supported this denial. The Government of India may force a system that has found favour with them down the throats of the unwilling journalists. They have unfortunately power to do whatever they like. They can ride roughshod over our feelings and use their authority in such a way as to prevent news relating to expences committed by the authorities from being published in this country or fair, accurate, objective news regarding the situation in India from reaching other countries. But they have no right to twist facts and claim that they have the consent of the Standing Committee for the restrictions which have been imposed upon the Press.

Sir, apart from the restrictions that the Government of India have imposed I think it is necessary that I should point out that the Provincial Governments have imposed other restrictions. For instance, the Chief Commissioner of

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Delhi has prohibited papers in Delhi from publishing more than three columns of news. I think he has also imposed certain restrictions with regard to headlines but in any case the United Provinces Government have ruled that there shall be no more than three headlines in connection with news relating to the present mass movement and that even these headlines should be only of a certain size. Sir, in these and other ways and by means of press censorship and military censorship Government have obtained full control over the publication of news.

I shall now, Sir, give a few illustrations to point out the manner in which the censorship of news has been worked. Government might say that however strict their restrictions might have been, have they not been enforced in such a way as to give newspaper editors a fair opportunity of expressing their views and publishing news of interest to the country in general? My answer to this question is that the Government of India if they put forward such a claim cannot substantiate it. I give only one or two instances, Sir, to show what I have in mind. I have already referred to the foreign Press but I shall now refer to the Indian Press.

Sir, Sir Venkatasubba Rao, the Agent of His Exalted Highness the Nizam in Berar, is known not only in his own Province but all over India. His sense of responsibility cannot be disputed even by the Additional Secretary of the Home Department. He was for a long time a Judge of the Madras High Court and when he retired, he was acting, I believe, as Chief Justice of that High Court. Nevertheless certain portions of a speech which he delivered at a dinner given to him by the authorities of the Khamgaon Anjuman School in Berar were deleted by the Press Adviser of the Local Government. And what were the words, Sir, to which exception was taken? Sir Venkatasubba Rao said:

"There is no fundamental disunity between the Hindus and the Muslims and communal discord is not the normal feature of Indian life".

This was passed, but now comes the sentence to which objection was taken and it runs as follows:

"It is manufactured by political propaganda which is injecting this poison into us and if India is to achieve her salvation you must first of all get rid of it".

Now what poisonous untruth was there in this statement that objection was taken to it? Would the publication of this statement have fomented trouble in the country? Would it have promoted the mass movement against the Government?

THE HONOURABLE SIR RICHARD TOTTENHAM: May I know the date?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: September 19th, 1942.

I will just read out, Sir, one more sentence from Sir Venkatasubba Rao's speech, which was not allowed to be sent out:

"Just the other day the British Press found no epithet strong enough to describe the Bolshevik and ungodly Russia. Today again Britain and Russia are comrades fighting in the same cause. If such foes can become friends, why should India and Britain whose interests are so closely linked continue to distrust each other?"

It is the sanest advice that could have been given by anybody and it was the height of irresponsibility and stupidity on the part of the authorities to order that the statement should be deleted. Sir, even if this statement had stood by itself I think we could claim that the Government of India should not take such plenary powers of control over the Press as they have taken. It shows how necessary it is that they should realize their own shortcomings

and allow, if I may say so, the public to be an arbiter between them and the Press, but this is not the only instance that I can give of the stupidity with which the restrictions are being enforced.

Sir, we all know that a statement was issued by certain members of the British Society of Friends living, I believe, at Hoshangabad or resident in India regarding the Indian demand for India. It was published in part in papers outside the Central Provinces. A correspondent sent it by post to the *Hindu* which published it in full, but the Press message, which I understand the correspondent of the *Hindu* tried to send to the *Hindu* was suppressed. This again is a glaring instance of the stupidity if not worse with which the agents of the Government are carrying out their instructions.

Sir, the illustrations that I have given relate to the days before pre-censorship was established and before Press correspondents were required to be registered. I have not dealt, Sir, with the reasons for the registration of correspondents. It seems to me that they were required to be registered in order that they might not be able to supply a true picture of what they had seen even to their own editors. I do not however intend to deal with the matter because I am dealing with the picture as a whole and moreover the Standing Committee of the Newspaper Editors' Conference has already made representations to the Home Department on the subject. But I will now deal, Sir, with the system that exists in a place where pre-censorship is at work, and that is the Province of Delhi.

THE HONOURABLE THE PRESIDENT: Will the Honourable Member take much longer? It is almost 2 P.M.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I will take only five minutes more.

THE HONOURABLE THE PRESIDENT: Will you take much longer?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: No, I shall not speak much longer. I think I will be able to finish it easily today. I am dealing, Sir, at some length with some of our most important grievances, because it is not always that this House has the honour of the presence of my Honourable friend Sir Richard Tottenham. As we have him here today, let us utilize this opportunity to say to his face what we have been saying behind his back, and to ask him to satisfy us in the name of fairness and truth and justice with regard to the reasonableness of the system for which he is in part responsible.

Sir, before I deal with the manner in which pre-censorship has worked here, I should like to state some of the instructions that the Government of India have seen fit to issue. According to

these instructions the names of persons arrested for offences in connection with the present disorders can be published.

THE HONOURABLE SIR RICHARD TOTTENHAM: Is this a confidential document?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I do not know whether this is confidential or not, and it is not of the slightest interest to me whether it is confidential or not: I do not think that the Honourable Member is fair in putting that question. The Press is not a private institution. The public is vitally interested in it. If the journalists are not to be allowed to make representations to Government and to the members of the Indian Legislature who can bring their grievances to the notice of the authorities, how are they to seek redress of their grievances? Does the Honourable Member mean to say that while he and the Home Department crush the Press under their iron heels, it is not to have even the relief of complaining of the hardships it is suffering

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from to the representatives of the people in this legislature? I can assure him however that I am not reading out the exact words used by the Government. That ought to satisfy him: but the general instructions that Government have issued are known to us all. The names of persons arrested can, under the instructions issued by the Government of India, be published, but in Delhi when the news came that two daughters of Mr. K. M. Munshi of Bombay had been arrested, their names were not allowed to be published although they were published outside Delhi. Again, Sir, information relating to the conditions of prisoners in jails cannot be published. Now, Sir, what is the reason for this restriction? Government may say that sometimes grievances regarding the treatment of prisoners are manufactured and that they are given currency in the Press for the sake of inflaming popular feeling against them. There may be this danger. But, on the other hand, Government ought to recognize that there is also danger in allowing no news relating to prisoners to be published when they and their agents might with impunity adopt measures which public opinion at large will consider either unfair or harsh. Again, Sir, speeches which are supposed to be likely to excite popular feeling against measures taken by Government are not to be published. If Government act quite unfairly, with what justice can they ask the editors of newspaper to comment on their doings and not to organize public opinion against the manner in which they are using their authority. Again, Sir, take complaints relating to the repressive measures adopted by the authorities. Government do not desire reports of official excesses should be published. The news that is published may not always be correct: but what is happening at the present time is that, knowing that nothing that they can do can be criticized or even mentioned by the Press, they are widely believed to be using their authority most tyrannically. I brought to the notice of the House two glaring instances of abuse of authority during the general discussion on the present situation. My Honourable friend Sir Mahomed Usman, who was concerned only with reading out the brief handed to him by the Home Department stoutly denied that any excesses had been committed by the agents of the Government. But the public and we cannot be satisfied so easily. If you want that we should be fair to you, you must be fair to us. The balance between contending interests—between the interests of the Government and the public—must be held even. I have no doubt that if Government act in this way, they will find as much responsible support from the Press as they have done in the past. They have invited trouble by distrusting the Press. I am not surprised, Sir, by their attitude, for a bureaucracy never can trust a free Press. There is natural enmity between a free Press and a bureaucracy, which is opposed to nothing so much as a diminution of its power. But even so, Sir, the agents of a government which proclaims in other countries that it has already declared that India will be made free after the war should act in a more responsible manner.

Now, Sir, I have informed the House of the manner in which these instructions of the Government of India relating to pre-censorship have been carried out in Delhi. I have already given one instance relating to the non-publication of the names of the daughters of Mr. Munshi. I have been supplied with other instances, but they are all rather of the same character, which shows that the Delhi press authorities are unduly nervous and that they are taking action not merely in serious cases but in cases where not the slightest harm can be done to the maintenance of law and order by the publication of the news that they disallow.

Sir, this is all, generally speaking, that I wanted to say, but there is one more instance which if you will allow me I shall bring to the notice of my

Honourable friend Sir Richard Tottenham before I sit down. It does not concern newspaper editors at all. It relates to the action of the Government themselves. The instance that I refer to, Sir, is that of the Hindu University. Government have, in my opinion, most unjustly taken action against this centre of Hindu culture, and have wounded the feelings of the entire Hindu community. They sent the military to turn 300 students out of the University. If that is all that they wanted to do, they could have asked the Vice-Chancellor of the University, who was co-operating with them, who had told them that he was doing all he could to send the students back to their homes, to press the remaining students in the University also to leave it in a day or two. But without giving him any previous intimation of their intention, without giving him the slightest opportunity of sending away these boys, they sent the military to the University which compelled the students to leave the University within half an hour. They have taken possession of the buildings under the Defence of India Rules and yet have not allowed even a word relating to this serious incident, which interests the Hindu community all over this vast country, to be published. I ask, Sir, whether there is an iota of fairness in all this? They might have said that they had to take action against the Hindu University because its students were taking part in subversive activities, although as a member of the Executive Council of the Hindu University I can say that the authorities there were acting in as responsible a manner as the authorities of the other Universities with which I am connected.

THE HONOURABLE THE PRESIDENT: I think you had better close now.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: But, Sir Government having taken such stern action did not consider that they owed it to the public at large and the Hindu community that they should inform them of the action taken at their instance against one of the most important universities in the country.

Sir, the previous system and the existing system have both worked in such a way as to make the people and the Press feel that the object of the Government is not merely to control the publication of news which might be of military importance or which might tend to promote disorder but also to suppress news relating to the nationalist movement and to the excesses committed by them in the suppression of the present mass movement. They are trying to prevent accurate news relating to the state of things prevailing in this country from reaching America, China and even the British public. This is the most serious charge that one could bring against the Government of India's present policy—

THE HONOURABLE THE PRESIDENT: I think you had better close now.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I cannot say that I hope that the debate in this House will immediately lead to a change in the attitude of the Government of India, but I do hope that before long the Government of India will realize that they are creating the greatest distrust and dissatisfaction in the country by their policy and that they are even turning those people who deplore the policy that is being followed by the Congress against them by using such unfair methods to control the publication of news and preventing this country and the world at large from knowing the truth regarding what is happening here.

The Council then adjourned till Eleven of the Clock on Tuesday, the 29th September, 1942.

COUNCIL OF STATE.

Tuesday, 29th September, 1942.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

QUESTIONS AND ANSWERS.

MISSION ON WHICH SIR JEREMY RAISMAN WAS SENT TO ENGLAND.

83. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Will Government make a full statement regarding the mission on which Sir Jeremy Raisman, Finance Member of the Viceroy's Executive Council was sent to England and its results?

THE HONOURABLE MR. C. E. JONES: I regret that I am not in a position to make a statement. As the Honourable Member will have learned from the reports of the recent debate on this question in the Legislative Assembly, the matter is still under the Government's consideration.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Can the Honourable Member tell us what are the purposes for which he was sent? What was the objective with which he was sent to England, even though every matter connected with it is under discussion?

THE HONOURABLE MR. C. E. JONES: I can do no more than refer the Honourable Member to the Press communique which was issued at the time of the Honourable the Finance Member's departure from India.

THE HONOURABLE MR. HOSSAIN IMAM: Was it in connection and mainly for the purpose of elucidation of the agreement on the war expenditure between His Majesty's Government and the Government of India?

THE HONOURABLE MR. C. E. JONES: The expression used was "the application of the working of the financial settlement".

PAY AND ALLOWANCES OF BRITISH AND INDIAN OFFICERS IN THE ARMY.

84. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Will Government state the rates of pay and allowances relating to the following classes of officers including those holding Staff Appointments:—

- (a) British officers recruited in England and attached to the British Army who are serving (i) in England and (ii) outside England, excluding India?
- (b) British officers recruited in England and attached to the Indian Army who are serving (i) in India and (ii) outside India?
- (c) British officers recruited in India and attached to the Indian Army serving (i) in India and (ii) outside India?
- (d) Indian commissioned officers recruited in India and attached to the Indian Army who are serving (i) in India and (ii) outside India?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I lay on the table statements giving such information as is readily available.

I.—Pay of officers holding staff appointments.

	British officers holding permanent Commissions in the Indian Army in India.		British officers holding Emergency Commissions attached to the Indian Army in India.		Indian Commissioned officers holding permanent or Emergency Commission in India.	
	Single.	1 Married.	Single.	2 Married.	Single.	3 Married.
General Staff Officer—I	1880	2045	1780	1945	1350	1510
General Staff Officer—II	1400	1530	1300	1430	1000	1130
General Staff Officer—III	1035	1165	960	1090	700	830

Officers in column 3 who go overseas, receive in addition the Colonial allowance of the country they go to.

Officers in columns 1 and 2 who go overseas, however continue to draw columns 1 and 2 rates, but they do not draw in addition Colonial allowance of the country they go to, because their pay already includes (the Indian equivalent of) Colonial allowance.

II.—Statement of pay of British and Indian Officers of the Army.

Year of service.	S = Single.		M = Married.		B. S. = British Service.		E. C. O. = Emergency Commissioned officer.		Present I. C. Os. pay, overseas.		Mid-east. Iraq or Persia.	
	S. M.		S. M.		S. M.		S. M.		S. M.		S. M.	
	1	2	3	4	5	6	7	8	9	10	11	12
1st Year (2/Lt.)	370	450	405	490	480	565	445	530	405	450	440	520
2nd year (Lt.)	410	490	460	545	535	620	500	585	430	490	480	560
3rd year	410	490	460	545	535	620	500	585	430	490	480	560
4th year	410	490	460	545	535	620	500	585	430	490	480	560
5th year	410	490	460	545	535	620	500	585	430	490	480	560
6th year	410	490	460	545	535	620	500	585	430	490	480	560
7th year	410	490	460	545	535	620	500	585	430	490	480	560
8th year	440	520	530	615	605	690	570	655	460	520	510	590
9th year (Captain)	440	520	530	615	605	690	570	655	460	520	510	590
10th year	480	610	590	725	690	825	640	775	500	610	550	630
11th year	480	610	590	725	690	825	640	775	500	610	550	630
12th year	530	660	690	825	790	925	740	875	530	660	600	680
13th year	530	660	690	825	790	925	740	875	530	660	600	680
14th year	580	660	690	825	790	925	740	875	530	660	600	680
15th year	620	750	800	925	900	1,035	850	985	620	750	690	770
16th year	620	750	800	925	900	1,035	850	985	620	750	690	770
17th year	705	850	965	1,105	1,165	1,305	1,065	1,205	765	850	835	915
18th year (Major)	705	850	965	1,105	1,165	1,305	1,065	1,205	765	850	835	915
19th year	765	850	965	1,105	1,165	1,305	1,065	1,205	765	850	835	915
20th year	765	850	965	1,105	1,165	1,305	1,065	1,205	765	850	835	915
21st year	765	850	965	1,105	1,165	1,305	1,065	1,205	765	850	835	915
22nd year	865	950	1,090	1,235	1,290	1,435	1,190	1,335	865	950	935	1,015
23rd year	865	950	1,090	1,235	1,290	1,435	1,190	1,335	865	950	935	1,015
24th year	865	950	1,090	1,235	1,290	1,435	1,190	1,335	865	950	935	1,015

S = Single. M = Married. B. S. = British Service. E. C. O. = Emergency Commissioned officer.

Year of service.	*B. S. rates in U. K.		B. S. rates in India.		I. A. rates in India, regular officers.		Rates for B. S. attached to I. A. (E. C. O.)		Present I. C. O. rates of pay.		Present I. C. O. overseas.		Iraq or Persia.	
	S.	M.	S.	M.	S.	M.	S.	M.	S.	M.	S.	M.	S.	M.
1	2	3	4	5	6	7								
25th year	865	950	1,090	1,235	1,290	1,435	1,190	1,335	865	950	935	1,020	1,015	1,100
26th year	865	950	1,090	1,235	1,290	1,435	1,190	1,335	865	950	935	1,020	1,015	1,100
27th year	1,090	1,145	1,200	1,450	1,500	1,650	1,400	1,550	1,090	1,145	1,160	1,215	1,240	1,285

*These represent sterling pay and allowances, higher rate of ration allowance and average of winter and summer rates of fuel and light allowance converted at 1s. 6d.

ANCE converted at 1s. 6d.

NOTE 2.—When officers in column 2 leave India they revert to column 3 and draw the colonial allowance, (if any) of the country they go to.

NOTE 3.—When officers in column 4 or 5 go overseas they continue to draw column 4 or column 5 rates, *but* they do not draw in addition colonial allowance of the country they go to, because their pay already includes (the Indian equivalent of) colonial allowance.

(See reply to question No. 87.)

PAY OF INDIANS IN THE INLAND WATER TRANSPORT.

87. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: (a) Is it a fact that while Indian employees of the Inland Water Transport, Indian Engineers, referred to in the previous question have to eat their food sitting on the Anglo-Indian employees have their meals in tents or pucca room with tables and chairs and have servants to wait at the table, even though they may be stevedores and mistries drawing Rs. 50 or as little as Rs. 25 per month?

(b) Is it a fact that while Indians are allowed rations worth only As. 8 per head per day, Anglo-Indians are allowed rations worth Rs. 1-13-0 per head per day?

(c) Do Anglo-Indians get ration money in lieu of free food at the rate of Rs. 1-8-0 per head even when on leave, while Indians get nothing even when they travel on duty although it is provided for in the rules?

(d) Are Anglo-Indians given better accommodation and more space per head than Indians?

(e) Will Government state the reason for discriminating between the Indian and Anglo-Indian employees? Do Government propose to take steps to place Indians on a footing of equality with Anglo-Indians and to redress their grievances?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: With your permission, Sir, I shall take questions Nos. 86 and 87 together.

The information asked for by the Honourable Member is being collected and will be laid on the table.

PROPORTION OF BRITISH OFFICERS TO INDIAN OFFICERS IN THE INDIAN ARTILLERY, ETC.

88. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: What is the proportion of Indian to British officers in the following services:—

(a) Indian Artillery?

(b) Indian Corps of Engineers?

(c) Indian Armoured Corps, and

(d) Indian Ordnance Service?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: The present proportion of Indian to British officers is as follows:—

With reference to (a) Indian Artillery, 1 to 6.4 (exclusive of Royal Artillery officers attached to Indian Artillery Units.)

As regards (b) Indian Corps of Engineers: 1 to 3.2 (exclusive of Royal Engineers employed with the Indian Corps of Engineers).

As regards (c) Indian Armoured Corps: 1 to 2.5.

As regards (d) In the Indian Ordnance Service the proportion is 1 Indian to 3.1 British and in the Indian Army Ordnance Corps it is 1 Indian to 18.3 British.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: With regard to the reply given about the Indian Ordnance Service, may I ask what is the character of the posts on which this calculation is based? So far as I know, the proportion of British officers is higher than that given here.

GENERAL THE HONOURABLE SIR ALAN HARTLEY: I cannot give any other figure than the one I have given. But the Indian Ordnance Service is chiefly administrative and includes a large civilian element. The Indian Army Ordnance Corps is the military portion and the big difference (1 to 18.3) is on account of the expansion being so rapid and that has out-paced the Indian material available with technical qualifications. But plans are in hand now at this moment to try and improve the recruitment of Indian Ordnance Mechanical Engineers.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: May I assure the Honourable Member that I did not for a moment confuse the Indian Ordnance Service with the Indian Army Ordnance Corps? I know the distinction between the two. My question related only to the Indian Ordnance Service. So far as my information goes, the proportion of British officers there is higher than that given by the Honourable Member in his reply. Would he mind looking into it again?

GENERAL THE HONOURABLE SIR ALAN HARTLEY: Yes, Sir.

MOTION FOR ADJOURNMENT *RE* THE EMPOWERING OF MILITARY COMMANDERS TO REQUIRE PERSONS TO ASSIST IN DOING WORK.

THE HONOURABLE THE PRESIDENT: Honourable Members, I have received notice of an Adjournment Motion which runs as follows:—

"We wish to move the adjournment of the House to consider a matter of urgent public importance, namely, the notification issued by the Government of India empowering Military Commanders to require persons to assist in doing work."

This notification is evidently issued under rule 78A passed under the Ordinance. The rule reads thus:—

"(1) Any officer of Government authorised in this behalf by general or special order of the Provincial Government may, within such area as may be specified in the order require any male person in that area to assist in the doing of work on land for such period and in such manner as the officer may direct, being work the doing of which is in the opinion of the officer necessary to meet an actual or apprehended attack, or to repair or reduce the damage resulting therefrom or to facilitate offensive or defensive operations in the area.

(2) Any person doing work in compliance with any direction under sub-rule (1) shall be paid such remuneration for doing the work as the officer giving the direction may determine.

(3) If any person fails to comply with any lawful direction given to him under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both."

Now this notification was published so far back as the 2nd January, 1942 and I fail to see how this is a matter of urgent public importance. Under rules 37 and 38 it must be a definite matter of urgent public importance. Subject to what the Honourable Mr. Hossain Imam may say as at present advised I think the Adjournment Motion is out of order. Mr. Hossain Imam may now speak but he should please confine himself to the question of the Motion being one of urgent public importance.

*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): As regards the question of urgency and of public importance the thing is this that the rule did exist from 2nd January, 1942 but it had not yet been applied. The application has been made only now and therefore the rule becomes operative only from the time of this notification. Another thing which has compelled us to bring this Motion up is, Sir, that whereas this right under the rules was given to individual Provincial Governments to

*Not corrected by the Honourable Member.

[Mr. Hossain Imam.]

apply it to areas where they desired, now the Government of India, by this notification, has made it applicable to entire India and therefore it has really controverted and over-ridden the Ordinance.

THE HONOURABLE THE PRESIDENT: But how is the matter of urgent public importance? The rule has been there for the last so many months, say, nine months at least.

THE HONOURABLE MR. HOSSAIN IMAM: I say that under the rule^s this notification has been *ultra vires* because the power has been given to the Provincial Governments and my point of view is that Government should have restricted its applicability not only to those areas where the occasion arose whereas I have grave fears—

THE HONOURABLE THE PRESIDENT: We do not want to go into the merits of the case.

THE HONOURABLE MR. HOSSAIN IMAM: I am not going to say any thing about the merits of the case but my contention is that it is *ultra vires* of the rules.

THE HONOURABLE THE PRESIDENT: That does not arise under the rules.

THE HONOURABLE MR. HOSSAIN IMAM: It will arise in this case, Sir, because it has been made under the Defence of India Act and therefore that would not be applicable. That is a point of urgent public importance.

THE HONOURABLE THE PRESIDENT: I do not think it is admissible under the rules. I therefore disallow the Motion.

RESOLUTION RE FREEDOM OF THE PRESS.

THE HONOURABLE THE PRESIDENT: Discussion will now proceed on the Resolution of the Honourable Pandit Kunzru. Before I ask Honourable Members to speak I would ask them to remember that this is the last day of the session and everybody is anxious that we should rise at 2 P.M. Moreover, there is another Resolution also on the agenda and therefore I would ask Honourable Members to confine themselves to their remarks as briefly as possible, because it is not very pleasant for the Chair to have to tell Honourable Members that their time is up. I would therefore ask Honourable Members to restrain themselves as much as possible and confine their attention to the important points raised.

THE HONOURABLE MR. M. N. DALAL (Bombay: Non-Muhammadan): Mr. President, this debate is in fact a corollary to the discussion of the political situation we had in this House. As the Press plays such an important part in reflecting the situation in the country we cannot ignore the difficulties under which it has to labour. It is recognized that some restrictions are necessary on the liberty of the Press during the war and in times of disorder such as that through which we have been passing today, but the limit should not exceed what is necessary for military purposes, and there is substance in the demand that there should be no pre-censorship of news reports and statements. News reports are of various kinds and relate daily to several matters and their publication in the long run are for public good. There is, however, a class of cases of sabotage, like, for instance, the cutting of telegraph wires and telephone wires, on which there may be a certain amount of censorship, provided, of course, there is an understanding between Government and the Press as to the extent of its publication. But, the Government apparently wish to have

a wider field of scrutiny and hence the deadlock between Government and the Press. Instances have been given of the rather severe censorship imposed on foreign cables by foreign correspondents and Indian correspondents in India. In the face of such severe control over the happenings in India how can the public gauge the situation! The newspapers today contain no more than a 5-minute perusal and the editorial comments refer more and more to foreign countries than to India. When we can do nothing to prevent the Axis countries from continuing their propaganda, their mischievous propaganda, of lies and mis-statements about this country, we should at least ensure publication of the factual information of the actual happenings in this country and when even this is forbidden the only party that gains is the enemy.

THE HONOURABLE MR. HOSSAIN IMAM: Which enemy, outside or inside?

THE HONOURABLE MR. M. N. DALAL: Outside, of course. It is neither in the interest of Government nor of the people that misleading and one-sided picture of the actual situation in the country should be forced both on the Government and the public, as its consequences would be fatal to both.

A more ominous aspect of the situation is the tendency on the part of some Provincial Governments to start their own newspapers, as for instance in Bihar, where, if my information is correct, there is a complete black-out of all private newspapers. I fail to see, Sir, how the Government of India could permit such a development in any part of the country and I hope the mischief will be nipped in the bud.

Sir, to humiliate the Press and to attempt to enslave it as some Local Governments desire, to do everything to make it sullen and increase the hostility, by fettering the Press without there being any effort to diminishing secret and revolutionary propaganda is a very unwise policy to adopt. The political situation requires both from the point of view of Government and from the popular point of view that responsible newspapers should be given the utmost freedom and be encouraged to co-operate in the task of restoring peace in the country.

With these words, Sir, I support the Resolution.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I rise to support this Resolution. The present mentality of the people is such that it is advantageous to the Government to give the fullest information they can of the news connected with disturbances and with the breaches of the peace. The general impression among the public is that as Government is daily losing ground they are not publishing the full information and therefore, Sir, it is in the interests of all concerned that news should be given to the Press, except such news as the Government consider will lead to further breaches of the peace. Yesterday my Honourable friend Dr. Kunzru gave two instances the publication of which would not have effected breach of the peace at all were not allowed to be published. I think under the present circumstances when the people have become suspicious, as the Government have also become suspicious, it is much better to give the public as much news as is possible in order to impress upon their minds that the Government is not losing ground but that measures are being taken to restore and maintain peace and order.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern: Non-Muhammadan): Sir, perhaps you will allow one who is intimately associated with the newspaper world to say a few words about this most important Resolution. Lord Morley once wondered whether a free Press was possible

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in a bureaucratically controlled State. The events that have happened during the last few weeks show that the answer must be in the negative, that is to say, a free Press is not possible in a bureaucratically controlled State. Sir, the history of the system of press control and Press Advisory Boards has been traced by the Honourable Dr. Kunzru, and I do not wish to traverse the ground which has already been covered by him. But you have now gone, after the mass movement started, much further than you ever went before, and there is today almost a system of pre-censorship. Now, Sir, what is the position? The newspaper world can get its news either from the Associated Press or from the United Press or from the Orient Press, or from correspondents who have to be registered with District Magistrates and who must be residents of the district in which they are correspondents. Therefore this system of registration of correspondents with the District Magistrate means that the news is censored at the very source. Sir, it is true that the District Magistrate advises; but the advice has to be followed. It is possible, Sir, to attack the Viceroy of India or to attack the Secretary of State: but such is the state of terror in towns and districts in this country that it is not possible to attack the mighty District Magistrate of a town or the even mightier fifth wheel in the administration, the Commissioner of a Division. I know, Sir, these things from personal experience. Things have appeared in papers which are not situated in Allahabad which the *Leader* cannot publish. The *Pioneer* can publish some news which the *Leader* cannot. (*Hear, hear.*) The *Hindustan Times*, which unfortunately is not functioning today, could publish news which the *Leader* could not because there was somewhat stricter censorship in Allahabad than in other places. Sir, even a most moderate organ of Indian opinion like the *Pioneer* has had to condemn this system of this very wonderful Government which has a wonderful number of supporters in this most wonderful of lands. Sir, the person criticized has an outlook which is entirely different from that of a journalist. Certainly Government has been able to open very successfully a second front in this country. It has not been able to open a second front elsewhere even though Mr. Wendell Willkie would like it to open a second front. Even though the Government has been able to open a second front, it has not been able to convince the people of India that they are getting news written objectively and correctly. If the source is tainted, if the people know that the Press is muzzled and that newspapers cannot write then new rumours spread and people do not believe anything that is written in the Press: and what happens is that people think that the disturbances have been of a much greater magnitude than Government wants them to believe, and all sorts of rumours are afloat. Even from the point of view of the Government itself, I think, Sir, that the present system is defective.

Sir, Local Governments often give confidential instructions to an editor. They are never allowed to be published. Those instructions are of a mandatory character. They are all instructions, but really they are of a mandatory character, and the poor editor does not know the limits to which he may or he may not go. Cases have occurred in the United Provinces where the Press Advisory Committee has been entirely ignored. Sir, I was not present when the Honourable Dr. Kunzru was speaking yesterday; but I know that in the case of the *National Herald* and the *Sainik* the Standing Advisory Committee was not consulted at all. Now, Sir, it cannot be said that the Indian Press is irresponsible? I think, Sir, we have produced very great editors; and it must be said in fairness to the Indian Press that it has conducted itself in a most responsible manner. Sir, why is there this desire to muzzle the Press? Well, I think, Sir, that like the fraudulent directors of a bankrupt company

the Government of India is anxious to suppress the truth not only from this country, but from the world which is interested in India, from the democratic world, from the United Nations who are as much interested in the defence of this country and in the peace that will follow as the Government of India itself. Therefore, Sir, from our point of view it is absolutely essential that the United Nations who are fighting this war, whose success we ardently desire, and with whom we are prepared to co-operate on equal terms, should know exactly the truth and nothing but the truth about this country. I have been told that American and Chinese journalists have had to fly to Chungking to cable to their respective papers the truth about this country. Sir I may refer to Fisher, a very distinguished journalist. I think he has written a book on Russian foreign policy. He wrote some articles in the *New York Weekly*. They were published in the Ceylon papers, but a cable was sent to the *Hindu* of Madras regarding those articles, and that was not allowed to be published. Sir, it is a scandal that such things should be suppressed or such writings should be suppressed by the Home Department. We are only supplied with anti-Indian cuttings from the American Press. Writings which are in our favour are never sent to us. It is curious that barring one Chinese comment which was not unfavourable to us, no Chinese comment has been allowed to appear in the Indian Press on the Indian situation. I read the American Press, and I can say that the American Press is not as friendly to the policy that Britain is pursuing in this country as Britain would make it out to be in this land.

Sir, I now come to a most extraordinary example of press censorship. Mahatma Gandhi, speaking at the All-India Congress Committee meeting before he was arrested, made a most friendly reference to the respected head of the Indian Government. He spoke of him in the highest terms. He said that the Viceroy was his personal friend. He also said that his personal relations with him were of an even more cordial nature than his relations with Lord Halifax. I am told, Sir, that he spoke for nearly half an hour about Lord Linlithgow. Even these portions of Mahatma Gandhi's speech were not allowed to be published fully in the newspapers. They had to be censored. Possibly, Sir Richard Tottenham did not think that this compliment to the Viceroy should be broadcast in this country.

Sir, according to the *Hindu* of Madras, the documents which were seized from the All-India Congress Committee office at Allahabad at the end of May were supplied in full to the British and American Press with comments and annotations which did not appear in India. I do not wish to comment upon the ethics of publishing the documents of a shadow cabinet. If the documents of the British Cabinet were published, they would reveal some differences which would embarrass the British Government. If the documents of the shadow cabinets of the Labour and Liberal opposition were published, they would reveal some differences which would embarrass those oppositions. The object, Sir, of that procedure was obvious. It was to convince the allied world that Mahatma Gandhi and the Hindu community in particular was either pro-Axis or pro-Japanese or at all events defeatist. This has been the preparation which the Home Department of the Government of India has been making for full self-government in this country. Sir, I should also like to know why there is this reluctance to appoint an Information and Broadcasting Member. It was nearly seven months after the death of Sir Akbar Hydari that Sir C. P. Ramaswami Iyer, who had the courage to leave this Government—I do not accept the explanation that he had no differences—was appointed. I think Sir C. P. Ramaswami Iyer resigned on the 18th or 14th of August. Nearly seven weeks have elapsed since his resignation and no

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Member for Information and Broadcasting has yet been appointed. The other day there was a complaint in the House that no Standing Committee of the House has yet been associated with this Information and Broadcasting Department. Why? Is it because the Home Department of the Government of India wishes to retain a tight control over the Press? Is it because it wants to muzzle the Press? You have already muzzled the Press. A number of newspapers are not appearing. I do not blame them. They can appear only if you allow them to appear in a self-respecting manner. Some of the newspapers are still going on, doing their duty. But it is only right to suggest that they are not at all happy with the conditions under which they have to work.

Sir, as the House knows, there will be a plenary session of the All-India Newspaper Editors' Conference at an early date in Bombay. For two years Indian papers have submitted to a system which was at times irksome. Even the *Pioneer* has said, as pointed out, that so far at all events as the United Provinces Government is concerned, it has no use for the advisory system inaugurated two years ago as the result of the Delhi agreement. Does the Government want more newspapers to shut down in this country or is it going to allow them to perform their functions without fear or favour? I should like to say one word more about the criticism of the measures of Government to suppress this movement. Originally, when the whole thing appeared in the Press, the newspapers were in a dilemma. Where they to support every conceivable measure, good or bad, taken by this all-knowing, all-powerful, all-wise Government to suppress the mass movement or could they, howsoever mildly, criticize these measures? Afterwards some statements were made which to a slight extent modified the first impression created by the Government *communique* regarding the limits of criticism. In any case, the time has come when the position should be further clarified and the newspaper world ought to be allowed freedom to criticize the policy which the Government are following. It ought also to be allowed to criticize freely the measures which Government take—any particular steps in any particular situation—to combat the movement. I do not see how the newspaper world can discharge this duty effectively if this is not done. Remember, Sir, that in six or seven provinces we have no Legislatures today and we have autocratic regimes in these provinces. There is not the slightest contact there between the Governors, their Advisers and public men. You should not, therefore, suppress this *Fourth Estate* which will enable you to view the situation objectively and which can let you understand what the people are feeling in the absence of the Legislatures and other bodies of public opinion. I do not think we can expect anything from this Government, but hoping against hope, I do hope, Sir, that the Honourable the Home Member will make a more reassuring statement than he has done so far.

* THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. President, the Press is now regarded as essential and it is important in every country which professes to be democratical yet and it is not possible for any Government, which calls itself democratic, to suppress or get the ill-will of the Press. I for one am in a difficult position. I appreciate fully the difficulties of the Government. They are anxious that every method which they can adopt should be adopted in order that this fire may not be fanned. This is a desirable object and I think most of the thinking people of India would like to help the Government in this object, that this fire should not spread far and wide. Conceding that point, Sir, I cannot go so far as to say that no

*Not corrected by the Honourable Member.

restriction should be placed on the Press. I concede the right of the Government that in these difficult times to put some restraint on the Press and I think the Press would be wrong if it were to fight for its liberty in these days when greater liberties are at stake. To have the greater liberties, it is essential that the small liberties should be given up for the time being. Many of our cherished rights have been denied to us in this way. But there must be a limit beyond which it is not just and proper that either the Government or the Press should go. While I cannot think that the Home Department and Sir Richard Tottenham are personally responsible for all the actions which have been taken by the Press Advisers and the Press Censors, I do feel that if they turn a blind eye to the complaints, if they do not try to reform or even if they remain inactive, the responsibility would fall on the Home Department. But at the moment they cannot be held responsible for all the actions which have been taken. But a wise man would frame rules and regulations which would restrict the individual misdeeds to its minimum. The examples that have been cited before the House by Pandit Kunzru and my friend Mr. Sapru show that this right has been used in a very improper manner by the Press Censors. I concede also this point, that whatever the rules might be, the actual position is that it is difficult for any Press representative to go against the advice of the mighty District Magistrate. In addition to the present rules which have been framed the District Magistrate has another power which is even bigger than this. That power is derived from the Posts and Telegraphs Act by means of which he can stop the transmission of any telegram which he thinks is improper. That is the residuary power which the District Magistrate possesses. This has been used very often by the post office in order to guard its own interests. It is so afraid of being hauled up for having helped the enemy inside the country that it always in doubtful cases refers the matter to the District Magistrate. So the Government has got the reserve power which it can utilize in special cases and that power of withholding telegrams would remain even after you have given up this press censorship. My point is that at this juncture when there is so much alienation of public feeling against the Government the Government should try and get the support of the Press and if it is not possible to get their support, the least that they can do is to avoid a conflict as much as they can. In this connection I have not been able to understand how it comes about that when the Press complained of certain restrictions, the old rules of press advice, they have been thrown from the frying pan into the fire of press censorship. They wanted to get rid of the smaller control when you wanted registration of the correspondents. That being so, how has it come about that they have consented to a new restriction? This is where the rub comes in. If the Government say that they have imposed this new restriction as they did not find the former press advice system as sufficient, I could not support it; but I can understand it. The Editors' Conference has denied that they came to any agreement with the Government on this issue and the Government continues to say that this is the result of an agreement. I should like Sir Richard Tottenham to enlighten the House how this impossible position has come about and I would advise the Home Department to meet the Editors' Conference representatives and come to some settlement which will remove their grouse. I think to some extent their grouse at the moment is justified, because it is not possible probably for the Home Department to lay down rigid regulations which would give the discretion to the Censor as well as restrict his powers to do mischief. I therefore think that the Government would be well advised to accept the spirit of this Resolution.

THE HONOURABLE SIR RICHARD TOTTENHAM (Home Secretary) : Sir, when I received notice of this Resolution I assumed—and I think from its

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wording I was entitled to assume—that it was mainly concerned with restrictions imposed by or under the law on the Press in India. That is strictly a Home Department subject and my Department is responsible. The Honourable mover, and various speakers have referred to certain other matters which go beyond the immediate province of the Home Department, but as I am answering on behalf of Government I will do my best to begin with to deal shortly with those matters. In the first place, the Honourable mover referred to press advice and he gave one or two examples of what I must admit appeared to me to be rather unintelligent press advising. Press advising is not the concern of the Home Department. It is the concern of the Information Department; and all I can say is that nobody is compelled to ask for press advice and nobody is compelled to accept that advice when it is tendered. But in so far as those particular examples may be indicative of, shall I say, undue zeal on the part of Press Advisers, I have no doubt that the Information Department and my friend, Sir Frederick Puckle, will be prepared to look into the matter and to issue such instructions as he considers necessary. Then, Sir, in the next place, the Honourable mover and other members have referred to the restrictions on foreign correspondents. That again, Sir, is not a Home Department matter. We have no power whatever to control the messages of foreign correspondents. The only power that does exist for that purpose is the military censorship and it is a rule, which is observed here and elsewhere, that the operations of the censorship must for very good reasons be kept secret and not be discussed. I would, however, remind the House that all press messages which leave this country do so by "Beam" wireless. That is to say, they can all be overheard by the enemy, and that is a particular aspect of the matter that the military censors must naturally bear in mind when they are dealing with out-going messages. The Honourable mover, I think, suggested that an assurance had been given to foreign correspondents that their messages would not be altered without their consent. That is not true. No such assurance has been, or could have been, given, because that would completely nullify the operations of the censorship. What is done is that press correspondents are invited to bring their messages, discuss them with the authorities concerned and get alterations made as far as possible by consent; but in the last resort naturally the censor must be able to say "This cannot go".

Now, Sir, I think it may interest the House if I were to read to them the views of an eminent American Press Correspondent in an interview which he gave on All India Radio only a few days ago. He is the correspondent of *International News* and a very well-known man. He was asked in this interview: "How about Government censorship here?" And he replied:—

"That's a tough question. Not because there's anything unusual about the censorship in India, but because few reporters have ever been known to have a good word to say for any censor. And yet in all fairness your question forces me to admit that our particular brigands of the blue pencil here are not such a wicked lot as they are sometimes painted. For instance, take the recent All-India Congress Committee meeting in Bombay and the subsequent days of rioting. The censorship during these trying days was as intelligent and as liberal as I have ever seen it in any country."

That comes from a responsible American Press Correspondent. He was then asked "Did America get a full and accurate story of these disturbances?" He went on:—

"I know that America did get a complete and accurate picture of happenings, during the opening days of the disturbances, but don't ask me to give these or any other censors full marks. That is like asking a ball player to kiss the umpire."

Well, Sir, that comes from one of the men on whose behalf the Honourable Member has been complaining.

Then there is one further point to which I must refer in this connection. The Honourable the mover alleged that some message, some speech, by President Roosevelt had been interfered with by the authorities in this country so as to omit a reference to India and to the Atlantic Charter. That allegation was made some time ago. It was very carefully investigated and I can assure this House positively and categorically that no utterance by President Roosevelt—either that utterance or any other utterance—has ever had even a single word altered by any authority in this country.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: When was this investigation made?

THE HONOURABLE SIR RICHARD TOTTENHAM: I cannot give the exact date but it was made some time ago. We made every attempt to find a basis for the allegation and we were quite unable to discover it. I can repeat absolutely positively that no cutting of any speech or statement by President Roosevelt has ever been done by any authority in India.

Now, Sir, I will turn to what I may call my own Home Department subject. I realize that any question affecting the treatment of the Press is apt to be controversial. I should therefore like to begin by asking the House to take it from me that any action that we or any Government in India may have felt ourselves compelled to take against the Press has not been taken lightly, but only after weighing most carefully what we regard as the public interest on the one hand and what we admit to be the rights of the Press on the other. If the Honourable Members who have spoken could have sat alongside us during the long discussions that we in the Home Department and the Information Department have had from time to time with editors and representatives of the Press—discussions which I can assure the House have almost invariably proceeded in a most friendly spirit—I think they would agree with me that we have consistently tried our best to respect the rights of responsible editors and to appreciate their point of view. I claim, Sir, that that is a view that would be endorsed by a very large number of editors themselves, although they have had their differences with us and we have not been able to see eye to eye with them on many occasions.

After all, Sir, everybody knows the importance of the Press and the very great influence that the Press possesses; and Government are not so unintelligent as to ignore the expediency—I put it no higher than that—the expediency of maintaining good relations with the Press, especially in time of war. I do honestly maintain, whatever anyone may say, that our policy has been, and always will be, to maintain and, if possible, to improve those relations. I do also honestly believe that ever since the Advisory Committee system was introduced nearly two years ago, whatever difficulties and setbacks that system may have encountered—and those difficulties have not been entirely the creation of Provincial Governments—I do claim that that system has produced one result at least of outstanding value to both parties. It has brought representatives of Government and representatives of the Press into personal contact with each other across the table. Closer and more intimate personal relations have thus been established than was ever the case before. Indeed, Sir, I should like to take this opportunity to pay a tribute to the very great help and understanding that we have received from many eminent editors—Mr. Srinivasa of the *Hindu*, his two namesakes of *Swadesamitran* and the *Free Press Journal*, Mr. Francis Low of the *Times of India*, Mr. Bhai of the *Bombay Chronicle*, and others. I feel, Sir, that we have got to know each other and to respect each other's points of view; and that, I maintain, is a result of great value and importance. Moreover, Sir, the Government of

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India have had the benefit of having had since the beginning of the war two gentlemen as their Chief Press Advisers—first, Mr. Desmond Young and then Mr. Kirchner—both of whom are newspaper men who, I believe, are liked, respected and trusted by all editors in this country.

Now, Sir, there is another general remark I should like to make and that is that the House must realize that the subject "Books, Newspapers and Presses" occurs in Part I of the Concurrent Legislative List in the Seventh Schedule of the Constitution Act, which means that both the Central Legislature and also a Provincial Legislature is competent to make laws on that subject, but that the administration of those laws is a provincial concern. The Central Government may and do suggest policy to Provincial Governments but we are not in a position to execute that policy ourselves in a Province and we must leave Provincial Governments discretion to carry out their responsibilities. Moreover, Sir, the responsibility of a Provincial Government in deciding what may be published or may not be published is different in kind from the responsibility of an editor. An editor conceives it to be his duty to give facts to the public and his views about those facts. A Provincial Government must see that the publication of those facts and those views does not offend against the law and, when it is a question of disturbances of the peace, a Provincial Government must also judge the effect on the law and order situation of the publication of such news or views.

Now, Sir, with these preliminary observations I turn to the Resolution itself and what the Honourable the mover and those who followed him said about it. In the first place, let me express my gratitude to him and them for admitting that some censorship of news is necessary for military reasons. That, Sir, is a fact that we all recognize, but it does very considerably narrow the field of possible criticism. That is to say, I take it that their position is not that censorship in itself is necessarily an unwarrantable interference with the liberty of the Press but that censorship for certain purposes is wrong. Let us then consider the purposes for which any kind of restriction was placed on news connected with the Congress movement and the disturbances that followed. The Honourable the Home Member, speaking in another place, explained that our purposes were two-fold.

We had to deny publicity to a good deal that occurred at the time when it occurred, first because, if it had been known, it would have provided the Japanese with a direct invitation to invade this country: and secondly, because disturbances are infectious and news of what has occurred here or there may produce a repetition or imitation of those events in other parts of the country which otherwise might have remained quiet. As to the first of these two objects, I take it that the Honourable Member agrees with me that some restriction of news was necessary: but perhaps he does not realize quite how much news, and what kinds of news, may be of interest or value to the enemy. I admit, Sir, that I myself was most anxious to publish a great deal more news of this movement, for I felt—and I think it is obvious—that the more news we could put out, the better and the more advantageous it would be from the Government's own point of view as showing what we were up against and as justifying the measures that we had to take. But the military authorities came to us and said no: and when we discussed the matter with them we had to admit that they were right. There were many things—interruption of communications and others—which the military authorities pointed out it would be of great value to the enemy to know; and the House realizes of course that a very large part of the disturbances themselves consisted in interruptions

of communications of one kind or another. Now, Sir, as regards the second object—what I may call the imitation object—I admit that two views are possible. There are those—I am not sure whether the Honourable the mover is one of them—who hold that these disturbances were spontaneous and not organized. Well, Sir, if that were so, surely the danger of imitation was a very grave one. In any case the view that was represented to us from many different quarters—Provincial Governments, military authorities and others—was that the amount of news published was having a very bad effect in other parts of the country. Then, Sir, the second view—and that is the view which we ourselves have now held for some time—is that these disturbances were not spontaneous but organized. In that view it might be argued that the imitation danger did not exist. But assuming that things were happening according to plan, surely it would have been of immense value to the authors of that plan to know from the newspapers exactly how their plan was proceeding in different parts of India. In fact, Sir, we come back to argument No. 1. We start by saying that we must not give information that may be of value to the enemy; but the question on this occasion was who was the enemy? Was it only the Japanese outside? Was there not another enemy in India, and did we not have a duty and a right to prevent him from receiving information of value in exactly the same way as we should try to prevent the Japanese? I do strongly maintain, Sir, and I hope that the House will support me in this that from both these points of view some control of the news was absolutely necessary.

Now, Sir, let me turn to the nature of that control. So far as the Central Government is concerned, there has only been one general order issued under the Defence of India Rules. It was issued on August 8th, the day on which the All India Congress Committee sanctioned a mass movement. That order prohibited the publication of any factual news relating to that movement except what was derived from Government sources or from recognized Press agencies or from recognized Press correspondents, who, for the purpose of obtaining that recognition, were required to register themselves with District Magistrates. Now, Sir, the House will observe that that order imposed no kind of restriction on the publication of any particular category of news. It merely secured control over the origins of news, and it was designed to secure that whatever news was published came from reputable and reliable sources. The Press agencies themselves willingly agreed to submit their messages on this subject for press advice to the authority best qualified to give it, that is to say the man on the spot where the events took place. We hoped that Press correspondents would do the same: but they were under no legal obligation to do so. Of course, if they did not and if they sent messages to their papers which contained unauthenticated news or news of a definitely objectionable kind, we had our remedy. We could cancel the registration of that correspondent with the result that all messages from him on that particular subject would in future be illegal. Now people may say that this was merely a roundabout way of imposing precensorship; and I agree that there is some weight in that criticism. On the other hand the order to which I have just referred did not impose precensorship directly on any editor or correspondent. It did give discretion to all responsible editors and all responsible correspondents; and there are a number of papers which have found it quite possible to comply with the order, and at the same time to publish a very fair amount of news connected with the movement. Indeed, Sir, I have yet to hear of one single item of news about these disturbances which has been suppressed and which it really would have been in the public interest not to suppress. The Honourable Mr. Kunzru referred to the case

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of the Benares University. Sir, that is a matter of opinion. I personally believe that it would not have been in the public interest at the time to publish the reasons why certain drastic action had to be taken. But the news was not suppressed. A full account has already appeared in the Press,—I think I am right in saying in the *Hindu* of Madras about the 15th September. The Honourable Mr. Sapru also referred to the speech of Mr. Gandhi. Well, that of course did not come under the order to which I have just referred concerning factual news relating to the mass movement. It may have been submitted for press advice by a Press agency and it may have been the Press agency themselves—I am not sure about this—I have not had time to verify it—who decided not to publish the whole of that speech in the papers.

Now, Sir, the House will also note another point about this order of ours. It refers only to factual news. It imposes no kind of restriction on editorial comment. In that most important respect we did leave entire discretion to the editors. But we held a Press Conference at which the position was explained and it was made clear that if any editor did overstep the limit of legitimate criticism, naturally he would have to accept liability for the consequences. That Press Conference was presided over by Sir C. P. Ramaswami Aiyar in the regrettable absence of the Home Member who was at the time ill. If he had not been ill, he would have attended. Sir C. P. Ramaswami Aiyar made it perfectly clear at that conference that there was no ban of any kind on the expression of political views as such. Indeed, Sir, I venture to think that any impartial observer coming to this country and reading our newspapers would agree that the Press in this country enjoys a very wide latitude in the nature of the political views and criticisms of Government that they publish.

Now, Sir, apart from this general order issued by the Government of India, I am well aware that a number of supplementary orders have been issued from time to time by various Provincial Governments, a few against individual papers—I believe not more than four in the whole of India—and a certain number of a more general nature limiting the size or character of headlines or the amount of news on this topic that could be published. I do not know the exact circumstances in which each of these orders was passed by the Provincial Governments and therefore I cannot say here and now whether each one was fully justified. But, judging from our own experience in Delhi, I have no reason whatever to believe that these orders were not necessary. What, Sir, can one think of a paper in Delhi which not only published entirely false allegations about the behaviour of troops without taking any trouble whatever to verify them, but also went out of its way to issue a leader complaining that the Press was being gagged and that news was being suppressed and yet, in the very issue which contained this leader, devoted more than half of its news columns to sensational and highly coloured accounts of the disturbances that were taking place in the country? I am afraid, Sir, the plain fact is that a certain section of the Press in India—and I am glad to think it is not more than a very small section—have made up their minds to support this movement at all costs. We have in our possession a Congress circular issued in the United Provinces towards the beginning of August which definitely instructed Congressmen, if the leaders were arrested, to look to certain papers, which were named, for further instructions as to how to carry on. That is to say, certain papers were specified as the agents of the Congress Party for the purpose of pursuing this movement. That particular section of the Press, making an excuse of the restrictions imposed,

but really, I have no doubt whatever, as a political move designed to bring pressure on, and to embarrass, the Government, decided to suspend publication. I am glad to think that they have failed in their attempt to embarrass the Government. At present I understand that not more than 50 papers or so are out of publication out of a total of several thousand newspapers in India, and, as far as I can see, the absence of these papers has not made any very great difference. The only effect I can imagine it has had, unless the papers have been subsidized by political funds, is that they have put out of employment a number of people whose living depended on the work they were doing for these papers. That small section of the Press is a section with whom we have found it impossible to do business. On the other hand, when at the Editors' Conference held the other day the more responsible and reasonable editors approached us and said that they took exception to that part of our general order which affected the relations between an editor and his correspondents, we said that we were quite prepared to meet them in every way we could; and it was they, not we, who suggested that, if they could not be left with complete freedom to publish anything they liked, it would be better for Government to arrange for all matter on this subject to be submitted for scrutiny by a specified authority and also to arrange for representatives of the Press themselves to be associated with that authority in carrying out that scrutiny. I do not mean to say that the Press volunteered to accept precensorship. What they did say was, "If we cannot be allowed to publish everything at our own wish—and some of them agreed that that was impossible—then we think this is a more direct and more satisfactory method of doing it than your method". We accepted that proposal. I admit that personally I have never been very much in favour of precensorship, but that was what we were asked to do and we accepted the proposal so far as the Chief Commissioners' Provinces were concerned, and we recommended it to all Provincial Governments. The present position, I understand, is that certain Provincial Governments have accepted it and in those provinces we have cancelled our original order. Certain other Provincial Governments are considering it, and certain further Provincial Governments in consultation with their editors have decided that they do not want to change the system. They prefer to remain under our original order which they have not found irksome or in any way unworkable. As regards Delhi itself, it is perfectly true that the new system has not yet come into full operation, but that is not our fault. So long ago as September the 6th the Advisory Committee here was asked to nominate representatives of the Press to be associated with the scrutinizing officer and the Chief Commissioner tells me that he has not yet received any reply.

Well, Sir, I am conscious that within the time at my disposal I may not have been able to deal fully and completely with this very intricate subject, but I do hope I have said enough to convince the House that we are not unreasonable, although we are not in a position to accept this Resolution. We cannot accept it for two reasons. First, because most of the restrictive orders now in existence are orders passed by Provincial Governments and we cannot accept the cancellation of those orders on their behalf. That must be done by consultation with them. In the second place, we cannot accept the Resolution because I believe that, if all restrictions were withdrawn immediately, a certain section of the Press would take advantage of that to endeavour to work up enthusiasm and popular feeling for this movement, which I think would be most regrettable. On the other hand I do maintain that the restrictions that have been imposed are no more than have been necessary to meet an entirely exceptional situation, and as soon as that exceptional

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situation ceases to exist, no one would be better pleased than ourselves to see these special restrictions disappear also. I am fully prepared, Sir, to send the whole of this debate to Provincial Governments and ask them to consider what reduction of restrictions would now be possible, but I am afraid I cannot do more than that. We are prepared to co-operate with any section of the Press which is prepared to co-operate with us, but equally we are determined to resist any section of the Press that attempts to stimulate or encourage a revolutionary movement which I believe this House as a whole deplores and condemns. And, Sir, if I may be allowed to end by expressing a purely personal opinion, I do think that there is one word which has done more harm to India and India's cause than anything else. It is not an English word. It does not occur, so far as I know, in any English dictionary. It is the word "non-co-operation". If that ugly word and all that it stands for could be banned, censored, suppressed and abolished by every class and community in this country, including my own, I believe, Sir, what is called the Indian problem would soon cease to exist. (Applause.)

*THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras : Muhammadan): Sir, I am glad to learn from the Honourable Sir Richard Tottenham that the contact recently established between the Government and the Press representatives has tended to improve relations between the authorities and the Press in the country. I am glad also to know from him that the discussions that have taken place between them have been characterized by a very friendly, free and frank spirit. I am glad also to have this assurance from Sir Richard Tottenham that he is prepared to co-operate with such section of the Press as is willing to co-operate with the Government and help to restore a better atmosphere in the country. But there are some portions of the Government reply which I have not been able to understand. I understood Sir Richard Tottenham to say that press advice was not the concern of the Home Department. From his remarks I gathered that if the press advice was given in a manner which was against the spirit of the instructions issued by the Home Department, the Home Department was not responsible for it. If I am right in the interpretation which I am putting on the Government reply, I should like to know whether the policy of the Government is not the policy which is followed by every branch of the Government of India and whether what is considered to be right and proper by the Home Department is not considered right and proper by the Information Department also. As I said, Sir, I am utterly at a loss to know how the Information Department could do a thing which goes against the spirit of the instructions issued by the Home Department. If it is open to the Information Department to do a thing like that, such a thing ought to be put a stop to at once. The policy of the Government should be a united policy, a policy which represents the views of the whole of the Government of India. So far as pre-censorship is concerned, I have not been able to gather from the reply that there was any categorical reply as regards the agreement that is contended by the Government to have come to between the Government and the Standing Committee of the Editors' Conference. I should have liked very much to know whether it is a fact that pre-censorship which is now being resorted to in the country by the Government has had the consent, full and free consent, of the Editors' Conference? If it has not, as is contended by the convener and President of the Editors' Conference, that fact also should be known; but if it is a fact that the Standing Committee or its representatives had given their consent, then this should

*Not corrected by the Honourable Member.

be made quite clear to the public. As regards the right of the Press, we will have to concede that the liberty of the Press is co-extensive with the right of the citizens of the country to know what is actually happening in the country. But at the same time I concede that there may be occasions when this liberty of the Press could not be allowed to be exercised in its entirety. There are occasions when the rights of individuals also has to be curtailed in the light of their repercussions on society in the same way as the liberty of the Press can with justification be curtailed on occasions when it is required in the interest of the public. I also admit that if the liberty of the Press degenerates into license, it ought to be stopped at once. If there is no such tendency, if there is no such effect to be apprehended, I plead for the Press that it should be allowed to have its own way.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan): Mr. President, the spokesman of the Government has made a clever speech. He has chosen a few statements to which he could make a plausible reply and has left the question of pre-censorship where it was. I shall deal with some of the points which he urged in his speech, though it is quite impossible for me in the course of a short reply to traverse all that he said. My Honourable friend first referred to the question of military censorship. My Resolution is perfectly general one relating to both external and internal censorship. When I referred to the question of military censorship it was not by accident. We know that Government are assiduously carrying on propaganda in favour of their point of view in America. Mr. Ranganathan, one of the Advisers to the Secretary of State, has been recently sent to America. I understand that the British Government are trying to send some more persons there who would express views which would be palatable to them. In these circumstances it is of the utmost importance to us that the true state of things in India, nationalist opinion and the rationalist point of view, should be fully known abroad in order to enable outsiders to realize the discontent prevailing in the country. Now, my Honourable friend, in replying to what I said on this subject yesterday, quoted, Sir, a certificate which he had received from the correspondent of the American International News. He is entitled to use any opinion that is in favour of Government, but the opinion expressed by the correspondent he referred to cannot do away with the fact that some time ago Indian, British and American journalists combined to make representations to the Viceroy regarding the severity of the present restrictions. They complained of the manner in which the in-coming and out-going messages were being treated. There is only one valid defence that the Honourable Member has made of the action of the Government of India and that is that messages sent by wireless can be picked up by the enemy. Now, so far as one can gather from the enemy radios there is hardly anything happening in India that is not known in countries outside. If anything happens in Delhi or in Bombay or in Allahabad or in Poona we get news of it first from the Berlin, Tokyo or Saigon Radio. It is idle for Government to contend in these circumstances that things of value would come to be known to the enemy only if messages relating to the conditions prevailing in this country were sent by Chinese and American correspondents to their papers. If there is anything that would obviously be of military advantage to the enemy prevent its transmission by all means but do not let there be a complete black out of news, of comments favourable to India appearing in the foreign Press, and do not make it difficult for foreign correspondents to give their papers a true picture of what is happening in this country.

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Dealing, Sir, with the question of the advice given by the Press Censor, my Honourable friend took shelter behind a formal plea. He said that Press-advising was under the Information Department and that no one was compelled to seek Press advice or having sought it to accept it and so on. It is all very good for my Honourable friend enjoying the security of the Home Department to expound to us the theory of the matter. I wish he were a correspondent of some paper to whom those restrictions applied and whose living depended on his journalistic work and I wonder if he would then argue with the same equanimity about the permissive character and innocuousness of the Government restrictions.

Information has reached me that some correspondents have been asked by the District Magistrates to show their messages before they are sent to the newspapers. This may be unbelievable to my Honourable friend—he seems hardly prepared to believe anything that is uncomplimentary to Government—but I have received this information from an editor whose veracity I have faith in. Apart from this, I brought to my Honourable friend's notice—the case of an editor who is known both to him and to me, who was practically asked by his Government to seek Press advice or beware of the consequences. Now, that is a matter which is not one in which I have relied on information supplied to me by outsiders. I have told him what the source of my information was. When these things are happening what is the good of my Honourable friend coming forward and merely making technical pleas in defence of Government?

Sir, the third point which my Honourable friend made was that whatever complaints might be made against the Press Advisers and although some of the complaints against them might be justified yet it remained to be proved that even the Press Advisers had held back any information relating to the disturbances which should have been allowed to go through. Now, how am I to satisfy the Honourable Member in this respect? There should be some common standard which he and I can accept, but if there is no such standard, no number of instances that I may cite will ever convince the spokesmen of Government that I have established my case. I referred to several cases yesterday, one of which related to the Hindu University. Now, my Honourable friend boldly comes forward and says that he thinks that it was right that the news relating to the action taken against the Hindu University should not have been allowed to be published at the time when the action was taken. The Honourable Member is quite within his rights in saying whatever he likes—it is not criminal to be dogmatic or even to say manifestly absurd things—but he has not said one word to show that the public interest would have been injured in the slightest degree if this news had been passed. Then my Honourable friend said that this news had been published in a Madras paper. If it is so, I suppose it reached the Madras paper in the same way as the information relating to the statement issued by certain members of the Society of Friends reached that paper, that is through the post, but the fact remains that no paper in the United Provinces was allowed to publish that news. To the best of my knowledge there was not a word about it either in the *Leader* or in the *Pioneer*.

If my Honourable friend wants some other illustrations of the manner in which the censorship is working at present I can easily give him some which he will find as difficult to defend as some cases that I referred to yesterday. I referred yesterday, Sir, to a speech delivered by Sir Venkatasubba Rao. I can today refer to a statement issued by the Right Honourable Sir Tej Bahadur Sapru about the middle of August last regarding the present situation,

a line in which was omitted by the Censor. Why that line was taken away nobody knows. I have seen the whole message and when I read that message in the *Leader* I felt that the construction of the sentence from which that line had been taken out was not what it should be, but perhaps that did not trouble the Censor at all. He thought perhaps that if a mistake occurred in the sentence it would be to the discredit of Sir Tej Bahadur Sapru. This is another instance of the vagaries of the Censor, though the Censor in this case was the local Censor.

Another instance, Sir, relates to Delhi. A number of persons who picketed the houses of Sir Homi Mody and Sir Jwala Prasad Srivastava were prosecuted. They pleaded not guilty and said that they only wanted to see the Honourable Members concerned. The Censor allowed the Press to state that the accused pleaded not guilty but did not allow them to say anything about the plea which they put forward. Can absurdity go farther? It is not enough for my Honourable friend to say that these instances, even if true, do not prove that information of any value has been withheld from the Press. I think, Sir, they prove a great deal. They show the mentality of the Censors. They show how little the Censors are prepared to give to the public and how dangerous it is to leave things to the discretion of such men.

If he wants another instance I can give him one which relates to my own city of Allahabad. A procession of students was fired on. One of the students died but, although information of this character, relating to other cities was allowed to be published in the local paper, the *Leader*, the news of this incident was suppressed. Now my Honourable friend will say I am quite sure that the action of the authorities was justified.

THE HONOURABLE THE PRESIDENT: The Honourable Member has reached his time-limit.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The moment it is 15 minutes I will sit down. I will not take a minute more.

The Honourable Member's confidence in the authorities is more than that of any non-official. All that we can do is to give instances of a fairly convincing nature, and if they do not satisfy him I say so much the worse for him.

Sir, my Honourable friend, dealing with the question of precensorship, left it where it was. While he was good enough to say that he was prepared to send a report of the debate that had taken place to Local Governments he has held out no hope that the action taken with regard to the establishment of precensorship will be cancelled or modified in any essential respect. The plea that he made was in my opinion not worthy of him. He said that action was taken on an agreement that was previously arrived at. I said yesterday, and I repeat today, that no agreement was arrived at between the Standing Committee and Government on this point. I do not charge the Honourable Member with telling an untruth, but I am faced on the other hand with the denial of Mr. J. N. Sahni and Mr. Srinivasan. Apart from this, Sir, when it was known that this decision had created serious dissatisfaction, why did not the Honourable Member wait and ask the Local Governments to stop taking action till they received a further communication from the Government of India? It would have been quite easy for him to do it. Why did he allow them to—

THE HONOURABLE SIR RICHARD TOTTENHAM: If I may say so, it was because the President of the All-India Newspaper Editors' Conference urged us to take immediate action by telegram.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Well, Sir, I read the telegram of Mr. Srinivasan: but he himself said that he did not want there should be a censorship of news of all categories. I understand from the convener of the Newspaper Editors' Conference that a reply was sent to Sir

[Pandit Hirday Nath Kunzru.]

Richard Tottenham's letter after Mr. Srinivasan's telegram in which it was stated that the view of the Government of India that all news should be censored was not acceptable to the Standing Committee. Again, Sir, my Honourable friend has trotted out the question of the autonomy of the Provinces. I am well aware of the powers of the Provincial Governments under the existing constitution: but what about those provinces where there are no ministries, which are governed under section 93 and which therefore are under the complete control of the Governor General? The Home Department can take any action only when it has the support of the Governor General; and if they want to change the present system they can easily, with the consent of the Governor General, not merely ask but compel recalcitrant Local Governments to follow the instructions of the Government of India.

Sir, I cannot but regard the reply that has been given by my Honourable friend as wholly unsatisfactory. He tried to be as conciliatory as he thought he should be, but the sum and substance of his speech is that the system of pre-censorship has been introduced and will continue to be introduced into Provinces where it is accepted by the Local Governments; and that the Government of India are not prepared to take any steps either to gain the goodwill of the Press or the public on this point. The only course that we can adopt for giving expression to our feelings and our resentment to the attitude of Government in this House is to ask that the vote of the House should be taken on the resolution.

THE HONOURABLE THE PRESIDENT: Resolution is:

"This Council recommends to the Governor General in Council that the restriction imposed on the Press which have given rise to serious dissatisfaction should be modified so as to take fuller account of the rights of the press and the public and that, in particular, pre-censorship of news reports and statements should be abolished except in so far as it may be necessary for military purposes."

Question put: the Council divided:

AYES—9.

Dalal, Hon. Mr. M. N.
Das, Hon. Mr. N. K.
Hossain Imam, Hon. Mr.
Kunzru, Hon. Pandit Hirday Nath.
Muhammad Hussain, Hon. Haji Syed.

Padshah Sahib Bahadur, Hon. Saiyed
Mohamed.
Ram Saran Das, Hon. Rai Bahadur Lala.
Sapru, Hon. Mr. P. N.
Sinha, Hon. Kumar Nripendra Narayan.

NOES—23.

Ataullah Khan Tarar, Hon. Chaudhri.
Charanjit Singh, Hon. Raja.
Das, Hon. Rai Bahadur Satyendra
Kumar.
Haddow, Hon. Mr. R. R.
Hussainuddin Bahadur, Hon. Lt.-Col.
Sir.
Hartley, General the Hon. Sir Alan.
Jagendra Singh, Hon. Sir.
Jones, Hon. Mr. O. E.
Khurehd Ali Khan, Hon. Nawabzada.
Lal, Hon. Mr. Shavax A.
Lloyd, Hon. Sir Alan.

Menon, Hon. Sir Ramunni.
Muhammad Usman, Hon. Khan
Bahadur Sir.
Mukherjee, Hon. Sir Satya Charan.
Nihal Singh, Hon. Sirdar.
Ogilvie, Hon. Mr. C. MacI. G.
Pai, Hon. Mr. A. V.
Parker, Hon. Mr. R. H.
Patro, Hon. Sir A. P.
Prior, Hon. Mr. H. C.
Sobha Singh, Hon. Sardar Bahadur.
Srivastava, Hon. Sir Jwala Prasad.
Tottenham, Hon. Sir Richard.

The Motion was negatived.

DELHI MUSLIM WAKFS BILL

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Sir, I rise to move:—

"That the Bill to make better provision for the administration of Masajid and the Endowment of the Jama Masjid, Fatehpuri Masjid and Kalan Masjid of Delhi be continued."

Sir, I was unable to make any specific motion on this Bill which has been referred to a Joint Select Committee of the two Houses and therefore, in order to keep the Bill alive, I make this formal Motion.

The Motion was adopted.

RESOLUTION RE PRICE CONTROL.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Mr. President, I beg to move:—

"That this Council recommends to the Governor General in Council that the present system of price control which has proved inadequate and ineffective should be replaced by another system which will be controlled more largely and directly by the State, cover the supply, distribution and prices of all essential commodities and pay due regard to the interests of the producer, consumer and middleman."

Sir, I am conscious that the system that I am suggesting has never been tried in this country before. I may, therefore, be asked to explain why I am proposing the adoption of a method which might appear to some persons to be very drastic. I have stated in my Resolution that the present system of price control has proved inadequate and ineffective. I may therefore be asked why I ask Government to persist in a course which has in some degree already proved ineffective. I shall answer this question very briefly and I hope in such a way as to convince all impartial men that there is need for control of the kind that I have advocated. Sir, there is no doubt that generally speaking the production of food-grains in the country is enough for its internal needs. Rice, however, is an important exception. But, apart from this, I think the statement that I have just made holds good. I may, therefore, be asked why there should then be any price control at all. The experience of the last war supplies us with a fairly convincing answer. At that time the dealers were left free to make their own arrangements and Government hardly ever intervened between the dealer and the consumer. But there were several causes which operated in such a way as to make all thinking men realize that some action must be taken in order to protect the interests of the public. In the first place, Sir, the purchases that were made for the army had a disturbing psychological effect on the market. They may have been small compared with the total production in the country but they were enough to induce the dealers to withhold certain foodgrains from the market and thus to force up their prices. Again, Sir, there was want of adequate railway transport. Owing to these two causes there was frequently scarcity of the essential commodities in many places. The prices of wheat and salt in particular rose very high and in consequence Government were forced to give high dearness allowance to their servants. What effect this allowance had on the finances of the Government is well known. I need not, therefore, enlarge on it. It may, however, be said that a rise in prices is in the interests of the agriculturist, particularly at this time, as they have been hard hit by the depression that has been prevailing more or less during the last 10 or 12 years. Honourable Members

[Pandit Hirday Nath Kunzru.]

will, I am sure, remember that this House did not in the beginning want to control prices. It left them uncontrolled for a pretty long time for this very reason. It wanted to give the agriculturist an opportunity to earn some money before preventing the prices from rising. Apart from this, Sir, the interests of the urban areas have to be looked after. Only 10 per cent. of the population may live there, but Government cannot ask this percentage of the population to be content with things as they are, to put up with whatever hardships they may have to bear, and this consideration gains ground when it is borne in mind that the workers on whose loyalty and willingness to work depends the production of war materials live in urban areas. Again, Sir, not all rural areas are self-sufficient. There are some areas known as deficit areas for which food must be imported from outside. Consequently, if no control over supply and distribution is exercised, these deficit areas, which include the rural population, will be hard hit in common with the urban areas. One more plea will probably be urged to prevent action on the lines that I have suggested. It might be suggested that dearness allowance might be given both to the workers and the employees of Government. This method was tried during the great war and what effect it had we all know. I hope that Government having become wiser by their past experience will not depend solely on this method any more. This is not a proper method of controlling prices. On the contrary this would be an ideal way of getting involved in a vicious circle, in a circle of rising prices and higher dearness allowances from which it will be impossible to get at. Sir, I hope the arguments that I have urged will show to doubters that some control must be exercised. It will then be asked what should be the policy of the Government in the present situation and what is the form that the control should take. I say that in the first place Government should take action to increase the production of foodgrains. This is a policy which the Government are already following. They are going to bring 100,000 acres under the plough and increase the quantity of food stuffs by about 21 lakhs of tons. In regard to rice, however, it seems to me that the action taken by them is not adequate, particularly if we bear in mind that there has been a chronic shortage of rice in this country and that we shall have to give something out of the little that we possess to Ceylon. I think therefore that more energetic steps should be taken to increase the production of rice. As regards the form the control should take, I should like to state at the very outset and as emphatically as I can that the first object of the Government should be to make the agriculturists feel that the measure is in their interest, for without their co-operation they cannot obtain the increased supply of food stuffs which they urgently desire. I am of the view therefore that after taking the cost of production and the increased cost of living into account, Government should fix a price which will prove attractive to the agriculturists. Even if Government fix a price which by some people may be regarded as excessive, the money will go into the pockets of the most deserving class in the country and will in the end benefit all producers—even the mill-owners who are engaged in the production of cloth. Then, Sir, as, in the past, owing to want of unification between the machinery of purchase for the army and civil purposes an unfortunate effect was produced on the public mind, I suggest that there should be one agency to make purchases on behalf of the Army and the Civil Departments concerned. This agency should not be concerned merely with wheat as is the case at the present time. It must be concerned with other competitive foodgrains also. What are these competitive foodgrains? They are *jowar*, *bajra*, gram and all the other

things that can be used in place of wheat. The result of the present policy has been exceedingly harmful. We all know how high the prices of *jowar* and *bajra* have gone up and *bajra* is actually dearer than wheat. At Allahabad some time ago while we could get from $4\frac{1}{2}$ to $4\frac{3}{4}$ seers of wheat for a rupee, we could not get more than 4 seers of *bajra* for the same amount. This shows, Sir, the need for making the control more comprehensive. We must also bring under control wheat flour, that is *atta*, and *maida*, in addition to *jowar*, *bajra*, barley, gram, etc. This having been secured, Sir, a small number of dealers should be chosen to purchase the essential commodities. I do not want that all the stock in the possession of the primary producers should be taken hold of by Government. But what I desire is that a sufficient stock should be acquired for the needs of the deficit areas and for the formation of reserves both at the Centre and in the Provinces. If this is done, when there is a local scarcity in a place, the Government concerned can supply any foodgrain that may be in deficiency from its own reserve and thus prevent prices from rising unduly. If action is taken on these lines, its scope will be of a limited character and the objections that are urged on the score that it is dangerous to ask Government to undertake a vast commercial operation covering the whole country will be considerably obviated. Indeed they will lose all their force. If the method that I have suggested is agreed to, the next step will be to control the importation of the essential quantities in every province. The Local Governments must have their own agents, their own wholesale dealers, whom they would license and who would be able to get their stocks from the buying agencies approved by the Central Government. But this will not be enough. It will be necessary in the provinces to go further. We shall have to see how the quantity that is received in a province is used, whether it is hoarded or consumed. This is not an easy thing to do. But I think that if a limit is set on the quantity which a dealer may sell in a day or which any particular individual may receive, the difficulties can be largely overcome. I cannot deal at length with this difficult question because it is obviously impossible to do so fully in the course of a few minutes. But what I have said will be sufficient to give Honourable Members an idea of what I mean and the control which in my opinion Government should exercise over the distribution of wheat.

Sir, I am strengthened in my views by the fact that the Food Advisory Council at its last meeting supported the course that I have recommended. The Honourable the Commerce Member also in his speech at the last Price Control Conference took the same point of view. He admitted that the present price control system had proved ineffective owing to various causes. I think they were partly the experience of Government, partly the unwillingness of certain Local Governments to help and partly the entry of speculators into the wheat market and the action of the permit-holders in charging from the buyers the prices prevalent not at the centres of production but at the centres of consumption to which the buyers belonged. Sir, the Honourable the Commerce Member having in the course of his presidential Address to the Sixth Price Control Conference expressed views which are similar to mine, which are virtually identical with mine, I hope that the course that I have suggested here will find favour with Government.

I have spoken, Sir, so far only of the foodgrains, but my Resolution refers to all essential commodities. Now those commodities are sugar, salt, kerosene and cloth. Sugar is already controlled, but—

THE HONOURABLE SIR ALAN LLOYD: Will the Honourable Member kindly read his list of commodities again?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Sugar, salt, kerosene and cloth.

THE HONOURABLE SIR ALAN LLOYD : Thank you.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Now sugar is controlled but its distribution has been as defective as that of wheat. The United Provinces are the largest producers of sugar, yet in many places in the United Provinces, including Allahabad, there was some time ago practically a sugar famine. I hope my Honourable friend opposite will explain how such a phenomenon occurred, why there are difficulties in the distribution of a commodity of which the supply is more than adequate. Perhaps the difficulty is that of transport though I do not know whether that is the whole of the case but the difficulties relating to transport are real. You may control the supply and you may try to control the price but unless you can bring about a proper system of distribution, which depends on a proper control of the transport arrangements, no system that you may devise will ever work successfully. It is of the utmost importance therefore that there should be the fullest co-operation between the Commerce Department, the War Department and the Railway Department in regard to the use of the available transport in such a way as to keep the civil population supplied with necessities of life. This will not be an easy matter but if proper attention is given to it, if the importance of the matter is more fully recognized than has been the case hitherto I feel that the position may soon be easier than it is at present. Sir, I have no time to deal with the remaining commodities but I must point out that the production of standard cloth is far from being an accomplished fact and that the high price of cloth is a source of great hardship to the poor. As regards kerosene, there is a serious shortage of it in the Country. No control short of rationing will I think suffice to bring about its equitable distribution.

I shall now state, Sir, one or two instances which have been mentioned to me and which, if true, require to be carefully considered by Government. I have been told that at the present time when a certain percentage or number of wagons is set aside for the use of the military authorities they are allowed to be used only for the transport of goods required for military purposes. A wagon may be only half full, and it may be desirable to utilize the remaining space for the transport of goods needed for the civil population but I have been told that the practice at present is to refuse to book non-military goods in a wagon, in a part of which even there are military goods.

Again, Sir, even in an emergency wagons set apart for the use of the military authorities, it is said, are not allowed to be used for civil purposes, even though they may not be required by the military authorities. I am rather disinclined to believe this but I have been told that responsible merchants have brought such difficulties to the notice of their organizations. I have no personal knowledge of the matter but as it is an important one I have considered it necessary to bring it to the notice of Government.

There are two other complaints which also I should like to bring to the notice of Government. I understand that the agent who makes purchases on behalf of the Army has been allowed to purchase wheat at a higher price than the regulation price. There may be some reason for it; for instance the Army authorities may take delivery of it not at the centre of production but somewhere else and this may give rise to a difference in prices.

THE HONOURABLE SIR ALAN LLOYD : I should like to say, if I may, that this has been investigated and has not been found to be true.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I am very glad to hear that, but I hope the Honourable Member will explain the matter a little more fully. I was not, even the commercial public is not, aware of what the Honourable Member has said. I said myself that there might be a difference in the control price and that paid by the military authorities on the ground that they want delivery not at the centre of production but somewhere else, maybe at the railway station. If the position has been investigated and the allegation not found true this should be publicly stated.

Another thing, Sir, that I wish to bring to the notice of Government is that 20,000 bags of Java sugar were allowed to be purchased by the Mill-owners' Association at the price of Rs. 35 a bag that is at practically two and a half times the price applicable to Indian sugar. Now it is true that Java sugar is not controlled.

THE HONOURABLE SIR ALAN LLOYD : It also pays a protective duty.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : It does pay protective duty undoubtedly but we were told that Java sugar was much cheaper than the sugar produced in this country and that even after the imposition of a very high protective duty it could sell profitably at the ports. Why is it then that its price has risen to Rs. 35 a bag and in any case why were the Millowners' Association allowed to buy so much Java sugar? Perhaps I shall be told that there were difficulties with regard to transport. I say again that there ought to be better collaboration between all the authorities concerned in this matter so that a commodity which is produced in this country and which can fully provide for its needs should be sold everywhere in preference to a foreign commodity. An incident like the one I have referred to gives rise to legitimate uneasiness and apprehension, and it has, I know, created considerable feeling in the commercial community.

Sir, these are most of the points that I wished to urge on the attention of the authorities. But before I sit down I should like to say that a heavy duty rests in this matter both on the commercial community and on the Government. Even when the course I have suggested has been accepted by Government, it will probably be necessary for them to have some retail shops under their own control so that they may have effective means of preventing the prices from rising unduly and the black market from existing for any length of time, at any rate in any important place. The commercial community, too, should follow a similar method. A strong appeal was made to them by the Honourable Mr. Sarker at the Price Control Conference of which I have already spoken. I do not know what the result of his appeal and of his subsequent conversation with commercial representatives has been. Perhaps my Honourable friend Sir Alan Lloyd will give us information on that subject. But in any case they should understand that in the opinion of the public a heavy duty rests on them to offer their fullest co-operation to the Government and to do the utmost that they can to prevent prices from rising and profiteers from taking undue advantage of the necessities of the poor people.

Lastly, Sir, I should like to have information with regard to the regional Supply and Price Boards. I should in particular like to know whether there are such Boards in the United Provinces, and if there are, how they are working? We hear of Supply Boards in many provinces, but I have not yet come to know anything about such Boards in the United Provinces or about their activities if they exist.

I should also like to know what is the position of the Indian States in this respect? Any system that Government may adopt can be successful only when there is full co-operation between the various authorities involved. I have already spoken of the important part that the Government of India and the provincial authorities have to play in connection with this matter. But the States, and particularly the Punjab States, also occupy a very important position in regard to it. Till recently I understand they considered themselves free to adopt any course that they liked. Of course constitutionally no pressure can be put on them; nor do I suggest such a course. But I hope that Government will enter into negotiations with them if they have not already done so, and use their influence and good offices in order to bring about a complete and friendly understanding between themselves and the Rulers of the Indian States.

Sir, I move.

THE HONOURABLE SIR JOGENDRA SINGH (Education, Health and Lands Member): Sir he on whom his fond parents bestow the sovereignty of hearts has spoken with his usual earnestness. I am glad that he is now leaving the field of pure political polemics which he frequently wanders into more fruitful fields of production, trade and economics. I wish he could walk with me into a village in the United Provinces or the Punjab, and observe the crumbling mud walls in which the people live, lanes littered with refuse, children walking about ill-clad and ill-fed, and then come along again into the rice fields when the rain is heavily falling and men and women are weeding. Has he ever been sauntered into the villages and seen how crops are produced? The labour of six months is sometimes, when a hailstorm comes, destroyed in half an hour. The invasion of locusts may also ruin thousands of acres. Perhaps he is aware that in every five years, you may have two years of average crops, two of bad crops and one of good crop. I think he and his friends will be wiser, if they make further inquiries, before they sit down and say, that the price of wheat has been high and the price of *bajra*, a competitive grain, has been higher still. I may also tell them that wheat does not occupy the largest area in India. Rice is the premier crop which occupies the first place. Then, Sir, I am not going into the details—I am only trying to put the agricultural side before this House, because I am anxious that this House should acquire an agricultural bias, and unless it acquires an agricultural bias, it cannot do justice to the millions of people whose prosperity and living depends on the measures regarding prices which this House decides to take. In this connection, Sir, it would be interesting if members ascertained the average holding of a cultivator in a village, the net produce he gets at the end of six months from his field, and from the small amount of grain, which he can save from consumption he has to meet not only such fixed demands as Land Revenue and rent, but all his other meagre requirements. If the cost of the ordinary articles of production rises, it is fair that the price of the produce of this poor man should also rise. Indeed it should not be said of this House that everyone combines to reduce the price of the poor man's stock in trade.

"Sub ghatu dete hain mufis ke magar mál ka mol".

There is only one more matter I wish to speak about. We should not take the counters coined in other countries and accept them as applicable to this land of millions of poor agriculturists. When we talk of inflation, we must determine what inflation means. Does it mean inflation when you have Rs. 100 per head of the population or Rs. 1,000 per head of the population? When you compare with countries like England and America, I should like you to take

into account the money that has been in circulation in those countries before the war and the money that is now in circulation. Then compare the money in circulation in India. The contrast will throw clear light on the problem of inflation. You will thus get some idea how far you were starved of money in pre-war days and how much that vacuum has been filled by the increase on note circulation. Remember if there is silence in the villages there is bound to be silence in the towns. If the countryside prospers, the whole of India prospers; there are more industries, more trade, better wages, better fees for professional men, in short prosperity all round. Before you touch this very difficult problem you must take into account the fate of the millions, and not talk lightly of control of prices and control of trade. My Honourable friend said that even in the distribution of sugar there has been a great deal of dissatisfaction. It is a single commodity under the control of a syndicate, a syndicate that has been well organized. If such a syndicate fails, what hope is there that the whole trade of India could be properly controlled and distributed by a state agency.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadian): Sir, I rise to support the Resolution so ably moved by my Honourable friend Dr. Kunzru. My Honourable friend Sir Jogendra Singh has advocated the cause of the agriculturist.

THE HONOURABLE SIR JOGENDRA SINGH: Your class, Sir.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: I agree with him there. There are two aspects of this question which we have to consider. One is that the agriculturists are about 85 per cent. of the Indian population. Have we to safeguard their interests and the interests of those poor people who do not live on agriculture or whose income from the small holdings they have is not sufficient enough to feed all the members of their family? As the time at my disposal is short I will not cover the same ground as my Honourable friend has covered. But I must say that the present system of control has failed. My Honourable friend Sir Alan Lloyd said that he did make inquiries and found that control price was not being exceeded by the agencies of the Government. With due deference to him, I must say that as far as the Punjab is concerned, it seems to me that Sir Alan Lloyd has not made any inquiries there. I can give you an instance. At Abohar Mandi, the agency which was buying for the United Provinces Government paid higher prices than the control price and the difference in price was adjusted privately as *salami* or *nazarana*. I hope my Honourable friend Sir Alan Lloyd will go into this matter deeply. I say that so far as the present system of control of prices is concerned, it is a failure. As a business man I know that a lot of transactions are going on in which a higher price is being paid but control prices are shown in the books and the excess taken privately as *nazarana* or *salami*. The only successful way of dealing with it is that Government should buy stocks of food-stuffs and store them and whenever they find that the price is rising beyond their control limit, they come into the market and sell the stored produce at control rates. My Honourable friend Dr. Kunzru perhaps did not inquire what the conditions were in Kashmir. In Kashmir, for some time past the State has introduced a system of *shali* (rice) purchases. Although this did not prove of much benefit or good to the zemindar class, as far as the general public was concerned, it was a boon to them. They bought all the *shali* that Kashmir Province produced and sold them departmentally at the prices fixed by authorities. That is the only way to bring control into effect. I was doing a big railway construction work in Rajputana (Kota State) and I was employing more than 10,000 labour. There was adequate price control in Bundi

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State. The price of *jowari* there was cheaper and my labour in Kotah used to cross the Chambal river to the other side in Bundi State and have their food there. The present system of control has failed and it must be substituted by another system which is workable and profitable. The Honourable Sir Jogendra Singh asked how we can serve the interests of the agriculturists when we deprive them of the excess profit that they can now make. In the last Great War there was no price control. I as a zemindar and as a manufacturer and industrialist knew that it was advantageous for me to buy goods at a higher price and thus get my percentage of profit on bigger outlay. The Honourable Sir Jogendra Singh says that at present the cultivator, the producer, is the root of all the prosperity of the commercial and industrial people and that in case he prospers, others also prosper. My humble suggestion to the Government is that they must come forward and like businessmen give an extra allowance to their employees. They are one of the biggest employers of labour. The commercial concerns with whom I have been connected as director have given great concessions to their labour to buy foodstuffs at cheap rates. I might say that in Cawnpore, in one of the big concerns with which I am connected, we were preparing food for the labour and feeding them luxuriously. By "luxuriously" I mean that we were feeding them with more nutritious and better food than they used to get at their homes. You introduced rent control in Calcutta, Bombay and other places. What was the result? The practice of *salami* or *nazarana* came into existence. You know just as well as we do that this practice has been established. Everybody knows what the rent is. Therefore, I say that the present system of control needs change. Sir, I have heard —, if I am wrong, the Honourable Sir Alan Lloyd will put me right — that it has been decided that some of the Provincial Governments will buy wheat and other foodstuffs whenever there is any likelihood of the control price rising. That is a good measure, but I do not agree with my Honourable friend Dr. Kunzru when he says that only one agency should be employed for purchase.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I did not say that. I said that a small number of dealers should be employed to purchase wheat and other commodities. All I said was that there should be a unified agency for purchases for the army and civil needs. That is all that I said.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: I am glad, Sir, that I was under a misunderstanding and that Dr. Kunzru has put me right. What he means is that there should be no monopoly given to one firm for Government purchases. The Government has asked the people to grow more foodstuffs. Have they given any concession in the form of reduction of revenue or reduction in water rates? Simply crying "Grow more food" without giving people concessions is not of much help.

THE HONOURABLE SIR ALAN LLOYD: Concessions have been given.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: May I know in what form?

THE HONOURABLE SIR JOGENDRA SINGH: Some States are supplying seeds free; others have given a concession in rates; in some places the water rate has been reduced. But I do not think there is any general concession in the matter of reduction of revenue or reduction of water rate. When a cultivator replaces cotton by wheat, he also receives a special subvention.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: My Honourable friend has observed that some States supply free seeds.

THE HONOURABLE SIR JOGENDRA SINGH: Some States.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: What are those States? But seeds are only issued when any zemindar wants to put in any improved crop. I myself have been supplying cotton seeds of various sorts of long staple cotton. But that concession is not enough for the cultivators. I am myself a zemindar and my own experience is that the yield per acre from the American cotton is less than that from the indigenous Punjab cotton.

THE HONOURABLE SIR JOGENDRA SINGH: There you are wrong, Sir. American long staple cotton at present is fetching a premium from Rs. 90 to Rs. 100 a candy.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: I do not dispute about the price. I am disputing about the yield. We all know that the price is better. As a big zemindar yourself in the Punjab, you know that the yield from long staple American cotton is not the same as that from indigenous cotton and I hope my Honourable friend will not dispute what I say now. I was one of those who took a prominent part as a pioneer in sowing long staple cotton in my zemindaris in the Punjab. So I know the difficulty I had to face and I know how I succeeded in the end. I tried sowing Egyptian cotton, but experience has shown that in the Punjab, Egyptian cotton was a failure and therefore it was practically given up. However, I need not dwell on this point. The only point which I want to raise is that by giving free seed you are not making a gift which will induce zemindars to grow more American cotton. A tempting impetus should be given to the zemindars. Concession in water rates is the concession that the poor peasants need.

Then I come to the question of the entry of speculators in the produce markets and raising the price of foodstuffs. This is rather inconsistent with the argument that my Honourable friend has been able to advance. Speculators cannot buy produce over the control rate. But what do we see in practice? The Government fixed the control price of wheat at Rs. 4 and some annas in the beginning. Now its control price ranges from Rs. 5 to Rs. 5-4-0. Why have Government raised the price? Because they could not get wheat at the price fixed from the zemindars. My own impression is that this is due mainly to want of transport as my Honourable friend Dr. Kunzru has observed. On the N. W. R., I know that once for 20 days there was no booking of private goods. The result was that the markets which fell short of any commodity had to raise its price. People dealing in piece-goods found that their stock of piece-goods ran short and there was no chance of new arrivals and they therefore charged higher prices. If Government is so helpless when the war has not come into the country as to fail to give transport facilities to the public what can you expect from them during the war? This is a question on which Government must come to some decision. At least one day in the week should be allotted for the public to book goods and foodgrains. When Government felt the pinch, they came out and said that concession should be given to those who want to transport foodstuffs. That is not quite enough. The same concession ought to apply to cloth, kerosene oil, ghee and other foodstuffs. I will not take much time of the Council because I am reaching my time limit.

THE HONOURABLE THE PRESIDENT: You have come to your limit.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: One thing which I say is that my Honourable friend observed that the price of *jowar* and gram was higher than the price of wheat. This is quite abnormal. How can

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you stop that ? Government should introduce a new system. I have already suggested a system which has proved a success in the Indian States and I hope, Sir, that Government will practically come to the aid of their employees by giving them a larger increase in allowance in salaries and letting the agriculturist enjoy the higher prices than he gets nowadays. The agriculturist has passed through very bad times. I know that in the Punjab we sold wheat at Re. 1 a maund some time back although our revenue was based on a much higher price.

Why did not the Government then come to help them ? With these words, Sir, I support the Resolution moved by my Honourable friend Dr. Kunzru.

(The Honourable Mr. Hossain Imam rose in his place.)

THE HONOURABLE THE PRESIDENT (to the Honourable Mr. Hossain Imam): Before you begin, I would like to know whether you could finish your speech by 2 P. M. Otherwise I would adjourn the Resolution to the next session.

THE HONOURABLE MR. HOSSAIN IMAM: It will be very difficult to finish by 2 P. M.

THE HONOURABLE SIR ALAN LLOYD: If I am to answer, there is no prospect of finishing by half past two.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Will not my Honourable friend, Sir Alan Lloyd, give some expression of his opinion on the subject before we adjourn ?

THE HONOURABLE SIR ALAN LLOYD: No, Sir. I would rather reserve my remarks till other speakers have spoken.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The Honourable Member will have the right of speaking again.

THE HONOURABLE THE PRESIDENT: Nobody can compel him to do so.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: It is only ten minutes to two.

THE HONOURABLE THE PRESIDENT: This will be carried over to the next session.

The Council then adjourned *sine die*.

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