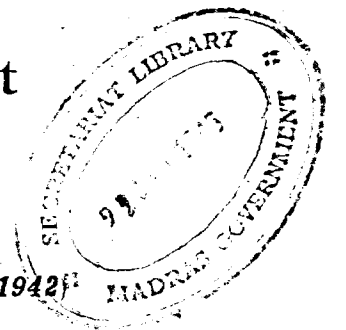


**THE
LEGISLATIVE ASSEMBLY DEBATES**

Official Report

Volume II, 1942

(11th March to 2nd April, 1942)



**FIFTEENTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1942**



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LEGISLATIVE ASSEMBLY.

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The Honourable Sir ABDUR RAHIM, K.C.S.I.

Deputy President:

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Panel of Chairmen:

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Lieut.-Colonel Sir HENRY GIDNEY, M.L.A.

Sir HENRY RICHARDSON, M.L.A.

Sir COWASJI JEHangIR, Bart., K.C.I.E., O.B.E., M.L.A.

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Khan Bahadur S. G. HASNAIN.

Marshal:

Captain Haji Sardar NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions:

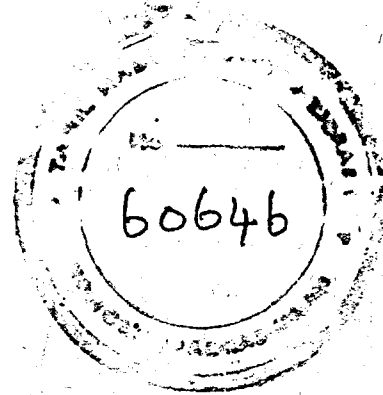
Mr. AKHIL CHANDRA DATTA, M.L.A., *Chairman.*

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Sir ABDUL HALIM GHUZHNAVI, M.L.A.

Mr. N. M. JOSHI, M.L.A.



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LEGISLATIVE ASSEMBLY

Wednesday, 11th March, 1942.

The Assembly met in the Assembly Chamber of the Council House, at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. M. Khurshid, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

RESTORATION OF FOREMAN'S GRADE IN COPPERSMITH SHOP, JAMALPUR RAILWAY WORKSHOP.

167. *Lieut.-Colonel Sir Henry Gidney: (a) Will the Honourable the Railway Member please state whether it is proposed to restore the Foreman's grade in the Coppersmith Shop at the East Indian Railway Workshops at Jamalpur in view of the responsibilities attached to the post and the supervision work involved? If not, why not?

(b) If the answer to part (a) above be in the negative, do Government propose to restore to Mr. Gaynor, the prospects open to employees of other shops and trades and which were open to him till 1935 of promotion to the grade of Rs. 650 as being the senior-most man in his grade?

The Honourable Sir Andrew Clow: (a) and (b). I have no information of any such proposal, but the question is not one which would require a reference to Government, who have no proposals in respect of Mr. Gaynor under consideration.

Lieut.-Colonel Sir Henry Gidney: Sir, I refuse to accept the answer as it is very unsatisfactory. I gave the Honourable Member sufficient time to find out and yet he says "I have no information". I will ask the question again.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot ask again the same question.

Lieut.-Colonel Sir Henry Gidney: Sir, I claim that when an Honourable Member of this House takes the trouble to put a question and it is admitted by you, Sir, can Government throw that question into the waste paper basket and refuse to answer?

Mr. President (The Honourable Sir Abdur Rahim): It has been ruled often in this House that whether an answer given to a question is satisfactory or not, it is not the business of the Chair.

Lieut.-Colonel Sir Henry Gidney: Is it not the business of the Honourable Member in charge of this Department to give satisfaction when a question of this innocuous nature is asked? Does not the Honourable Member throw this question to my face when he gives the answer he does?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may have other remedies.

Lieut.-Colonel Sir Henry Gidney: What other remedy have I? I have but to appeal to you for protection.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows that I cannot compel any Government Member to answer a question in a particular way which will satisfy the questioner.

Lieut.-Colonel Sir Henry Gidney: Then I move the adjournment of the House.

Mr. President (The Honourable Sir Abdur Rahim): I cannot adjourn the House simply because the Honourable Member asks for it.

Lieut.-Colonel Sir Henry Gidney: I ask you, Sir, as one of the senior Members of this Honourable House that I do not wish to be insulted or disrespected in this manner by the Honourable Member on any question that I have asked. I have every right to expect a satisfactory answer to my question.

The Honourable Sir Andrew Clow: There is no question of insult. I had said that I had no information of any such proposal under consideration. That is a fact.

Lieut.-Colonel Sir Henry Gidney: I asked for no proposals. I had asked for a distinct reply to a distinct question of an act of gross injustice to an individual?

The Honourable Sir Andrew Clow: Part (b) of the question inquires if we have certain proposals. I said we have no proposals.

Lieut.-Colonel Sir Henry Gidney: The rest of the question is not answered at all. You have flouted it. Part (b) is a direct question, and not a proposal. You turn it down saying it is a proposal and thus you evade the question.

The Honourable Sir Andrew Clow: The Honourable Member's question in part (b) is, "Do Government propose to restore to Mr. Gaynor etc.", and my answer is "they do not".

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member please tell me why they do not?

The Honourable Sir Andrew Clow: That is an entirely different question.

Lieut.-Colonel Sir Henry Gidney: I now ask that supplementary question.

The Honourable Sir Andrew Clow: I do not consider that this is a matter in which the Government should interfere.

Lieut.-Colonel Sir Henry Gidney: It is getting into a chronic habit with the Government that "they do not propose to interfere".

RAILWAY OFFICIALS' TRAVEL BY SALOONS.

168. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways please state if his attention has been drawn to the latest statements published in the papers throughout India by Mr. R. K. Sindhwa, M.L.A., Member, North Western Railway Advisory Committee, in connection with the overcrowding of third class passengers on railways?

(b) Is it a fact that he made a suggestion requesting the authorities to forego the travelling by special carriages and saloons?

(c) Is it a fact that the Agent, North Western Railway, and other officials of the Railway travel by special carriages?

(d) If so, are Government, in view of the shortage of locomotives and cutting down of a number of railway trains, prepared to ask the railway officials to travel by ordinary first class compartments?

(e) If not, the reasons therefor?

The Honourable Sir Andrew Clow: (a) Yes.

(b) Government have no information as to whether a specific suggestion has been made by this gentleman to Railway Administrations.

(c) Yes.

(d) and (e). General Managers of Railways have already been requested to curtail the use of saloons to the greatest possible extent and to consider the possibility of the attachment of saloons, when they must be used, to goods trains in preference to passenger trains.

Mr. Lalchand Navalrai: May I know if the Honourable Member himself has any definite suggestions with regard to the stopping of special trains and saloons?

The Honourable Sir Andrew Clow: There are no special trains involved. I have made suggestions to various persons in regard to saloons including my own colleague.

Mr. Lalchand Navalrai: May I know how many special trains are in the running which are causing inconveniences to ordinary passengers, first and second class?

The Honourable Sir Andrew Clow: The bulk of the special trains are for military traffic. I cannot give details of these.

Mr. Lalchand Navalrai: Are there any special trains on account of civil Officers?

The Honourable Sir Andrew Clow: There are no officers entitled to special trains. A special train is required for His Excellency the Viceroy, and for Governors of Provinces on special occasions.

Mr. Lalchand Navalrai: Are there any special trains for refugees?

The Honourable Sir Andrew Clow: I want notice of the question.

ALLEGED BRIBERY IN SUPPLYING WAGONS ON NORTH WESTERN RAILWAY.

169. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways please state whether, in view of shortage of wagons for booking of goods on the North Western Railway, complaints have been made that several railway officials demand a large amount as illegal gratification before they supply the wagons?

(b) Is it a fact that the attention of Railway Authorities has been drawn from time to time to this alleged practice of the railway officials?

(c) Is it a fact that Mr. R. K. Sidhwa, M.L.A., Member, North Western Railway Advisory Committee, has given concrete instances to the Divisional Superintendent, North Western Railway, Karachi, of such bribe-taking before booking of goods?

(d) If so, what steps do Government intend to take to stop this practice of bribery?

The Honourable Sir Andrew Clow: (a) and (b). I understand that certain complaints of this nature have been received.

(c) I have called for the information.

(d) The Administration will doubtless take deterrent action in proved cases.

OUTGOING PASSENGERS FROM CALCUTTA.

170. ***Sir Abdul Halim Ghuznavi:** Will the Honourable the Communications Member be pleased to state what was the number of outgoing passengers, in excess of the estimated normal figure of passengers, who travelled between the 10th December, 1941 and 31st January, 1942 from Calcutta by the East Indian, Bengal Nagpur and Eastern Bengal Railways, separately?

The Honourable Sir Andrew Clow: I have not got figures for all three Railways upto 31st January. The exodus had practically ceased by about the 25th January. The following are the figures available of the increase in the number of outward passengers over the same period of the preceding year: E. I. Railway 10th December to 25th January, 837,000; B. N. Railway 9th December to 31st January, 18,000; B. and A. Railway 9th December to 26th January, 159,000; making a total of 514,000.

NON-ISSUE OF RAILWAY TICKETS TO PILGRIMS FOR KUMBHA MELA, ALLAHABAD.

†171. ***Mr. Ananga Mohan Dam:** Will the Honourable the Communications Member be pleased to state why the pilgrims to Kumbha mela were prevented from attending the same, the railway administration having been instructed not to issue tickets for Allahabad?

The Honourable Sir Andrew Clow: I would refer the Honourable Member to the Press Communique which issued on the 22nd December, 1941.

AMALGAMATED BENGAL AND ASSAM RAILWAY AND EFFECT ON SALARIES, ETC.

†172. ***Mr. Ananga Mohan Dam:** (a) Will the Honourable the Communications Member be pleased to state whether, by the amalgamation of the Assam Bengal Railway and Eastern Bengal Railway, the all inclusive salaries of officers (some or any) have been decreased by reason of their re-appointment on the Bengal and Assam Railway?

(b) Have the all inclusive salaries of the subordinates formerly belonging to the Assam Bengal Railway been decreased as a result of their re-appointment on the Bengal and Assam Railway?

(c) How many subordinates have been affected by the offer of re-appointment on lesser pay and what were their lengths of service?

(d) How many subordinates have resigned or voluntarily retired due to their proposed re-appointment on lesser pay?

(e) In the matter of re-appointment of the officers, did Government consider the minimum qualification of the officers as required under the rules of Federal Public Service Commission?

(f) How many officers of the former Assam Bengal Railway in the Audit Department possess the required qualification in accountancy?

The Honourable Sir Andrew Clow: (a) and (b). Yes, in some cases.

(c) and (d). Government have not these particulars, but I have called for information of the numbers in question and a reply will be laid on the table of the House in due course.

(e) No, as the officers concerned were already working as such, Government did not consider it necessary to apply to them criteria applicable to fresh recruits.

(f) I am not clear as to the meaning of "the required qualifications in accountancy", as accountancy qualifications are not prescribed on State Railways for admission to the Accounts Department.

EXPENDITURE ON AMENITIES FOR EMPLOYEES ON BENGAL AND ASSAM RAILWAY.

†173. ***Mr. Ananga Mohan Dam:** Will the Honourable the Railway Member be pleased to state:

(a) the number of European and Indian employees in the Bengal and Assam Railway; and

†Answer to this question laid on the table, the questioner being absent.

(b) the contribution made by the railway towards:

- (i) the education of each European child,
- (ii) the education of each Indian child of the railway employees, and
- (iii) the Institute and other welfare expense per capita for an Indian and an European employee?

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

(b) I regret that I cannot undertake to direct an investigation to be made regarding each child, but if the aggregate amounts spent on European and Indian education and on European and Indian institutes are readily available, they will be supplied.

OFFICERS IN THE INDIAN ORDNANCE SERVICE.

†174. ***Mr. Ananga Mohan Dam:** (a) Will the Honourable the Supply Member be pleased to state the total number of officers in the Indian Ordnance Service and of them how many are Indians (Anglo-Indians not being included)?

(b) What is the total number of foremen and of them how many are Indians (Anglo-Indians not being included)?

(c) Are the pay, prospects and other establishment privileges of an Indian foreman the same as those of his European colleague?

(d) What are the pay and prospects of ordnance apprentices recruited and trained in Government ordnance factories?

(e) Are Government prepared to set a definite time limit, say, ten years, by which all the personnel of the ordnance service will be completely Indianised? If not, why not?

The Honourable Sir Homi Mody: The information is being collected and will be placed on the table of the House when ready.

RAILWAY CLUBS RESERVED FOR EUROPEANS.

†175. ***Mr. Ananga Mohan Dam:** (a) Will the Honourable Member for Communications be pleased to state if it is a fact that there are certain clubs in the railway premises, maintained by the railway, e.g., the swimming club at Pahartali, which are reserved exclusively for the Europeans whether belonging to the railway or not?

(b) Is it a fact that an Indian officer from the commencement of his service has to become a member of the European Institute without option or exception and to make compulsory contribution whether he avails himself of it or not?

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

†Answer to this question laid on the table, the questioner being absent.

PERMISSION TO HINDU RAILWAY EMPLOYEES FOR BECOMING MEMBERS OF THE HINDU MAHASABHA.

†176. ***Mr. Ananga Mohan Dam:** (a) Will the Honourable Member for Communications please state if it is a fact that the Muslim railway employees at Pahartali are not debarred from becoming members of the Muslim League, and the Anglo-Indian staff from becoming members of the Anglo-Indian Association? If so, are Government prepared to officially permit the Hindu staff to become Members of Hindu Mahasabha?

(b) Is it a fact that the late Mr. Nolan, Chief Engineer, was the President of the European Association, Chittagong and Mr. Fossberry, the Power Superintendent, the President of the Anglo-Indian Association, and Mr. Abdul Hamid Khan, the President of the Lilla Fund of Pahartali?

The Honourable Sir Andrew Clow: (a) and (b). I have not these particulars and regret that I cannot undertake to supply information relating to activities of this kind while the Assam Bengal Railway was under Company-management. Rule 23 of the Railway Servants Conduct Rules, printed as Appendix XI to the State Railway Establishment Code, Volume I, prohibits Railway servants on State-managed Railways from being members of political associations, and the attention of the administration will be called to its applicability to former company employees who are now employed by the State.

STEPS FOR PROTECTION, ETC., OF RAILWAY EMPLOYEES IN CLASS I ZONE.

†177. ***Mr. Ananga Mohan Dam:** Will the Honourable Member for Communications please state what steps Government propose to take to adequately protect and compensate for the lives and properties of the railway employees in Class I Zone?

The Honourable Sir Andrew Clow: In Class I Zones appropriate Civil Defence Measures for the protection of railway personnel are being taken, in consultation where necessary with local civil authorities. As regards compensation the War Injuries Ordinance 1941 as amended by Ordinance No. I of 1942, the War Injuries Scheme 1942 and the War Injuries Regulations 1942 apply to railway personnel.

COMPLAINT AGAINST THE RAILWAY CINDER CONTRACTOR AT LUCKNOW.

178. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable the Railway Member please state whether it is not a fact that the cinder contractor at Lucknow used to supply cinders to the Railway staff at the rate of annas 3 per maund without any limit? If not, what was the real condition?

(b) Is it or is it not a fact that the system of supply adopted was that specific days were allotted for the different departments and on those dates the members of those departments used to get the necessary supply?

(c) Is it or is it not a fact that about January 1942, the contractor refused to supply the required quantity of cinders to the Railway employees on the ground that he had not got a sufficient supply in stock?

†Answer to this question laid on the table, the questioner being absent.

(d) Is it or is it not a fact that on enquiry it was found that during all the time the contractor was supplying large quantities of coal to outsiders, and making large profits due to the rise in price of coal?

(e) Is it or is it not a fact that after this the quantity of cinder to the Railway employees had been fixed, and it was left at the option of the contractor to supply the coal in any quantity he chose at the residence of the employees, charging them cartage for the same?

(f) Is it or is it not a fact that there is a general complaint amongst the Railway employees that now the contractor supplies cinders only when he has got sufficient quantity of inferior cinder and dust, and sends it to the employees' houses where they have not even the facility of testing the correct weight of the cinders supplied?

(g) Has the Honourable Member considered the advisability of removing this complaint of the Railway staff by restoring the old method of rotation while retaining the quota of supplies and rates fixed recently?

The Honourable Sir Andrew Clow: (a) to (f). Information is being collected and will be placed on the table of the House on receipt.

(g) No.

Qazi Muhammad Ahmad Kazmi: May I know when the Honourable Member has not got information, why should he say "No" to part (g)?

The Honourable Sir Andrew Clow: The Honourable Member asked me in part (g) if I had considered the advisability of taking a certain action, I said, I had not.

Qazi Muhammad Ahmad Kazmi: He has not considered the whole case yet?

The Honourable Sir Andrew Clow: No.

CINDER CONTRACT AT LUCKNOW RAILWAY STATION.

179. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable the Railway Member please state when the contract of the present cinder contractor at Lucknow is due to expire?

(b) At the time when the present contract expires, do Government propose to consider the advisability of giving the contract to some other contractor after calling for tenders by means of advertisement?

(c) Have Government considered the advisability of handing over the contract to the Co-operative Societies of the Railway Servants?

The Honourable Sir Andrew Clow: (a) Information is being collected and will be placed on the table of the House on receipt.

(b) This is not a contract given by Government but by the Administration.

(c) No.

Qazi Muhammad Ahmad Kazmi: Who gives the contract?

The Honourable Sir Andrew Clow: The Administration.

Qazi Muhammad Ahmad Kazmi: After these complaints have been received, have Government considered the advisability of just persuading the Administration to give the contract to the co-operative societies so that there may be no complaint and the benefit may go to the railway employees?

The Honourable Sir Andrew Clow: My answer to part (c) was "No".

Qazi Muhammad Ahmad Kazmi: The answer was in the negative on the ground that the contract was not given by Government, but by the Administration, or was there any other reason?

The Honourable Sir Andrew Clow: It was in the negative on the ground that no facts are before me as yet, and there has, therefore, been no question of consideration on this point.

UNSTARRED QUESTIONS AND ANSWERS.

RAISING COSTS OF COAL AT STATE COLLIERIES.

47. **Mr. K. C. Neogy:** (a) Will the Honourable the Railway Member please state what were the estimated and actual raising costs per ton f. o. r. colliery siding inclusive of depreciation, cess, royalty and other charges for each of the state-owned collieries for the years 1939-40, 1940-41, 1941-42, and 1942-43?

(b) Did Government grant or allow or propose to grant any enhanced rate over the tendered rate to any of the raising contractors at these collieries in view of the extra costs of raising during war period? If so, to what extent?

The Honourable Sir Andrew Clow: (a) The information required is obtainable from the Pink Books for Collieries covering revised and budget estimates for the years in question which are available in the Library of the House.

(b) No enhancement on tendered rates has been paid to the contractors; but in some cases new contracts have involved higher rates.

COAL REQUISITIONED FROM BENGAL AND BIHAR COALFIELDS.

48. **Mr. K. C. Neogy:** (a) Will the Honourable the Railway Member please state if Government have requisitioned any quantity of coal from Bengal and Bihar coalfields since November 1941?

(b) Is it a fact that Government paid annas 8 per ton more than the tendered price of that particular quality of coal?

The Honourable Sir Andrew Clow: (a) Yes.

(b) The only requisitioning of which I am aware was on behalf of Defence Department to whose representative this question should be addressed.

NON-ACCEPTANCE OF LARGER QUANTITY OF GOOD QUALITY COAL FOR RAILWAYS.

49. **Mr. K. C. Neogy:** (a) Will the Honourable the Railway Member please state reasons for not accepting larger quantities of good quality coal offered by tenderers against loco. tenders for 1942-43 in view of the recent notification in the press by the North Western Railway and the Bombay, Baroda and Central India Railway that they are obliged to restrict passenger and goods traffic due to shortage of coal?

(b) Is it a fact that out of 2,86,000 tons accepted against the second tender for 1941-42 the Railways did not place orders with the collieries for over 2,00,000 tons of coal?

(c) Is it a fact that only about 1,45,000 tons are in arrears against contracts for 1941-42 of State Railways up to the 31st December, 1941?

(d) Is it a fact that the Railway Board did not exercise the option to take ten per cent. more on accepted quantities against loco. tenders for 1941-42, although it was offered by the majority of the existing contractors?

The Honourable Sir Andrew Clow: (a) The notifications of the North Western and Bombay, Baroda and Central India Railways were issued due to a serious fall in the stocks of coal at sheds and depots. The quantities of coal accepted against the tenders for 1942-43 are expected to be adequate to meet consumption during that period.

(b) Information in this connection is being collected.

(c) Yes.

(d) The option was not exercised although the right to exercise it was in all the contracts.

FUEL VALUE OF CERTAIN QUALITIES OF COAL.

50. **Mr. K. C. Neogy:** Will the Honourable the Railway Member please state if Government consider that there is any difference in the fuel value of (i) Jambad Kajora, (ii) Kenda, and (iii) Satgram qualities of coal? If so, what is the approximate percentage of difference?

The Honourable Sir Andrew Clow: Arithmetic fuel values are not now maintained but I am given to understand that, for most railway purposes, these coals can be regarded as approximately of the same standard.

STEPS FOR FULFILMENT OF ACCEPTED LOCO. COAL TENDERS.

51. **Mr. K. C. Neogy:** (a) Will the Honourable the Railway Member please state whether all the collieries, which have been granted contracts against loco. tenders for 1942-43, have accepted the allotted quantities? If not, how many tenderers have declined, and for what quantities of coal?

(b) What steps do Government propose to take regarding collieries which would not agree to supply the accepted quantities against the tenders for 1942-43?

The Honourable Sir Andrew Clow: (a) The reply to the first part is in the affirmative and the second part does not arise.

(b) Does not arise.

ENCOURAGEMENT TO COLLIERIES FOR MAXIMUM RAISINGS OF COAL.

52. **Mr. K. C. Neogy:** (a) Will the Honourable the Railway Member please state if Government have considered the desirability, under the existing war conditions, of encouraging all classes of collieries to effect raisings to their maximum capacity?

(b) Have Government considered the desirability of adopting a policy to spread loco. contracts over a large number of collieries instead of allotting heavy quantities to collieries quoting slightly lower rates, and to grant economic rates to collieries having due regard to the quality of their coal?

The Honourable Sir Andrew Clow: (a) This question should be addressed to the Honourable the Commerce Member.

(b) Railway contracts are spread over as large a number of collieries as is practicable and economic.

SUPPLY OF WAGONS AT COLLIERIES.

53. **Mr. K. C. Neogy:** (a) Is the Honourable the Railway Member aware that the bases fixed for supply of wagons at collieries are calculated on inaccurate figures?

(b) If so, what steps do Government propose to take to rectify the errors?

The Honourable Sir Andrew Clow: (a) and (b). I have heard this opinion expressed from more than one source but have no particulars. If the Honourable Member has information that inaccurate figures of stocks or of raisings are being furnished, and will supply such information to the Railway Board, the attention of the Coal Wagon Supply Committee will be drawn to the matter.

SYSTEM FOR PROMOTIONS ON NORTH WESTERN RAILWAY.

54. **Mr. Lalchand Navalrai:** (a) Will the Honourable the Railway Member please state what is the system of making promotions on the North Western Railway? Is it based on seniority or recommendation rolls?

(b) Is the system of recommendation rolls introduced by the General Manager or it is discretionary with various officers?

(c) In view of the likelihood of the diversity of methods, do Government propose to issue orders with regard to preparation of the recommendation rolls to observe uniformity on the whole system, which would *inter alia*, lay down that such recommendation should not be the absolute right of the officers but should be based on the reports from the immediate in-charge of the employee concerned?

The Honourable Sir Andrew Clow: (a) In posts which are not selection posts, the senior men are promoted if not declared unsuitable. The recommendation rolls merely state the men who are considered fit for promotion, the senior men not included in the rolls being thereby declared unsuitable for promotion.

(b) It is understood the orders were issued by the General Manager and are of long standing.

(c) Government have no reason to believe that the present practice is unfair and can, therefore, see no reason to issue any orders on the subject.

MOTIONS FOR ADJOURNMENT.

ALLEGED MISCONDUCT OF SOLDIERS AT HUJUR PAGA NEAR POONA.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Govind V. Deshmukh has given notice "that the business of the Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, necessity of taking immediate steps to put a stop to the misconduct of soldiers as evidenced by the damage to shops and molestation of women as near Hujur Paga at Poona, the attack on restaurant and shops resulting in heavy damage to these and injuries to Watchman and Tonga Driver, Poona Cantonment, of such a grave nature as to necessitate the adoption by the Bombay Corporation of a Resolution referring to the nervousness and panic caused in the public of Bombay and praying for early steps to remove these".

Has the Honourable Member any idea as to when the incident took place?

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): I have verified from the papers in the Library. This incident seems to have taken place on 28th February. I got the news from the Vernacular paper *Kesari* at Poona, edited by a responsible gentleman. The first part of the news is referred to as molestation of women near Hujur Paga at Poona.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not read the whole extract from the newspaper. I simply wanted to know when the incident took place, so that I can decide whether it is an urgent matter.

Have Government got to say anything on this?

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, my point is that the dates on which these alleged incidents are said to have occurred have not been given, and it is very difficult for Government to know exactly to what particular incidents the Honourable Member refers. And the incidents are said to have taken place at Poona while a Resolution has been passed by the Bombay Corporation; but the date on which the Bombay Corporation passed the Resolution has not been given. So the matter does not appear to be definite.

Mr. President (The Honourable Sir Abdur Rahim): I understand it is reported in the *Bombay Chronicle* of the 7th March.

Mr. Govind V. Deshmukh: This matter has been referred to in almost all the newspapers, e.g., the *Bombay Chronicle*, *Harijan*, and all the vernacular papers.

Sir Gurunath Bewoor: That was my first point. Steps have been taken about this matter which is one for the local police and for law and order. But the main point I wish to make is the want of definiteness about it.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Deshmukh seems to make out that it is a case of military discipline. I think the motion is in order. Apparently, according to this motion, the alleged misconduct of soldiers has been taking place for some time until it culminated in a Resolution being passed by the Bombay Corporation which is reported in the *Bombay Chronicle* of the 7th March. If the allegation is at all well-founded that indicates want of discipline among the soldiers. Is there any other objection to the motion being moved?

Sir Gurunath Bewoor: I object to the motion being moved.

Mr. President (The Honourable Sir Abdur Rahim): As objection has been taken, will those Honourable Members who are in favour of leave being granted rise in their seats?

(A count was taken.)

As less than 25 Honourable Members are in favour of leave being granted, leave is refused.

SHORTAGE OF WHEAT AND WHEAT FLOUR IN DELHI.

Mr. President (The Honourable Sir Abdur Rahim): The next motion stands in the name of Mr. Nauman who wants to discuss a definite matter of urgent public importance, namely, the failure of the Government of India to make necessary and adequate arrangements of supply of wheat and wheat flour in the Capital City of Delhi which is causing a serious situation. Is there any objection to this motion being moved?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up at 4 o'clock today.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

"I am directed to inform you that the Council of State, at its meeting held on the 10th March, 1942, agreed without any amendment to the following Bills, which were passed by the Legislative Assembly at its meetings held on the 18th and the 24th February and the 5th March, 1942, namely:

1. A Bill further to amend the Indian Penal Code;
2. A Bill further to amend the Cotton Ginning and Pressing Factories Act, 1925;
3. A Bill to provide for the extension of the time limited by or under the Indian Patents and Designs Act, 1911, for the doing of acts there-under; and
4. A Bill to extend the date up to which certain duties characterised as protective in the First Schedule to the Indian Tariff Act, 1934, shall have effect."

ELECTION OF MEMBERS ON THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMERCE.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

The motion was adopted.

ELECTION OF MEMBERS ON THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMUNICATIONS.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I beg to move:

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

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

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

The motion was adopted.

ELECTION OF MEMBERS ON THE STANDING COMMITTEE FOR ROADS.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, six members to serve on the Standing Committee for Roads which will be constituted to advise the Governor General in Council in the administration of the Central Road Fund during the financial year 1942-43."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, six members to serve on the Standing Committee for Roads which will be constituted to advise the Governor General in Council in the administration of the Central Road Fund during the financial year 1942-43."

The motion was adopted.

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, eleven members to serve on the Standing Finance Committee for Railways for the year commencing 1st April, 1942."

(972)

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RYS.

973

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

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, eleven members to serve on the Standing Finance Committee for Railways for the year commencing 1st April, 1942."

The motion was adopted.

ELECTION OF THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, six non-official members to serve on the Central Advisory Council for Railways for the year commencing 1st April, 1942."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, six non-official members to serve on the Central Advisory Council for Railways for the year commencing 1st April, 1942."

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, every member of the Railway Finance Committee being an *ex-officio* member of this Advisory Council, if some one stands for the former and is not elected he will have no chance of being a member of the latter also by this method.

The Honourable Sir Andrew Clow: I take it there is nothing to prevent one member from standing for both if he chooses.

Dr. Sir Ziauddin Ahmad: The election for the latter may take place after the result of the former has been declared.

Sir F. E. James (Madras: European): Sir, may I make one point? This question has arisen before, but my point is that the nominations may be fixed on separate days. That is to say, nominations for the Finance Committee may be fixed on one day and those for the Advisory Council may be fixed for a subsequent day after the result of the first is declared. In that way the difficulty advanced by my Honourable friend would be avoided.

Mr. President (The Honourable Sir Abdur Rahim): I understand that is being done. That will be seen when I announce the dates.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, this is an elected Committee. I find from the proceedings of this Advisory Council as well as those of the Standing Railway Finance Committee that important matters are discussed there. But we are quite in the dark as to the nature of the discussions and also as to whether all the members agreed to the proposals or whether any objection was raised by any one. If proceedings similar to that of the Public Accounts Committee and Military Accounts Committee be drawn up, I think this will help those who are not on the Central Advisory Council for Railways. I hope that Government will consider this suggestion and will see their way to adopt it if there is no harm done to their policy.

The Honourable Sir Andrew Clow: I think if my Honourable friend will study the proceedings of this Council he will find that where important points are put by members they are very often mentioned in the summary of the discussion. I feel sure that he would not advocate that we should put down, as we do in this House, *verbatim* every thought or suggestion that proceeds from a member. The great advantage of a committee is that one can talk with a certain amount of liberty across the table without making formal speeches and without the fear that every idle phrase will be reproduced in print. Another advantage of having only a brief summary is that we have on occasions in this Council to discuss matters that are confidential. For example, at the last meeting we discussed certain matters involving military assistance and we also discussed certain negotiations relating to the Bengal North Western Railway which could not suitably be disclosed in their entirety. I think the present system by which we do occasionally give a short indication of the trend of the discussion is sufficient and that with a large committee of this kind with representatives of all sections of the House, the House ought to feel confidence in those whom they have elected that they will put forward the views of themselves and their parties with freedom and with skill.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I think I can speak as one of the oldest members of this Committee. I want to...

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have thought of this before. If he wants to put any question, he can certainly do so.

Lieut.-Colonel Sir Henry Gidney: Sir, I am fed up with questions, so I will ask no more today. I was going to say that. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has perhaps lost his turn.

Lieut.-Colonel Sir Henry Gidney: I thought one could talk after the Honourable Member had spoken.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has lost his turn as the Mover has already replied.

Maulvi Muhammad Abdul Ghani: Sir, may I know from the Honourable Member in charge whether any member's suggestion is put down without his asking or only when he insists to have his views recorded?

The Honourable Sir Andrew Clow: No, I have never heard of any member insisting that his views should appear in print. As I have said, only leading points raised during the course of discussion are put down in print.

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

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, six non-official members to serve on the Central Advisory Council for Railways for the year commencing 1st April, 1942."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of members for the Standing Committee for the Department of Commerce, Standing Committee for the Department of Communications, Standing Committee for Roads, Standing Finance Committee for Railways and the Central Advisory Council for Railways, the following dates have been fixed for receiving nominations and for holding elections, if necessary, namely:

	Date for Nominations.	Date for election.
(1) Standing Committee for the Department of Commerce.	13th March, 1942.	17th March, 1942.
(2) Standing Committee for the Department of Communications.	13th March, 1942.	18th March, 1942.
(3) Standing Committee for Roads	13th March, 1942.	18th March, 1942.
(4) Standing Finance Committee for Railways	13th March, 1942.	17th March, 1942.
(5) Central Advisory Council for Railways	18th March, 1942.	20th March, 1942.

I hope that will suit the convenience of Honourable Members.

The nominations for all the four Committees and the Council will be received in the Notice Office upto 12 Noon on the dates mentioned above for the purpose. The elections which will be conducted in accordance with the principle of proportional representation by means of the single transferable vote will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M.

THE WEEKLY HOLIDAYS BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. H. C. Prior (Labour Secretary): Sir, I present the Report of the Select Committee on the Bill to provide for the grant of weekly holidays to persons employed in shops, commercial establishments, restaurants and theatres.

THE INDIAN FINANCE BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary the rate of the excise duty on motor spirit leviable under the Motor Spirit (Duties) Act, 1917, to vary the rate of the excise duty on kerosene leviable under section 5 of the Indian Finance Act, 1922, to vary the rate of the excise duty on silver leviable under the Silver (Excise Duty) Act, 1930, to levy customs duties in addition to the duties of customs leviable under the Indian Tariff Act, 1934, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax and super-tax and to continue the charge and levy of excess profits tax and fix the rate at which excess profits tax shall be charged, be taken into consideration."

[Sir Jeremy Raisman.]

Sir, I have only one observation to make at this stage. I would like to appeal to the House to bear in mind the circumstances with which we are at present faced. The enemies are at the gate of India and many Members on these Benches have the most urgent tasks of the highest importance to perform in these days. I would, therefore, appeal to the good sense of the Members of this House to assist in the despatch of this business as much as possible. The Government have no desire whatever to restrict or curtail the expression of the opinion of Members of this House on matters of general public importance, but I do appeal to Members to realize that there are many urgent and vital tasks to be performed by the executive officers of Government and I trust that they will assist the Government to enable this business to be disposed of with as much despatch as may be possible.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary the rate of the excise duty on motor spirit leviable under the Motor Spirit (Duties) Act, 1917, to vary the rate of the excise duty on kerosene leviable under section 5 of the Indian Finance Act, 1922, to vary the rate of the excise duty on silver leviable under the Silver (Excise Duty) Act, 1930, to levy customs duties in addition to the duties of customs leviable under the Indian Tariff Act, 1934, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax and super-tax and to continue the charge and levy of excess profits tax and fix the rate at which excess profits tax shall be charged, be taken into consideration."

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, before you place the Finance Bill before the House, I desire to make a statement through you to the Government. This Bill is taken advantage of by everybody to express their view points on many and varied subjects and this takes much time. But I agree entirely with the Finance Member when he appeals to the House under the urgent circumstances of the War to shorten our speeches as much as possible. But, Sir, I want to make an appeal to you, and through you to the Government considering the multifarious subjects which we discuss. May I ask the Government to have one of its members representing the Department under discussion or his Deputy present in the House to hear what we have to say? Otherwise, our remarks and suggestions are of no value at all, except on financial matters and which the Finance Member who is always here to note. I beg of the Government to have some one representing the Department that is being discussed.

Mr. President (The Honourable Sir Abdur Rahim): I understand Government have been making some arrangements of that kind.

Lieut.-Colonel Sir Henry Gidney: Sir, what do we usually witness on these occasions—the Finance Member very bored with what we are saying, sitting in his seat with his Deputy; while the other benches are empty. This has been my experience for many past years. I make this appeal and I hope it will not be in vain.

Mr. President (The Honourable Sir Abdur Rahim): So far as I remember, Government do take care that some Government Member representing each Department is present to take note of the proceedings. I suppose that will be done on this occasion also. It does not necessarily mean that the Honourable Member in charge need be present.

The Honourable Sir Andrew Clow (Member for Railways and Communications): I think the practice has been to ensure that some Member on these benches takes notes of points, so that if possible a reply could be given. It does not necessarily imply that there will be representatives of all Departments: some Departments are not represented here.

Mr. President (The Honourable Sir Abdur Rahim): If notes are taken, I suppose that means

Lieut.-Colonel Sir Henry Gidney: I do not want to stress the matter. I am quite satisfied, provided notes are taken and those notes are transferred without delay to the Departments concerned and we are informed of the action taken; otherwise we are all talking in a vacuum.

Mr. President (The Honourable Sir Abdur Rahim): I suppose that is done.

The Honourable Mr. M. S. Aney (Leader of the House): I think notes are always taken and they are communicated to the Department concerned.

Lieut.-Colonel Sir Henry Gidney: I am sorry, but I feel—in fact I am sure that many of the things we say on the Finance Bill are not taken notice of at all.

Mr. Lalchand Navai (Sind: Non-Muhammadan Rural): Sir, I feel glad that I have got an opportunity to initiate the debate on this Finance Bill. I have heard the advice of the Honourable the Finance Member . .

The Honourable Sir Jeremy Raisman: Appeal, not advice.

Mr. Lalchand Navai: I will take it as an advice. Anyway I will be benefited by that appeal or advice and shorten my speech and give only specific points for consideration. Now, we are at a stage of the budget where the Honourable the Finance Member has been asking for supplies to be given for the Defence of India and its administration, and this he wants in order to balance his budget. I do not agree with him that he really requires the balance to be budgeted in the manner in which he has put forward. He asks for Rs. 12 crores by means of taxes. At this time, such a demand for taxes is adding to the country's miseries. He has admitted that the enemies are at the gate. I am of opinion that at this time the country considers the discussion of this Finance Bill to be a secondary subject; and they feel that at this time the Finance Member should not have come forward with additional burdens. What is the country concerned with at present is, not the question of supplies, though of course they say there should be no further burden, but questions with regard to their life and security of their property. Therefore, I say that this Finance Bill plays but a secondary part, though it is important. In considering the question of safety and

[Mr. Lalchand Navalrai.]

security, of the country, it behoves the Government to make it very clear as to what measures have actually been taken and what measures they want to take in order to achieve this object. I consider this to be the most important thing at this moment. The first question which occurs to me is what military preparations have been made at the ports and against air raids. The war in Malaya, Singapore and Java has made it clear that those places fell for two reasons

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, my Honourable friend is raising most important points on the question of defence, and there is not a single Member of Government in the Defence Department present.

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, I am present here in the House.

The Honourable Mr. M. S. Aney: I want to assure the Honourable Member and the House that even if the Member in a particular Department be not present, there is somebody to take note of the points that are made.

Mr. Lalchand Navalrai: My voice will reach him there, no doubt; but what I want is that he should be nearer to move for immediate help. I was saying there were two causes for the failure. One was unpreparedness, and the efforts were made too late; and the other was want of equipment. Men, both Indians and British, were there, though the Indians were more, but they had not full equipment. The result was disastrous and we know it full well. Now that the Japanese have more or less control of the Bay of Bengal, the Indian Ocean and the Pacific, their attention will now be drawn towards India. I am not in the know of things; it may be that Japan is now at the very door of Calcutta or Chittagong; but I am submitting that the same mistakes which were committed in Singapore and Malaya and Java should not be repeated here in India. God forbid it. Therefore, I have to give a warning to the Government that these allegations of which they are accused—and there are reasonable grounds for believing that the allegations against them are true.—I ask the Government to come forward and tell us frankly what arrangements they have made instead of keeping the people of this country entirely in the dark.

Sir, the other day I put some questions in this House, and what replies did I get? The replies were to the effect that we should be satisfied with the arrangements they have made, and that the Government of India have got adequate means to meet any attacks on India. Sir, we are not satisfied with such bald replies. We might get the same blows which Burma and Rangoon have got. Therefore, since we are not at all satisfied with such hollow replies, we would like to know the exact arrangements they have made. I asked the Defence Secretary the other day by means of a question as to what arrangements the Government had made at the ports. Sir, we have learnt,—and I think the fact is not denied by the Government,—that Japanese submarines are now in the Indian waters, some of them have got entry into the ports of India, perhaps some of them may be lurking in the Bay of Bengal and we heard the other day that some of them caused some loss to ships. It may be that they have gone further off to the Arabian Sea, to the Indian

Ocean; it may be at any moment they might start doing greater mischief to ships in the Indian Ocean. Therefore, we consider that the reply given by the Defence Secretary is very unsatisfactory. How can we be satisfied with such a reply—that the Government have made adequate arrangements? Not only that, Sir, but the Government of India throw the responsibility of the Central Government on the shoulders of the Provincial Governments.

Even in regard to that when I specifically asked what arrangements had been made in Karachi and Bombay, the reply of the Defence Secretary was the same. We all know the financial position of the Provincial Governments. I have been thinking that the Provincial Governments are also in the stage of thinking. They are thinking and thinking and doing nothing. If that is the case, then I think woe be to the Government. We have now reached a stage when we can frankly say that the British Government has failed in India. It has failed us till now, but at the present critical stage in the history of this country, they have failed us entirely. It means ruin for India and ruin for them too. Therefore, Sir, I submit that the Government of India should take the people into their confidence with regard to any arrangements they might make for the defence of the country so that we may be satisfied that the arrangements made by the Government are really adequate in regard to aeroplanes, anti-air guns and so on. At present we are very doubtful about it.

Then, Sir, military arrangements should receive the prior consideration of the Government, and all possible steps should forthwith be taken to defend the country. Government should not say that they are considering what measures they should take and when the emergency arises they will adopt suitable measures. That sort of reply will not satisfy us at all.

Then the next point is with reference to civil defence arrangements. When I asked some questions about this, the reply was that the Provincial Governments will take care of civil defence arrangements. On that point, we must take a lesson from Burma. We have read all about the happenings in Burma after it was bombed, and things there have gone so far that the editor or correspondent of a paper who had gone there describes the condition there as really woeiful. He says that as soon as he went there, a large part of Rangoon was under fire. Houses had been burnt and looting was going on, and all sorts of atrocities were being committed—by whom—by the hooligans and the unlawful elements. Now, what arrangements have you made against preventing a repetition of such things here? Should we be satisfied, when such things actually happen here, with the Mayor or Premier or the Law Member of a Provincial Government coming forward and saying: 'I am going to do such and such thing for you'. That would indeed be an impossible position. I put a question the other day—this is what I asked—

"Is it a fact that the Government of Madras has issued a communiqué to the press; if so, what facilities have Government provided for the evacuees such as free transport facilities, monetary assistance where necessary, and the safeguarding of property as well as the education of their children; if not, why not? Is there any such danger as mentioned in part (a) for Bombay and Karachi ports, if so, what steps are Government going to take, and what facilities are Government providing for people of these ports?"

[Mr. Lalchand Navalrai.]

Now, what was the reply of Government? I will read only a portion of it. 'Yes, but not of the same degree or immediacy'. It is left to the Governments to decide when and what publicity should be given as regards those who have no duties to perform leaving the ports of Bombay and Karachi and as to any measures those Governments may propose to take in the matter. Are the Members of the Central Government merely to sit here with folded hands drawing their fat salaries, travelling in special saloons, living in furnished palatial houses at such a time like this? Do they think that nothing should be done by them and everything should be left to the Provincial Governments. They fully know that some of the Provincial Governments are running with a deficit budget and some of them on subsidies

The Honourable Sir Jeremy Raisman: What about the deficit of the Central Government?

Mr. Lalchand Navalrai: Yes, but what I say is that the allocation you have made with regard to this money is not correct. You should borrow at this time to fill up the deficit. Don't pay the Americans at present with regard to their Lease-Lend supplies. Wait for a time. Where is the hurry to pay them?

The Honourable Sir Jeremy Raisman: I am not paying them at present.

Mr. Lalchand Navalrai: Yes, you are taking it in accounts, otherwise that money should remain separate; that money should be used for balancing the budget and for taking other measures for saving India. You are adjusting it in accounts and then showing it on paper that 47 crores represents the deficit, and that the people of this country, who are already burdened with taxation, should give you another 12 crores.

Now, as I was saying the Government of India are throwing the entire responsibility on the shoulders of the Provincial Governments, and I do not think the House will be satisfied with such an arrangement.

Then, the next point I should like to touch is with regard to the production drive for speeding up the production and supplies of foodstuffs like fodder, wheat and other staple foods, manufactured goods and so on. What is the condition with regard to these? Are we bankrupt in this respect also? Have the Government made any attempts to lay by sufficient grain and foodstuffs for the purposes of this country? They have not. The very fact that in the capital city of this country, Delhi, you cannot get wheat, you cannot get flour, even the servants of hotels and others come to us and tell us that they cannot get wheat at all—that very fact is enough to prove that you have not exercised your responsibility properly. I submit that the Government have failed all through and in all directions with regard both to the safety and the very living conditions of the people of this country. Let me say why this paucity in wheat and other commodities has happened. In the first place, I blame the Government for not having had control over food grains and others from the very beginning. They left the field free and for what purpose? I can see now from the budget speech of my Honourable friend that he wanted to increase the purchasing power of the people so that he could get more income-tax. That was one device to get more taxes. That was a wrong policy. The control should have been exercised from the

very beginning, in which case the poor people would not have suffered and they would not have come crying now. Even at this moment, what is the help you are giving? With all the professions that you are making, with all the control that you are going to have, it is too late, and everything in this connection is dilatory. I will refer to one more reason for the paucity of wheat. I am told and I have read in the papers also that much of the wheat has been exported with the intention of helping other countries. I am told, for instance, that much of the wheat had been exported to Iran. No doubt, the British people have gone to Iran, but why should they not get help from other countries? Why from India, I ask? India itself wanted help. You take away all the military people of India in thousands and thousands outside to help other countries, to help the imperial and even foreign countries in some places. Why should that be done, and why should foodgrains of this country be exported to Iran and other places? I was very sorry the other day to read the speech of Mr. Alexander with respect to their intention and the care that they are taking of their own country during this war time. I put a question in this House on this. What he said was that the British Government should take care of the centre, that is, of the countries where the British people or the British Government were being assailed—in the Middle East or on Russia's side—that the British Government should take care of the centre and leave the question of Japan to a later date when they will be in a position to kick Japan out. Are they able to do it now? Therefore, the policy of the Government is bad. The policy of the Government seems to be, do not care for India, do not care for any other country, care for Britain, their Isle. That is an absolutely wrong policy. We have been left with nothing in our hands to defend our country. From the beginning they have taken upon themselves to do that. They have always been saying, you are minors, we are your guardians, we will take care of you. But they are taking care of us really for the purpose of exploitation and nothing more.

Then I come to the question of transport facilities for Indians abroad, from areas occupied by the enemy and from war zones,—transport without racial discrimination. What arrangements have they made? No arrangements to bring Indians from Malaya, from the Philippines, from Australia, from Java and from Sumatra. They have made no arrangements for that. They have done us a great harm there also. Therefore, at this moment whatever arrangements can possibly be made to transport these people over to India should be made without any reserve and as early as possible, and not to leave it to a time when they cannot possibly be brought from over there. In this connection, let me quote one instance that has been given in the press. I know it more or less personally—that what happened was really what was reported in the press. I said, transport without racial discrimination ought to be made. After all, the Indians have helped the British more than their own people. The British have been at the top of their voice applauding us for that. They are giving us lip sympathy, they are expressing their admiration, but they do nothing more. They are not even at this moment desisting from racial discrimination. One Junabai

The Honourable Mr. M. S. Aney: Not Junabai, but Jummabhoy.

Mr. Lalchand Navalrai: I know you are wide awake, and I want that you will make other Members on the Treasury Benches also wide awake.

[Mr. Lalchand Navalrai.]

to do what you want to do. You do want to do many things, but perhaps there are many restrictions and obstructions in your way to achieve your object. But be strong. And we expect you to be strong. Having gone from our Party, be nationalist, be a strong nationalist. Tell them to their face that they have failed and that you will not allow them to fail hereafter.

An Honourable Member: Otherwise resign.

Mr. Lalchand Navalrai: That, of course, I would not say anything about. He has more wisdom than I have. Let me proceed further, otherwise the Finance Member will blame me for taking the time of the House unnecessarily. What Mr. Jumnabhai says is this. When there was the question of evacuation from Singapore, the result was that the British Government were not able to do anything. The British Government first tried to send away their own British people in ships. Then the question arose with regard to Indians and the reply given to them was that there were no ships available for them at all. Then what happened? These Indians were in a fix. They were in extreme difficulties and undergoing great inconveniences. So, they wanted to leave the place, even by swimming if they could possibly do it. As this gentleman puts it, one rickety ship was supplied to them which was not even seaworthy. Good many people flocked into it and they started from Singapore for Java. They thought that in Java they would get some help. After all, the British people were also fighting there and so they expected some help there. But let us see what happened to them there? After a short voyage the ship began to leak and their lives were in danger. Anyway, somehow they reached Java. But they were not allowed to disembark there. As this gentleman has put it, it was really a matter of shame. He is an eye-witness and he has suffered and there is no reason to believe that he was telling a lie. At Java, they would not give them any food and they were actually starving. When they found themselves in that precarious condition, they made an appeal to the authorities of that place. So, a ship was given to them and with great inconvenience they reached Ceylon. Of course, Java and Singapore are far away from India but Ceylon is, if I may so put it, just like a kith and kin of India. Now, what happened to them there? Here also they were not supplied with food and were not given other facilities. Is it not shameful? Ceylon is asking that we should give her help, but when they treat our nationals in this way, can we have any sympathy for them? They have already harmed us by saying that Indians should not go to their country and should not hold any posts there. They are not giving the Indians there the rights and privileges of a citizen. This is the behaviour of these people towards Indians.

Now, I come to the next question regarding the transport facilities and accommodation for evacuees from different parts of India which are apprehended to be attacked by the enemy. As you know, Sir, this matter is left to the Provincial Governments, but the point is whether the Provincial Governments have done anything so far for the evacuation of persons for various ports, such as, Calcutta, Bombay and even Karachi. What arrangements have been made in those places for their evacuation? They said they would be able to go themselves. But how will they do it and where will they go? Their families and their property are there.

How can they leave those places willingly unless it is absolutely essential that they should do so? If they leave those places, there is panic and this panic is caused by Government itself. So, I say the enemy is at the door and you must make some proper arrangements. But you say make your private arrangements? Is that fair? Is it not shameful? Then, I say that these Provincial Governments have made no arrangements whatever for the evacuation of the people. Take, for instance, the Sind Government. They say that they are making arrangements for these people at Thatta. But they have done nothing up to this time. Everything is in the making. So, I say this is another point which should be considered.

Then, with regard to the increased transport facilities within India. At the time of war and at the time of danger there ought to be free movement in the country and the people should be able to move freely from place to place. For instance, if there is a danger at Karachi and they want to go to the Upper Sind, how will they go? Have you got sufficient facilities for that? In the like manner, have you got sufficient arrangements for moving them to other parts of India. I know that some people would like to go to Hardwar and Dehra Dun. Have you got arrangements for carrying them to those places? They would like to go to such places where they may not be bombed from the air. Therefore, this is a separate point that I have mentioned with regard to the free transport in various parts of India.

Now, let us compare the transport facilities that we had before with the transport facilities that exist today. Formerly, we used to have canal system and also the river transport system and we used to go from one place to another by means of boats and ferries. Government is, of course, making India scientific in the matter of transports but they are shortsighted in the matter of having hampered with internal navigation. They have thereby done a great harm to the country for the time of a crisis like the one we are having now. They had put up regulators and they had put up many bunds and obstructions in the rivers and canals with the result that the navigation has come to a standstill. Now, we have lost all those means of transport. Then, came these scientific railways. They have not got enough of these railways at this time. The other day I was sitting as a member of the Railway Advisory Committee at Karachi and there the question arose with regard to overcrowding and also with regard to the shortage of trains. On account of the shortage of trains, sometimes, there is so much overcrowding that people are compelled to pull the alarm chains. Now, what was the reply given? The General Manager was very frank and I liked him for his frankness. He said that they were helpless and they could not meet the present demand. They had no sufficient locomotives, no sufficient wagons and no carriages. They had removed some tracks even, he said. Thus no one would be surprised if in course of time even the track by which we go to Delhi from Karachi were taken away. So, where are we now? Even in the primitive days we were very much better off. So, I submit that in this matter Government is to blame and they cannot but admit it. The reason of their helplessness is that they have sent out their locomotives or most of the workable locomotives. They leave lame things which will cause accidents, they leave disabled things which will take us half a day to reach our destination for a journey which should not occupy more than an hour.

Mr. President (The Honourable Sir Abdur Rahim): There are many other Honourable Members who wish to take part in the discussion. I hope the Honourable Member will be brief.

Mr. Lalchand Navalrai: I shall conclude soon, Sir. With regard to that also arrangement should be made. But I am very doubtful how to do it. We shall have to take to bullock carts travel these days. They are also good. When I was a child, my grandfather took me to Hardwar from Sind, part of the way in bullock cart. From Multan we took a steamer. My point is that even these bullock arrangements are not being made. The bullock carts have lost their custom because of the introduction of lorries and railways. With regard to these difficulties, it looks as if we are crying over spilt milk. Unless milk is shown, how can we drink. They should not wait for a long time to make these arrangements.

A word, Sir, with regard to the proposed American Mission. When the industries were crying for expansion and when this House also passed Resolutions for industrial expansion, nothing was done. Now, it is said that an American Mission is coming over to India with regard to developing or helping the industry. I should sound a note of warning here. It should be made clear that nothing would be done by this Mission which would in any way retard or prejudice the growth of Indian industries in the post-war period. This should be taken note of and things arranged accordingly.

Now, I come to the Budget and I will not take long. With regard to income-tax, my humble submission is with regard to assessment of income-tax from persons who have suffered heavily owing to war. Either it should be remitted or it should be postponed or suspended or time should be given to the assessee to render accounts after the war is over. All businessmen suffered heavily in Burma and Malaya and Far East. All these places are now closed to business now. Their agents and employees are scattered all over the Far East, some of them have been killed in the war, some have fallen prisoners in the war. The proprietors in India could not complete their accounts and submit income-tax returns for want of full particulars. Therefore, the production of accounts would be impracticable at present.

Now, I come to the proposed income-tax on the poor whose income is between Rs. 1,000 and Rs. 2,000. At one time, income-tax was levied on incomes between Rs. 1,000 and Rs. 2,000; but the Legislature objected to this being done. How much will the Honourable Member earn by this? He will only earn curses. Again with regard to the submission of income-tax returns, I submit, the forms are very complicated; especially when the Honourable the Finance Member is going to lower the limit of taxation, these returns will be very difficult. The Income-tax Department at present shows great distrust. Circulars should be issued at once that there should be no distrust when these returns are submitted. From my experience I can say that the Income-tax authorities, in every case, say that the returns are wrong and they call for books. That is another inconvenience. I hope the Honourable Member, Mr. Sheehy, will take note of this and remedy the grievances. There are real inconveniences in making returns because they are complicated. In every case

the returns are being rejected and account books are sent for. Again, even if the account books are prepared by competent auditors, they are also rejected. There is too much interference with Assistant Commissioners of Income-tax. They are simply given orders by the Authorities. They are actually being told that the Income-tax Department requires so much of revenue and it is up to the Assistant Commissioners to collect the required amount. Then, there is also interference with regard to appellate jurisdiction. It was intended that there should be no interference by way of instructions given to the Appellate Assistant Commissioners. What is done in practice? Let the Honourable the Finance Member, let Mr. Sheehy who is very sympathetic find out if I am correct or not. I submit there is too much interference with Appellate Assistant Commissioners also. There should be no interference with Tribunal also.

Now, a word with regard to telephone arrangement. I see the Director General looking at me at this moment because I am referring to the telephones. Perhaps he was in a reverie till now, and now he looks at me. I submit trunk telephone sections are absolutely necessary because they are of great help. Wherever there are no telephone connections, such connections should be established. I am referring to the connection in Sind, on the right side of the river. There is no telephone connection between Kotri and Ruk. To my questions, the reply has always been that the line will not be remunerative. Have you tried it? You have tried in several places and they have all become remunerative. Here also you had better try and then say whether it is remunerative or not.

A word about the second grade staff in the Postal Department. With regard to the revision of the scales of pay, the policy of the Government seems to be that the scales of pay should be on a par with what other Government servants get in those provinces or localities. With regard to Sind, the Provincial Government is not able to give proper pay to their servants because there is a deficit budget. What about Baluchistan? The Provincial Government gives to the second grade staff there Rs. 55—5—75—75—7—110. The Postal Department gives to their second grade staff there Rs. 45—90. They have made several representations and I hope the Postal Department will give some attention to these representations.

Now, I shall summarise in a few words what I have been saying till now. I have made it clear to the House that the Government must make some arrangements for our safety and for security of our life and property. There ought to be some internal arrangement otherwise during this war or after this war, we will be in a precarious condition. After all they say that any private arrangements that might be made should be either under the supervision or with the concurrence or rather under the command of the Government. I also spoke about transport and about internal arrangements for transport. With regard to income-tax I said that at this time the assessment should not be raised any more but Government should be satisfied with adjusting their accounts in some way. I also said that conveniences in the matter of demand of income-tax should be given to foreign merchants and the general people. And if the level of income-tax be brought down below Rs. 2,000 the middle class people who will be affected should be given more facilities.

Sir Vithal Narayan Chandavarkar (Bombay Millowners' Association: Indian Commerce): Sir, I thank you for giving me an early opportunity to take part in the discussion on the Finance Bill. I do so with a great deal of hesitation and a considerable amount of difficulty because this is the first time I am speaking on the finances of the Government of India. Moreover, in this seat I have succeeded a gentleman who occupied the position for over 12 years with conspicuous success and always made brilliant contributions to the discussions in this House. I cannot claim either his experience or his knowledge or the gift of entertaining his audience with after dinner stories.

Sir, as I was listening to the Honourable the Finance Member's speech I recollected an occasion,—I do not know whether he recollects it,—in 1922 in Bombay, a small dinner party where both he,—then Mr. Raisman, an ordinary Assistant Collector of Customs, and I were present. At that time, some important financial question was agitating the public mind and during the dinner Mr. Raisman came out with a brilliant discourse on exchange policy, index figures, price levels, inflation and deflation, to which we all listened with rapt attention. On my way home, I said to my brother who was the host that Mr. Raisman was a misfit in the Customs Department and with his knowledge of finance he should really be in the Finance Department and have a share in controlling the finances of the country. I also said that I was glad that even in the year 1922 we were getting members of the Indian Civil Service who, as in the old days, in addition to being administrators always continued to be students.

Sir, this is a most critical time in the history of the country and we have to be careful when we speak either in this House or in private and in public. I am most anxious, and I am sure a large section of my countrymen are equally anxious, that we should not say anything in criticising Government which might be misunderstood by our enemies and create an impression that we are not behind our Government and England in this war. But this is an obligation which most of my countrymen and I are prepared to impose upon ourselves. But there is all the same a greater obligation which Englishmen, whether official or otherwise, ought to impose upon themselves; because every word that an Englishman utters, whether on the floor of this House or outside, speaking before the Chambers of Commerce or on public platforms or in private conversation, is apt to be misunderstood in the present atmosphere which is very tense.

I am sorry the Honourable the Home Member is not here, but I recall to my mind a recent speech he made on the floor of this House which has caused a great deal of pain to the people outside the House. And I say 'pain' because the Honourable Member and I belong to the same district in the Bombay Presidency, I by family connection, and he, by connection of service; and every villager in that district, even now, speaks of Maxwell of Kanara with admiration and with gratitude. Only the other day after that speech was delivered, a resident of that District came to me and said, "What has happened to our Maxwell Sahib?" I stress this point of view, because we Indians are a very proud and sensitive race. We realise our helpless condition. Englishmen have often shown a spirit of racial arrogance; but when we are all in difficulties, they and we, they should be all the more careful when they speak in this country. This is an appeal I make to the English people. It is not a question of belonging to a ruling race, or of racial superiority, or of the White man's burden:

it is a question of every man's burden and of a fight for freedom, democracy and humanity. In these times of crisis my appeal to my English friends is this: be careful of what you say; drop all the tradition of racial arrogance, the theory of European domination and that you are the ruling race and were born to rule. Drop all such talk and feel like us, and that is the only way to secure the whole-hearted co-operation of the people of this country.

Sir, as I said, we have to be very careful. I am always asked what it is that we can do to help Government and help England in this war. I know we are helpless. I remember an occasion two or three years ago when a high dignitary of the Church said to me at a lunch,—I believe at that time Bombay was considered to be in greater danger on account of the Italian advance in the Middle East,—"I suppose all of you people will run away as soon as Italian bombers threaten Bombay". And I said to him, "What else can we do? What else have you taught us to do? And how can you blame us if we do run away? Throughout all these years, one and the most important activity of the Government of India which you have completely kept in your hands is the Military Department. Have you, during the last 70 or 80 years since the Queen's Proclamation, made any attempt to identify Indians with the defence of the country? You have relied upon an Army which we pay for. Every attempt made, from the days when the Congress was founded, for the association of the Indians with the defence of the country, has been treated with contempt. And if now when there is danger we feel inclined to run away, the whole responsibility is on the shoulders of those who had control of the military policy of Government".

But we can, in spite of all that has happened, do a great deal to sustain the public confidence in the conduct of this war, and that is by the moulding of public opinion. When I was speaking in Madras last year one of the members of the audience, evidently belonging to the Congress party, asked me, "What is the sanction behind your Political Party?" To that my reply was, "What is the sanction behind any party or any Government? The only sanction that can sustain in the long run is the sanction of public opinion". As I said, all that we can do now is to rally public opinion behind the Government. Therefore, it is not a question of Government asking for our co-operation; it is a question of people like us asking for the co-operation of Government and their officers in our efforts to rally or to steady public opinion and to make the public realise that we must be behind the Government in the conduct of this war.

Sir, people think that war can be won by armaments alone. But if you look at what happened in France, you will realise that the whole of France with a well-equipped military organisation, with a large army, navy and air force, etc., completely collapsed, because the people of France had no heart in the war. But what happened in England? England was not at all prepared for war. As far as land forces were concerned, they were relying upon France and the position became very critical after the epic withdrawal from Dunkirk. But public opinion was rallied by speeches of leaders like those of Mr. Churchill, who succeeded in bringing the whole country behind the Government and the war effort. It is not the first time in the history of England that such a thing has occurred; and I am sure people who have read history will recall similar occasions when the elder Pitt rallied England and Abraham Lincoln rallied America. I want such an atmosphere to be created in this country. Now, therefore, if I

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speak frankly in criticising the Government, I should not be misunderstood. I want the Government Benches to realize that we are here to make them understand what the public feels. There was never a time in the history of this country when the Government was so completely divorced from public opinion as at present. We have got our representatives in the Executive Council at the Centre, but in the provinces there is no Ministerial Government. The Governors are doing their best to carry on the administration with the help of official Advisers—not that I am in favour of non-official Advisers. Such an arrangement will not solve the problem. Public opinion, which alone can act as sanction behind the Government, is absolutely lacking in the provinces and it is in such atmosphere that rumours are easily spread and readily believed in by even educated people, and some times even by Government officers. The main cause why rumours are allowed to play such a havoc is due to the fact that Government are completely out of touch with public opinion, and if we speak frankly as I propose to speak here today, my object in criticising the Government is to tell them what we feel, so that, if possible, a bridge can be constructed between Government and the public, and Government can be made to appreciate what our difficulties are, and, if possible, to give effect to the proposals which we might make on the floor of this House.

Sir, I shall now come to the Budget. I think I should like to congratulate the Honourable the Finance Member on the policy of repatriation. I am not an expert economist nor am I an expert on monetary policy, but taking a long view of things and from the political point of view to the extent that he has freed us from the control of the financiers of the City of London, he has made it easy for us to secure self-Government. I was told that at the last Round Table Conference our representatives were informed by the London financiers that they wanted financial safeguards because they had large funds invested in India. To the extent our debts have been paid off, the case for financial safeguards will no longer obstruct the solution of the political problem. But I would like to ask the Honourable the Finance Member one question: Sterling balances are still accumulating and are bound to accumulate in London in the near future. How does he propose to deal with such future accumulation of sterling balances? To what advantage to India does he propose to utilize the sterling balances which may accumulate in London in future?

Then, Sir, a point has been raised about Lease and Lend arrangements. What the Honourable the Finance Member has said is, I believe, that not that we are making any cash payments actually to England but that we are debiting the various budget heads and an equivalent amount is taken to credit under a Suspense head. If I am wrong, the Finance Member will correct me, but the impression in the minds of several people in the public is that we are making actual cash payments, while England's liability to the United States has not yet been determined, and this impression has been strengthened by an announcement of a Senator in America that American Government are not going to insist on England making any payments in cash under the Lease and Lend arrangement. I would like to tell the Honourable the Finance Member that we want exactly the same treatment from England which England is going to get from America and, secondly, if this credit is not to be utilized for making any payments, it must be used, I submit, for remitting taxation and not for any other purpose. (Interruption.) What I said was that the Finance

Member is debiting the various budget heads for goods received from America and the equivalent amount is carried to a credit under the Suspense Account which will remain so till the final settlement is arrived at between England and America.

Sir Cowasji Jehangir: May I ask the Finance Member this one question: In the Suspense Account to which these amounts are being debited, the money is actually being used, I understand, for the purposes of India and not being banked as my Honourable friend seems to believe. They are being put into the Suspense Account which is a book entry. In all commercial and business institutions the amounts in the Suspense Account is used in the business. So the amount is being used for Government purposes. Am I correct?

The Honourable Sir Jeremy Raisman: Certainly.

Sir Vithal Narayan Chandavarkar: As we use funds for capital expenditure and not for revenue items of expenditure.

Now I come to the income-tax on low incomes. Here, I feel the Honourable the Finance Member might have left these people alone. I agree that he has coupled his proposals with what looks like an attractive scheme. It may have been attractive some days ago but in view of the present war situation, I doubt whether many people will take advantage of the Honourable the Finance Member's scheme. I suppose the idea behind this scheme was inspired by Keynes' proposal of national savings. As regards these middle classes we all know that, while their standard of living is much higher than that of the skilled workmen who are earning much higher wages than the middle class people their wages have not increased to the same extent as the wages of the skilled workmen have increased as a result of the war. The margin of saving in India especially among these people is very low indeed. If you want to encourage savings, it cannot, in my humble opinion, be dealt with in an isolated manner. Mr. Keynes' scheme before it was even attempted in England had to be preceded by several steps of a restrictive character. The whole economy of the country had to be placed on a rationed basis. All consumers' articles had to be rationed. This will be a very gigantic task for a country like India. Without therefore getting what he wants, I am afraid the Honourable the Finance Member's proposal is going to irritate a large section of the public who are not already very sympathetically inclined towards the Government and who are in the habit of blaming the Government for all their misfortunes. The result will be that bitterness will unnecessarily be created and increased. Any scheme of national savings before it can be given effect to must be preceded by a careful enquiry and placed on a scientific basis, and, therefore, I submit, that the proposal to tax lower incomes is likely to do more harm than good.

There is one suggestion in this connection which I would like to make. When the Income-tax Act was revised in 1939, the exemption limit in regard to Provident Fund, Contributions, Insurance premia, etc., was fixed at 1/6th of the income or Rs. 6,000 whichever was less. Now that the taxation rate has been raised, I am wondering whether it will not be possible to give some relief to the middle class by raising this exemption limit. I do not want this exemption limit to be given as a free gift to these people. They should get benefit of the increase in the exemption

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limit only if the amount in excess of the present limit is invested in war savings or war loans. That will help the campaign for national savings to a certain extent. It will also give some relief to the people and, I think, it will serve as a better incentive for people to invest their savings in war loans and war savings. There must be a limit to the exempted amount; otherwise my friend, Sir Cowasji Jehangir, might invest most of his income in war loans and get exemption of income-tax! Sir, I make this proposal for the consideration of the Government, because I do feel that the limit of Rs. 6,000 is very low now having regard to the fact that the rate of taxation has been considerably increased.

I would like now to come to the Ways and Means position. I feel that in this matter the Finance Member has not been very conservative in his estimates. I think that if the present war situation continues, the withdrawals from the Post Office Savings Bank and encashment of Cash Certificates will be on a much larger scale than he has estimated. When dealing with the Ways and Means position, I would like to ask the Finance Member one question. What are the arrears of income-tax and super-tax to be collected? If my information is correct, it represents a very large sum, which, if collected quickly, might relieve the position of the Government. Of course, I am not in the secrets of Government and so I do not know what the exact figure is; but there is a feeling—I am not referring to the discussion which took place recently on the administration of the Income-tax Department in this House—but there is a feeling that the income-tax authorities, especially the Central Department, are always carrying on investigations and they are interested—and I do not blame them—to eke out as much as possible, with the result that very important cases have not been disposed of, according to my information. Now, one of the principles of taxation is that taxation must not only be simple in basis but also that taxes should be speedily collected. The collection of taxation is as important as the method of assessment; and I hope the Honourable the Finance Member will go into this question and see that the arrears are collected as speedily as possible and for, even if it is a question of loss of a few thousands here or there, the money, if collected, will ease the situation to a considerable extent.

Another question which I would like to ask is whether in preparing his estimates of income-tax and super-tax proceeds, the Finance Member has taken into account the fact that the Excess Profits Tax is allowed as a charge for the purpose of assessment of super-tax and income-tax. I am connected with one or two concerns where I am told even the standard profits have not been yet worked out and the Excess Profits Tax might vary from three or four lakhs to about 60 lakhs. There may be several other concerns which may be in the same position. Now, if Excess Profits Tax is a charge to be taken into account before income-tax and super-tax are levied, then will it not affect the estimates made by Government in regard to income-tax and super-tax, if the position in regard to the Excess Profits Tax—to use a well-known phrase which is very common nowadays—is very fluid?

The other point I wish to make now is about the A. R. P. expenditure. Government have been pleased to announce that A. R. P. expenditure in industrial concerns will be allowed as an item of expenditure. We may have to spend the money immediately, and we may not be able to get

the full allowance in one financial year; and my submission is that this expenditure should be allowed, like depreciation, to be carried over for more than one year, if necessary.

I come now to the additional duty imposed recently on raw cotton. The constituency which I represent and also the Ahmedabad Millowners' Association have strongly protested against the imposition of the duty. I quite realise the difficulties of the Government and their anxiety to come to the rescue of the cotton grower. It is in our interests, especially of the industry which I represent that the cotton grower and the agriculturist must be protected, because after all he is the mainstay of our existence: and if as a result of the war his position is going to be affected, we are always prepared to concede that the position of the agriculturist must be maintained and that he should prosper. At the same time, I would like to put the point of view of my constituency. Tariff Board after Tariff Board, beginning with the Noyce Board have been asking us to go on to fine counts, with the result, that—leave alone the question of American or Egyptian cotton—Indians have invested money in Africa for the cultivation of long-staple cotton, and a lot of African cotton and foreign cotton is coming in. It is difficult for us to change over from fine to coarse counts, because the lay-out is such that it cannot be disturbed very easily. Government have not taken our difficulties into account. We do not want to be very harsh in our criticism, because we realise the times are abnormal; but at the same time I would like to draw the attention of Government to one aspect of their action.

I am not in these times against Government taking action by Ordinance. But there is another question which affects all the industrialists very vitally: it is the question of war risks insurance of factory buildings and equipment. We have been pressing this question on the attention of Government for more than a year and Government have taken no action. We were told that the Government were frightened of the Assembly and, therefore, they did not want to issue an Ordinance on the eve of the Assembly Session. But in the case of raw cotton they did not think of the Assembly. On the eve of the Assembly, they simply issued an Ordinance. Now, when I heard of this I wanted to know, since when have Government begun to be really frightened of flouting the Assembly? My submission is that the question of war risk insurance is such a very important question that the Government should have taken action long ago; and I am sure that this Assembly would not have blamed Government for taking such action. Even today we have no Government proposals before us, and we know what has happened in Malaya, Singapore and Burma. With all these facts before them, I really do not understand why Government have not taken any action in this matter. It should have been possible for them to issue an Ordinance long ago. They have done this in regard to war injuries to workmen; they have introduced several other war measures by Ordinance; and in this matter also if they had taken similar action, the industry would have felt that after all the Government were alive to its interests.

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): It is coming shortly.

Sir Vithal Narayan Chandavarkar: I am not sure. I was told that the Bill would be introduced early this Session, and I hope it will be

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introduced as early as possible and that it will be put into force without any further delay.

One word more before I conclude. In all democratic countries, people's representatives have generally no hesitation in voting supplies and expenditure. There they feel that after all the government which is in charge of the finances of the country is their own government and responsible to them. Here, the position is very artificial. We have really no control over expenditure. The war is in our country and, therefore, it would not be right for us to vote against the Finance Bill; and if we vote for the Finance Bill—at least I am voting for it—it is not because we are satisfied with the policy of the Government but we feel that this is not the time for putting forward even a gesture which might make our enemies feel that we are not behind the Government in this war. But that does not mean that Government should not be alive to the other side of the question, that we have no real control over expenditure.

We are told there is no scope for retrenchment. I think one of the fundamental canons of finance is that retrenchment is not a thing which comes up only when there is depression; retrenchment to be effective must be continuous and not spasmodic. Throughout the Government have to see that they avoid wasteful expenditure. I agree that in war time it is impossible for Government to keep such a watchful eye. But we, who have no share in the administration of the country, and who cannot compel Ministers to resign when we do not like their policy, are in a very difficult position. When we offer criticisms, Sir, our anxiety is all the greater, because there is a feeling in the heart of our hearts that everything is not all right, that a lot of money is wasted, and if statements are made here which the Treasury Benches think are of an irresponsible character, they cannot blame us; they must blame the present position,—and that brings me to the constitutional question. Only two months ago an European industrialist, a friend of mine, while driving with me—he was not from Bombay but from some other place,—said to me—'Well, Chandavarkar, what is the solution of the problem? I feel things are not going on happily; there is something radically wrong'. I said to him—'What is wrong is the present Constitution'. He said; 'I entirely agree. I have come to the conclusion that whatever may be the consequences, we have to take risks and hand over the control of the Government to the people of the soil and that is the only way we can continue the connection between England and India, that is the only way by which this connection which can be called friendship between England and India, can be maintained'. Sir, even English people here have now begun to realise this fact—I do not know what the Englishman at Home thinks about it. I feel very strongly on this question. I belong to a moderate school of thought. We feel that the ties between England and India are so great that whatever may be the sins of omission and commission, there is a great responsibility thrown on the Englishman, because he is the person who has got something to give. He must come forward and say 'Here is what I propose to hand over to you. You settle your differences between yourselves'. Now, I ask, is England free from all differences? We heard the other day that when Mr. Churchill was in America, there were intrigues amongst certain backbenchers to get rid of him or to undermine his influence. Even in spite of what is going on in England today, is England absolutely free from all personal bickerings and personal bitterness? After all, most of the party differences, I submit, are due to

personal antipathies. If the personal antipathies are swept off party differences will be solved automatically. And is England free from personal antipathies? Why should England tell us—you settle your differences and we shall give you this or that? Has Mr. Churchill ever said—you come before me with an agreed constitution, and I will give it to you? I do not remember either Mr. Churchill or Mr. Amery or the Marquess of Zetland has ever made such a statement.

Sir, the whole atmosphere is unreal and will continue to be unreal, and the position of people like us is getting more and more difficult, because it is for us to mould public opinion. Unless people feel that they have got a stake in the country nothing can be done by anybody. I heard recently a broadcast. I could not catch the name of the General who is supposed to have said three hundred years ago—"Give me an army of men who know what they are fighting for, and who feel what they are fighting for, and we shall win any war". Sir, I tell the Britishers now, and I tell the politicians in England to make us feel, to make us realise that we have got a stake in this war. It is no use making me and my friend, Sir Cowasji, realise that we have got a stake because we have got other stakes too, but you should make the man in the street, who has got nothing to lose, you should make him feel that he has a stake in this war, and the leaders of public opinion should be taken into your confidence and power should be handed over to them. It may be possible for some die-hards to say that the interests of the masses would be sacrificed, and that the masses would not like such a change. But, Sir, I say this that the masses would prefer to have their own countrymen in charge of the administration than any other person. I am referring to this, because it has gladdened my heart, and I am sure it would gladden the heart of every Englishman, when I say that I read recently the speeches delivered by Pandit Jawaharlal Nehru, Mr. Rajagopalachariar and Pandit Gobind Vallabh Pant, and I have also read the article written by Mr. Gandhi in the *Harijan*. These leaders who have gone to jail more than once have now come forward and made statements which, Sir, have steadied public opinion more than anything else. I do not belong to their school of politics. I disagree with their methods and their views but that does not prevent me from acknowledging openly and saying that these leaders have done far more to steady public opinion in India than anybody else, and I ask English politicians to take note of this, that in a country like India, these people, who were looked upon as the enemies of England, have, when England was in great difficulties, when the temptation was so great to make them exploit these difficulties, come out and made statements, in which they have asked the people to forget the sins of omission and commission of England in the past and to look at the war in its correct perspective. This fact alone ought to make people like Mr. Churchill and Mr. Amery think that if the problem is solved quickly and generously, India will be saved, and not only India, but along with India, England, and America, and above all democracy and humanity.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, let me observe at the outset that being a Muslim Leaguer I am committed to opposition of the Finance Bill. You will remember that at the last Session of the Assembly when we walked out and did not participate in the proceedings of the Assembly for over a month, we declared that inasmuch as the Indian Government had not listened to our proposals, and had spurned them though what we required was absolutely just, we opposed the Finance Bill. Since then there has been no change in the

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position. The Government in its wisdom remains adamant. So are we. And I should like to point out that when I say we, I mean the ten crores of Muslims throughout the length and breadth of India, and to ignore their requests, to ignore their demands would be committing political suicide. There are some people who are trying to persuade the British Government to believe that the Muslim League is not the power that it claims to be. The real spokesmen of India are the Prime Ministers of Bengal, the North West Frontier Provinces and Sind. They can speak in the name of the Muslims of India, because they happen to be in power, because they are the premiers of their provinces. Sir, this logic stands self-condemned in the light of the real facts. Sir Jeremy Raisman, Sir Reginald Maxwell and Sir Andrew Clow, who is elevated to the Governorship of Assam,—instead of being in their places, should accompany me—I would carry them throughout the length and breadth of India to meetings which are attended by thousands and thousands of Muslims, who now stand shoulder to shoulder under the banner of Mr. Jinnah and who assure him that they would shed their last drop of blood for the honour of Muslim India. Only then the eyes of my friends sitting on the Treasury Benches will be opened. Only then they will realize that they will be doing no good by introducing any changes in the present constitution in the middle of the war and for even two years after the war in accordance with the wishes of these Premiers. There will be no general elections either to the Central Assembly or in the provinces. So they are taking shelter under the umbrella which is held by the British Government. If they were to resign today and if there were general elections, you will find that Muslim Leaguers will sweep the polls throughout the length and breadth of India. It is no use telling anybody that the League should be ignored.

I find a special message was sent to Mr. Churchill this morning by my friend, Master Tara Singh—and he tells him—‘Establish a national Government in the Centre, consult the Sikhs, if you don’t consult the Sikhs then something will happen, ignore Mr. Jinnah’. Similar messages are being sent to the Prime Minister and articles are being contributed in some of the dailies in England, but this won’t help matters. So, having explained the position of the Muslim League I once more declare on the floor of the House that unless and until the proposals put forward by the Muslim League in the name of the ten crores of Muslims of India are accepted, there is no getting out of the political tangle. It is very easy to get out of it if once the British Government makes up its mind. There are differences between the Hindus and the Mussalmans, but I think that forces are working which will bring these two together. Unless and until they come together there is no breaking this tangle. So, if you only do your duty, and make up your mind to part with real power then the differences between the Hindus and the Mussalmans would be a thing of the past. My Honourable friend, Sir Jeremy Raisman, is personally a very charming gentleman, very courteous, very polite, but once his mind is made up to force us to vote supplies, then he is adamant, and at that time, in spite of what my Honourable friend, Mr. Lalchand Navalrai, has stated, Sir Jeremy Raisman is equal to ten Aneys, Sir Reginald Maxwell is equal to 20 Sir Sultan Ahmeds, and Sir Andrew Clow is equal to 100 Modis. These three are the real Government, the others do not count; let them pardon me. When the Finance Member asks us to vote 133

crores for war, he is faced with a deficit of 47 crores. He wants to make up that deficit by borrowing 35 crores—from whom? Shall I say, America?—and makes up the balance of the deficit by taxing the poor people of this country to the tune of 12 crores. We have to bow down our heads before him, before His Majesty as there is no help for it. But let me assure him and assure those who sit with him, that if the money had been spent properly to promote the successful prosecution of the war, we would not have minded, in spite of our greatest differences with the British Government, because, after all, we have lived together in this country for 150 years, and in spite of Dyers and O'Dwyers we have still a soft corner in our hearts for them. Actually, I admire the Britisher for his character. I have been to England myself. I was there for about a year and met the British people. I came to the conclusion that as long as the Britisher remains in England he is the finest gentleman. But directly he crosses the Suez Canal and comes to India, he becomes a sun-dried bureaucrat, he wants to rule. As I was saying, this money is not being spent properly. The home as also, the foreign policy of the Government are a series of uninterrupted blunders. They started with one great blunder, the occupation of Persia, Iraq, Syria, and they thought that the western flank of India was safe. Had I been in the place of Mr. Churchill, do you know what I would have done?

Sir F. E. James (Madras: European): You would have lost the war.

Maulana Zafar Ali Khan: I should have asked my dear friend, Turkey, to take possession of all those territories and be responsible for what happened.

Mr. M. Ghiasuddin (Punjab Landholders): Supposing Turkey had refused?

Maulana Zafar Ali Khan: I would have asked Mr. Ghiasuddin to take charge. This was a great blunder. You know, after all, although we are British Indians, still we are Muslims first and British Indians afterwards. We still feel for Persia, for Iraq, for Syria, and I wish that Government had not committed that blunder. Now comes the second blunder. It was the separation of Burma from India. We protested vehemently against this separation, Hindus and Mussalmans both said over and over again that Burma was a part and parcel of India, with nearly the same civilisation. There were many cultural and economic relations between India and Burma. Indians had invested crores and crores of rupees in Burma. But they would not listen to us, and the result is what it is today. In this connection there was another great blunder. The Prime Minister of Burma, U. Saw, went to England. There he was the guest of the British Government. Many parties were given in his honour and many fine things were said to him, but when he placed a proposal before the Prime Minister of Britain that Burma should be given Dominion Status, it was refused point blank. It was after that that unfortunately he fell into the meshes of Japan and he was arrested. This arrest was another great mistake.

Sir F. E. James: He is still the guest of the British Government!

Maulana Zafar Ali Khan: These mistakes are being committed in India also today. I have read in the papers that Sardar Sardul Singh Caveesher

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has been arrested. Why? I do not know. Ostensibly, because he is the President of the Forward Bloc. Either declare the Forward Bloc an unlawful body, or release him. But you won't do either. You give the impression that in India there are people who have sympathies with Japan. There can be no greater blunder than to let the impression go abroad that there is a single Indian who is in sympathy with the Japanese, but you are going on with your old game.

Sir Reginald Maxwell is not here, otherwise he would have dubbed me as a Quisling. Had he been here, he would have charged me with being a Fifth Columnist. I would ask him, if you believe that Allama Mashriqi, who is lingering in internment in Madras, was a real Fifth Columnist and was a pro-Nazi, then why did you release him? If you have released him, what is the use of keeping him on in Madras which is momentarily in peril of being bombarded by Japanese cruisers or submarines? Madras is being evacuated, but he is still there. Then we have been asking you to release the detenus, and the political prisoners. You say, there are only about 400 or 500 of them, but the Home Member quietly informs us that, if he released these prisoners, there would be great danger, as if it was a greater danger than the danger which confronted Malaya, the danger which confronted Singapore, Java, Sumatra, Celebes, Timor and the Northern part of Australia. According to the Home Member these are not dangers, but it is a danger to release a few unarmed poor fellows who have been rotting in jail. This is one of those uninterrupted series of blunders to which I have referred.

Sir, even this Bill is a war Bill and we must look upon it in that light. We have been treated to an ABCD politics lately. To it, in the natural course of affairs I will be added too. A stands for America, B for Britain, C for China and D for Dutch. The Dutch element has been eliminated altogether. C is being eliminated because the Japanese have cut the Rangoon-Prome road and the Burma-China road has also been cut and, therefore, it will be difficult to supply China with arms and ammunition, with which alone the Chinese can carry on the war. It is very difficult for Russia to send them supplies by the overland route. So, the only way by which they could be supplied with munitions of war was this Burma-China road. They say there is another road in Assam. Perhaps His Excellency Sir Andrew Clow will see to it that the road is properly constructed. I met him in the lobby yesterday and I congratulated him heartily on his elevation to the post of the Governor of Assam. I hoped that his reign there will be a historic one in the light of the events that are happening in Burma and he said he hoped so too. Now, the China and the Dutch element being eliminated, there remain America and Britain. America is an unknown quantity. For very many months we have been hearing of a talk of dollars in millions, billions and trillions. We have been told that America will be able to build so many thousands of aeroplanes in one month. Where are those thousands of aircrafts? The Dutch waited and waited and no help reached them. England is also trusting her future to the help that America may give. This is un-British altogether. If the Britishers have to fight, let them make up their mind that they will fight, single-handed with backs to the wall. But if their hopes are centred in Russia or America, it will be the greatest blunder that they have ever made. But what is the deciding element? It is neither

A nor B nor C nor D but I. It is India which will settle the whole affair and it will be 40 crores of people living in this country who will ultimately decide the situation. But are you really taking India into your consideration? I am afraid not. You only want us to vote credit and to give you so many crores of rupees but we are nowhere in the picture.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may continue his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Maulana Zafar Ali Khan: Sir, a cataclysmic change is coming all over the world. It will not be the same world after the war as we find it today. Imperialism of the British brand or of any other brand will be given a burial, I hope it will be a decent burial, never to come out of the grave again. It will be succeeded by democracy. But democracy, if it follows in the footsteps of its predecessor, that is to say if it pushes the strong to the front and crushes the weak, then it will share the fate of its predecessor. While speaking of this democracy, I will say something about Dominion Status of the Westminster type. We are being told that after the war is over, our masters today who will be our comrades tomorrow will grant us Dominion Status. Now, Sir, the question is who wants Dominion Status in India? The Indian National Congress does not want it, at least the spokesmen of the Congress do not want it, Pandit Jawaharlal Nehru does not want it, Mr. C. Rajagopalachari does not want it, and we, Muslims, do not want it at all. What does Dominion Status of the Westminster type signify? It signifies the rule of the majority and it signifies the domination of the majority, it signifies that when the majority says, two and two make five, the minority shall not have the right to rebut and say that two and two make four. If Dominion Status is granted to India, India will remain as dissatisfied with her lot as she is today. In the case of the Muslims, they will fight it tooth and nail. They will not allow Dominion Status to come to India so far as they are concerned. So far as the Muslims are concerned, they have made their position clear. The Muslims in India are ten crores in number and they have made up their mind that, in the coming India which is in the making they will have at least some spot where they shall be given the opportunity of rising to the full height of their cultural stature, living under conditions in which alone they can face a fighting world. What are those corners in India? The corner of the North West Frontier of India and the corner of the North East Frontier of India. The North-Western corner region comprises the North West Frontier Province, the Punjab, Sind and Baluchistan. In the Eastern region, the zone comprises Assam, Bengal where the Muslims happen to be in a majority. Unfortunately, this scheme which goes by the name of Pakistan has not been understood by our friends. They have not analysed it dispassionately and in a calm manner. After all, what does Pakistan mean? Pakistan means that in regions where the Muslims happen to be in a majority they shall be entitled to the rights of the majority, but

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in the case of Muslims, their exercising the rights of the majority means full consideration to the rights of the minorities. . .

Bhai Parma Nand (West Punjab: Non-Muhammadan): In Assam, the Muslims form only 34 per cent. and yet the Honourable Member says the Muslims are in a majority.

Maulana Zafar Ali Khan: I meant Assam and Bengal put together. Our conception of justice as laid down in the Holy Koran, it is this: let not the fact that your opponent happens to be a non-Muslim lead you to do injustice to him, be just, because that is true piety according to true Islam. When I talk of the Punjab, the North West Frontier Province, Baluchistan and Sind to form

Mr. Lalchand Navalrai: Don't mention Sind?

Maulana Zafar Ali Khan: Because it troubles you. My Honourable friend, Mr. Lalchand Navalrai, seems to think that the people in Sind are all dacoits and murderers.

Mr. Lalchand Navalrai: Many of them are born dacoits and murderers. Seven men were killed recently?

Maulana Zafar Ali Khan: Killing goes on all over the world. How many men are killed in Europe daily? How many were killed in Burma, in Sumatra, Java and other places. So killing is there. The law of the survival of the fittest is there, which ordains that the weak shall go to the wall, but it is Islam which creates a normal position between the two. Justice on the side of strength is mercy and injustice to the weak is a curse.

So, you see, Sir, the Muslims will create a homeland of their own in India. It does not mean that the Hindus of these territories or the non-Muslims of these territories who want to have a homeland of their own shall be deported or sent to some other land. No, they will remain where they are, their rights will be respected and every consideration will be shown to them because if this consideration is not shown to them, the Muslim as a believer in the blessings of Islam loses his position altogether. So, I should like to inform the British Government, through this House, that if the demand of the Muslims, so often repeated by the Muslim League, is not conceded, the Muslims will create a terrible row in this country and they will not rest satisfied till their object is achieved. They have made up their mind. We do not want Dominion Status. We want India to be free and the Hindus, at least, ought to be satisfied that we have given to them the right of having their own Government where they can exercise the same powers in three-fourths of India, what we want to have in one fourth of India. At least we ought to have some share in our patrimony. India is as much ours as theirs. They are the big brothers and we are the smaller brothers. A division of this patrimony does not mean injustice on our part. We give to you what we want for ourselves. So, when there is a chance for you to have swaraj in Madras, in Bombay, in Central Provinces, in the United Provinces, in Bihar and in Orissa, why not take that chance. It is open to reason. Just think of its reasonableness. You will not get anything if you have made up your minds to ignore the Muslims altogether and to turn them out even from their homeland and reduce them to the position of helots

in a land which is as much theirs as yours. I appreciate the remarks made the other day by Sreejuth Rajagopalachari that the real and just demands of the Mussalmans must be met, and if you treat them in any other way so much the worse for you. That is what he says and I think he is right.

In this connection, Sir, I should like to say a few words about racial discrimination. The House will remember that when the war broke out Mr. Churchill having looked at the question from a higher point of view so far as the British interests are concerned, offered France the common citizenship of the British Empire; but, unfortunately, for France she refused it. But when the question comes up of a common citizenship for Indians in the British Commonwealth, the argument is flung in our face that if there is to be a federation of white nations India cannot be expected to be a part of it. So there comes the bar sinister of colour again, dividing the eastern and western world, and there it stands. Kipling said many years ago that 'East is East and West is West and the twain shall never meet'. We thought there had been great changes in the world and east and west were going to meet, and India was going to be the meeting point. But incidents still occur from time to time which are very disturbing. Let me remind Sir Andrew Clow, that the Railway Department in India is responsible for creating bad blood between Englishmen and Indians. When we travel in the second class some European comes and finds a 'blackie' travelling in that compartment and asks us to get out. It happens frequently in India and I had this experience myself. So racial discrimination and colour sense is the greatest bar in the way of the people meeting together. Never was there greater necessity for Englishmen and Indians coming together, putting their heads together and find out how the trouble can be avoided. But they do not do it. On the eastern side, as I have explained, our flanks are uncovered and on the western side there is danger and a great pincer movement is coming, Germany from the West and Japan from the East. They are coming like two millstones and they have made up their mind to crush India, but India will not be crushed. They do not realise what the hidden strength of India is. There are 40 crores of people with untold potential wealth in money and in resources and millions and millions of fighting men and brave men who have given a good account of themselves in Africa, in Malaya, in Burma and Sumatra and Java and elsewhere; these people can change the face of the East, only if you looked at the question from the highest standards and not from a narrow angle of vision which I call the British bureaucratic vision.

We, Mussalmans, placed as we are in India at present, look upon ourselves as soldiers first and everything else afterwards. The Punjab is the sword-arm of the Empire, they say. Thousands and thousands have gone to the East and to the West to fight the battles of England. Economically they are in a very weak position; culturally they may be in a strong position but economically they are at the last rung of the ladder. They look at themselves and find themselves pushed by nimbler wits. They are shedding their life-blood for what you call the British Empire; but the British Empire itself does not appreciate it. Earl Winterton the other day made a remark in the House of Commons that he was in the Indian Office for some time and he did not know what was happening in India. He asked how many soldiers there were in India and when no reply was given on the stereotyped plea that it would be against the public interest to disclose the number of troops he said, "What about the vaunted one

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million soldiers who had been lately recruited?" Then it transpired that of this one million three lakhs had been sent out to Persia, Iraq, Libya, etc. So still there were seven lakhs. Where are they and what are they doing? Are they properly equipped and have they got the necessary training? You get crores and crores of rupees out of us, but you do not give us any assurance that these seven lakhs of soldiers who are now in India will when the proper time comes give a good account of themselves, that they will be properly equipped and trained and that there will be a sufficient number of aeroplanes to help them if the fight comes to India. You have not given us that assurance yet, but you simply say that the necessary production is forthcoming. So, as I have said, the battle of the world will have to be fought on the plains of India in the near future. For that time Britishers must be prepared. If the Britishers are wise they will declare India to be free and not dilly-dally by talks about Dominion Status and after the war, and so forth. If you declare India to be free today and hold India responsible for the successful prosecution of the war I think you will have done what you ought to do.

In the meantime, while taking measures for the successful prosecution of the war, you should look to the internal affairs of the country so far as they relate to tranquillity on the part of the people living here. In every walk of life they are dissatisfied. This morning a gentleman told me, when the talk turned on racial discrimination, that young men with ability and training were simply turned out of military service on the plea that they are dull and lazy, and their only dullness and laziness consist in the fact that they happen to possess a little self-respect. The Britisher looked upon himself as the denizen of mount Olympus and looked down upon the Indian as an inferior being. This will have to be looked to.

Then, Sir, so far as the Mussalmans are concerned, they are dissatisfied with the way in which they are treated in respect of legitimate aid given to them. Take a small instance. The Associated Press and the United Press News Agencies which are doing very useful work are being subsidized by the Government of India. Many papers—English mostly, Indian papers also—receive help in the form of advertisements. They receive subsidies and they are carrying on their work successfully. In the case of poor Mussalmans, however great their fighting strength may be and however loud their protest may be, no such help is given to them. There is one Agency—the Orient Press Agency—recently started which is doing very good work. It is the only Agency which the Mussalmans possess, but it is being treated in a step-motherly manner. No help for it; no aid for it; no subsidy to it. Everything is going to others and not to the Mussalmans. So there is discontentment here. To secure their contentment, these deficiencies must be remedied and their proper share should be given to them. In this connection, I remind the House of the promise held out to the Mussalmans of India by Mr. Amery—I don't hold brief for him in everything that he does but sometimes he does a right thing also. On the 8th of December an offer was made to the people of India in which an assurance was given to them that the rights of the minorities would be protected and that no constitution would be framed without their approval and without their consent.

Lieut.-Colonel Sir Henry Gidney: I hope not.

Maulana Zafar Ali Khan: We are thankful to him for that

The Honourable Mr. M. S. Aney: The declaration was made in August, not December.

Maulana Zafar Ali Khan: Yes, on the 8th of August, that promise was made and if that promise is broken and he does anything which goes against its spirit then, I think, he will find himself and the British Government will find itself in great difficulty.

Lieut.-Colonel Sir Henry Gidney: I will join you.

Maulana Zafar Ali Khan: When I talk of the Mussalmans, I talk of all other minorities also. I talk of Sikhs; I talk of those who belong to the so-called Depressed Classes; I talk of the Anglo-Indian community. These are all minorities and we want our safeguards and we want our position under the new constitution to be something enviable and not unenviable.

Here, Sir, there are small things which show the mentality of the bureaucracy. They committed a great blunder, as I pointed out, of separating Burma. Then they separated Aden from India. Here they were a bit more reasonable but we did not know of the pranks they would play later on. In 1940, suddenly, the Government of Aden—the Aden Protectorate—issued an Ordinance the object of which was to prevent those Indians who had left the shores of Aden to come back to Aden and many other restrictions were imposed upon them. This Ordinance was issued in October, 1941, and the Government of India did not know of this Ordinance till December. So that is how the Government of India was sleeping over it and the Colonial Government did not pay any heed to it. Why this discrimination between the Arab and Indian on the one hand and Indian and Britisher on the other, I should like to know? But they have no answer. They cannot give answer. Supposing they say that the Arabs would be given their right of living in the land in which they were born and no outsider had the right to go and settle there. May I ask what right has the Britisher to remain in Aden? If they are so solicitous about the interests of Arabs, then Arabia should be for Arabs, Egypt for Egyptians, Iraq for Iraqis

Mr. N. M. Joshi (Nominated Non-Official): What about India?

Maulana Zafar Ali Khan: India for Indians. I again say India for Indians.

An Honourable Member: Pakistan for Mussalmans.

Maulana Zafar Ali Khan: Pakistan for Indians, Anglo-Indians, Hindus and Sikhs—all of them. There will be a Pakistan in the United Provinces part of India where Pandit Jawahar Lal Nehru will rule and there will be a Pakistan in the Central Provinces, in Madras, in Bombay and Orissa for the Hindus

Lieut.-Colonel Sir Henry Gidney: What about Gidneystan?

Maulana Zafar Ali Khan: I should like to come and pay you a visit there. I think Delhi will be for you.

[Maulana Zafar Ali Khan.]

I think this question of questions will be solved. I am not a pessimist. I am an optimist and I think things are shaping themselves in a fairly satisfactory manner. Again I remind you, Sir, that I believe in Hindu-Muslim unity. In the Punjab an atmosphere has been created in connection with the movement called the Beopar Mandal movement which has brought all the sections of the public—Hindus, Mussalmans, Sikhs and Christians, all of them—on one platform. I want that atmosphere to be created throughout India. Grave events are happening in the Far East and trouble is brewing nearer home and unless we put our heads together and do everything to keep the atmosphere tranquil there will be trouble. Let us make up our mind. Let us create harmony; and sink our differences. We Mussalmans have declared that the question of Pakistan can be shelved till after the war. In the meantime, we ought to put to ourselves the question "What will be our duty?"

Mr. Lalchand Navalrai: If there is unity, then India will be Ekistan.

Maulana Zafar Ali Khan: My Honourable friend, Mr. Navalrai, is always under the impression that some Sindhi will come and run away with him. I am speaking as a Pakistani. You make up your mind. Keep the objective before yourself and that objective will be achieved . . .

Mr. Lalchand Navalrai: You said there will be one platform after the war and so I say

Mr. Deputy President (Mr. Akhil Chandra Datta): Order, order; one Honourable Member at a time.

Maulana Zafar Ali Khan: During the war let us sink our differences and call upon our British friends to have a look at things in a proper manner and let us create an atmosphere in which we can all join together. If we cannot expect you to treat us in the same way as you treat the British people it is because it is our misfortune or fortune that we happen to be a shade darker than you all; and this bar sinister of colour lies between us. But we have to face the situation and the war is there and the situation is getting more and more critical every day. In order to face that situation we must create an atmosphere throughout the length and breadth of India during this war in order to see that the war is prosecuted successfully. So let us sink our differences.

Sir, I think I have said everything that I wanted to say, and I hope that my appeal will not go in vain; I make that appeal to Mr. Lalchand Navalrai, to Bhai Parmanand, to Sir Henry Gidney and to Sir Jeremy Raisman the author of this Finance Bill, which I oppose.

Mr. Husenbhai Abdullabhai Laljee: Sir, before speaking on the details of the Finance Bill, I should like to place before the House a most serious question which I feel bound to do. It cannot be denied that the predominant desire of the people at this moment is to know what is their position and what is being done for the defence of the country. A lot has been said and will be said about what is being done and what will be done. But I ask in all earnestness the Government Benches as to what is the mode by which they could place the facts before the country. So far, we have been taught that everything that the Government do is through

the representatives elected by the people. Having been seven years in this House I must admit that every day I feel that this Government tries to belittle the representatives of the people as much as possible. I am sorry when I make this allegation; but I say I am prepared to prove to the hilt that that is the position. In fact, when democracy is being preached, when we are told that you are out to fight for democratic rights—leaving aside the question of swaraj, independence, equality or otherwise—we find that even the constitution that has been given to us since 1935, a constitution of which these days nobody, no civilised government can be proud of, even that is not being carried out in the right spirit and in the right manner. I would not have even spoken these words, believing it was hopeless, but I have been emboldened to say these words after having heard the sentences read or spoken by the Leader of the House only on the 17th February, 1942, when moving a Resolution of appreciation and admiration at the visit of Generalissimo and Madame Chiang-kai-shek. These are his words:

"The Assembly which constitutionally represents the whole of British India"—it is constitutionally so, I admit—"can, therefore, speak for them authoritatively,"

Is that a fact?

The Honourable Mr. M. S. Aney: Yes; it can speak.

Mr. Husenbhai Abdullabhai Laljee: What is the meaning of the word "Authoritatively"? I suppose the authority vested in me to speak those words, as I am doing—nothing more: I can utter with my own authority, with my own breath; that is the meaning of authority; that is exactly the position; nothing else. It goes on—

"will be doing the bare duty which it owes to the country it represents."

Now, what is our position? Before the war, we invariably had visits from His Excellency the Viceroy, addressing this House, telling us about our relations with foreign nations and the expeditions that took place in Waziristan and what not. May I ask in all humility whether the Government Benches have realised that for the last three years we have not been told about our foreign relationships, nor about the war at our gates. We Indians feel much more than any Britisher for our country, and it is no use telling us that we are not doing anything for our country or we shall not do. It is not under your inspiration or encouragement that we have to do it. We shall do it and we must do it; but let me tell you that this is not the way that the Indian people, this representative House, should be treated in these days when the fight for democracy is going on.

I will give you in short a list of the important events that have taken place. We do not know from the representative of His Majesty the King-Emperor to whom we owe allegiance, as to what is the state of affairs so far as our foreign relationship is concerned or what happens about the war. The war is not in Waziristan—it is at our gate. Then we were told, and I remember very well that the then Leader of the House, Sir Muhammad Zafrullah Khan, visited Europe and so also Sir Sikandar Hayat Khan, and they had personal knowledge of the things that were going on on the battlefield; but nothing of that sort was told to this House nor to the people, except the press report that was flung at us, and we had to judge for ourselves, and then we are told "Have confidence". We also know very well that His Excellency the Viceroy with all good intentions consulted or placed before the Leaders of the Opposition, which is exactly what is being

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done in Great Britain, when he sent out some few troops to Singapore and to Egypt. We thought that the opposition would be taken into confidence. We heard both Mr. Bulabhai Desai and Mr. Jinnah telling us how they were consulted, but that was in respect of a few hundred troops that were sent—hardly a thousand troops were sent then, I mean at the beginning of the war. Today thousands and thousands of my countrymen are being sent, and yet not a single Indian is being consulted. I challenge the Treasury Benches, I challenge my revered friend, Mr. Aney, to tell us whether in the matter of despatching Indian troops overseas even he as the senior Member of the Executive Council, is consulted. Sir, it was the privilege extended to the Opposition, a valued privilege I must say, which was extended to the Opposition, and this has been denied to us now. It may be due to some change in policy as some of our friends are not present in the House,—but I ask even my friend, Mr. Aney, who is a senior Member of the Expanded Council of which we boast so much, is he being consulted in regard to the despatch of Indian troops overseas. Can you cite a single instance in any part of the world where such a thing exists? Can any one here tell me, can any Indian Civil Servant, who are learned people, tell me whether there is any parallel to this in any part of the world, can my friends tell me of any instance from history of any democracy in which the members of the Government or even the Leader of the Opposition is not told about the position of the war or is not consulted before despatching large numbers of troops out of the country to die. . . .

Lieut.-Colonel Sir Henry Gidney: Not to die, but to fight so that we may live.

Mr. Husenbhai Abdullabhai Laljee: Certainly to die. It pains me to say that. But whatever the intentions of the Government may be in keeping us in the dark, we shall do what we can for our people and for our country. But let me ask my friends of the Treasury Benches to ponder seriously over the position they have taken up. How is it consistent with the democratic principles which you so loudly preach to everybody, how can anybody with his hand on his conscience go and tell his people to leave his fortunes to you in these circumstances and to trust you? You place me in that position as his representative and yet blame me. I cannot find a single Indian-born subject out of the 40 crores of our people who will be able to lay his hand on his conscience and tell the people that they should trust you, because he knows all about the movement of the troops of the true position of the war,—and yet in season and out of season you blame us. I wish, Sir, before the people become more restive and take to self-defence in the absence of any effective arrangements made by you, you would I mean Government will have sense enough to divulge their plans to the real representatives of the people and take the people into your confidence. Not in the way as some civilian said the other day—what he said was this—are we going to tell you all what we are doing so that you will go and speak about it in the bazars,—as if he was the only father or grandfather or the protector of Indians, as if we do not know our own responsibility, as if we do not know the A. B. C. of the thing to go about and speak all sorts of things in the bazars so that the facts may be known to the enemy and aeroplanes may come and bombard my home and children. Sir, this is the way they treat the Members of the Legislature. I say this is mostly done by whom—by the great Civil service including the Indian-born I. C. S., man.

Then, Sir, we have been told that the war is at our gates, and that the Government Members being very busy, we have been asked to cut short our speeches. And this appeal has come from whom? It has come from no less a person than a great financier, and a financier or businessman must know the amount of feeling engendered with regard to the affairs of a concern when it passes through critical times. Sir, only 120 Members represent here 40 crores of people, and they are being denied an opportunity to know the fact and thus be able to speak a word; my friend wants we should speak little, he does not want us even now to speak out our desires and our minds freely. Is it suggested, Sir, that the Members of the Treasury Benches are so busy all the 24 hours that they cannot hear a few words from us. . . .

Lieut.-Colonel Sir Henry Gidney: No, he did not mean that.

Mr. Husenbhai Abdullabhai Laljee: Yes, he did say it. Sir, I am one of those who has been here for the last seven years, and although I see for some time and even now empty benches here today. . . .

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): Poverty everywhere.

Mr. Husenbhai Abdullabhai Laljee: Shameful poverty—non-attendance of the representatives of the people, representatives who are elected by the people. Sir, it is not a pleasure to be here now. What do people have now begun to say? People from various quarters don't want us to come to this House any more and they want us to be somewhere else. In fact, if we are not in other bodies we are threatened to be nobodies. It has come to that. It is only our conscientious duty to the country that compels us to come here. If I want to be somebody in my country in the present circumstances it is really much better not to be in this House at present. As my friend, Sir Vitthal Chandavarkar, said, the position in which the moderates and others of their views are placed is not a happy one. It is only our duty which enjoins on us to come here in these circumstances and do what little we can for the cause of the country, and persuade Government to recognise public opinion through their representatives.

Then, Sir, a lot was said the other day with regard to supply of munitions. I was very glad when the Resolution was moved by my friend, Sir Frederick James, and I expected to get a lucid reply which we got but also a favourable consideration than we got yesterday. After nearly 3½ years the Members of this House, the representatives of the people, were given for the first time an opportunity to know the working of the great Supply Department. Sir, I am in a position to state that even the Members of the Defence Supply Committee which was formed after some time were not informed of the position which was so lucidly explained by Mr. Jenkins. . . .

Dr. P. N. Banerjea: Distrust.

Mr. Husenbhai Abdullabhai Laljee: What has been the result of it? The result has been this, that Sir Frederick James withdrew the Resolution. I do not know why he withdrew the Resolution or why the Members of his Group did not press it. The reply that was given on behalf of the Government to the Resolution was, in my humble opinion, lucid,

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nice and instructive, but not favourable to the point. The production question was cleverly mixed up, and I have begun to feel in my heart of hearts that the opportunity was taken to lay down that a Production Minister was not required.

Sir, I may say that most of the matters that I heard yesterday both from Mr. Jenkins and Sir Frederick James could be found in the discussion on the same matter and questions in the Hansard's Report of the House of Commons, for September, 1939, January, 1940 and June, 1941. In the official Report of Parliamentary Debates, Hansard, all these things can be found. They do not want to have here a thing which was approved of in England. It was discussed there and found to be necessary. The people at large all over know all about all these and such things but it was kept or attempted or advised to be kept as a secret only in respect of the 40 crores of Indians—although all these things were published in England over a year ago and the whole world knew all about it. Still, so far as India is concerned, it must be kept a secret, which means lack of confidence in us. Sir, I ask the Government to remove the suspicion from their minds. For goodness' sake, remove your suspicion soon, and consult the people who are vitally interested, if you really mean business, if you want real honest co-operation. What my friend said was very lucid, very instructive, I did feel it but here it is, all this has been only now after so much time has been discussed out here. I do not want to repeat in details but I tell you this much that as reported in these reports this country has been able, with its poor industrial development, to give a great help to Great Britain during the years 1939-40. I will read only two lines.

"The whole of the surplus capacity in India has been taken up and the Indian Government are bringing in production of various kinds and from various sources and from various private firms to help up."

During 1939 and 1940 this poor country had done all it could, and even now I am not sure whether we cannot do more. A lot has been said with regard to munitions. I have found also in this book, something said that machine tools are wanting, and the second thing is steel. What has been done in England? All the machine tools have been purchased wherever they may be found all over the world. Not satisfied with that, they have gone down the whole of their country and various other countries to buy second-hand machines. They have got a list, according to this book, of second-hand tool machines in Great Britain which have been acquired. May I ask whether any such attempts have been made in this country?

The Honourable Sir Jeremy Raisman: Yes.

Mr. Husenbhai Abdullabhai Laljee: Have you got a list of second-hand machine tools?

The Honourable Sir Jeremy Raisman: Yes.

Mr. Husenbhai Abdullabhai Laljee: Have you been using all the machine tools in industrial concerns? Definitely no; that I know for myself, I need not ask for your reply.

The Honourable Sir Jeremy Raisman: Then it is the Honourable Member's duty to inform us if he knows of any that are not being used

Mr. Husenbhai Abdullabhai Laljee: I have been told only yesterday that we are short of machine tools and it is here and now my duty to bring it to the notice of the Finance Member!

The Honourable Sir Jeremy Raisman: Is that so?

Mr. Husenbhai Abdullabhai Laljee: You tell me just now and call upon me here and now to tell you all the particulars. I have come to know that authoritatively only now from the Secretary of the Supply Department. I need not rely upon this book or upon the newspapers, but the fact is I have got from the horse's mouth only 24 hours before that our Supply Department is short of machine tools.

The Honourable Sir Jeremy Raisman: I do not know where the Honourable Member spends his spare time. But I should have thought that almost everybody knew that the Government of India had been searching high and low for any spare machine tools that were available in this country.

Mr. Husenbhai Abdullabhai Laljee: A large number of my countrymen know a great deal more than what is being told to them, but that is not authoritative. What I know is this,— but what right have I got to tell you? Whom am I going to approach? There are some machine tools in this country and they are not all being used for the Supply Work.

The Honourable Mr. M. S. Aney: Is not the Honourable Member aware that Government stands in need of using every machine tool?

The Honourable Sir Jeremy Raisman: . . . and trying to get them.

Mr. Husenbhai Abdullabhai Laljee: I am aware of it. But the fact is this. Have they been able to get them? Have they endeavoured to get them through the people, or have they endeavoured to use the influence of the Members of this House? They have done nothing of the sort. I will give you one instance. (Interruption by Sir Cowasji Jehangir). I will tell you where the machine tools are. I have written to a Government Department and I am going to repeat. Have a little patience. It is a fact that I have written to the Government Department in charge of Defence as to what I mean, and I am going to explain to the Honourable Members of this House as to what I mean. I may be wrong, I am not an expert, but I will give you one instance. We have got more than 350 textile mills and every mill has got a very good workshop consisting of various types of machine tools. There are about 100 jute mills in India. There are about 250 big mechanical workshops. What has happened in Australia? It is on record here, and anybody who wants can find it here. All the industrial concerns in Australia were asked for a year and a half to use their mechanical workshops containing machine tools, to work for 12 hours at night and half time during the day time with their pilot engines.

I will also remind the Honourable the Finance Member one more thing, and there my Honourable friend, Sir Cowasji Jehangir, will bear me out. During the last war the mechanical workshops of many of the mills turned out shell covers. We have turned out shell covers in India during this war, and we have sent in large quantities to Great Britain, they do not want any more, but where did they do it? They did it in the railway workshops and the 300 shops which Government have. I give

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them all credit, they are producing a large quantity. But I see equally a large number of mechanical workshops lying in the textile mills and other industrial concerns which are not being made use of. It is not only in Australia but even in Great Britain, if you will read the proceedings, that they have been using the industrial concerns mechanical workshops for turning out machine tools. Why are you not doing so in India? You have got 300 workshops and there are further 800 industrial concerns with workshops. Am I right? I say, we did turn out in last war many small useful things in our industrial concerns, workshops, and they had been sent out to England. What I want to point out is this. We have many efficient and good workshops all over the country. The military people have started their workshops and are working them as first class mechanical workshops. The work turned out there is superb, nice, but what we are short of is the quantity. We have not got a large number of machines and therefore we have not yet so well organised them as to be able to get more out of them; all the machinery we want for our Government works to turn out what we want we cannot import. If that is beyond your control, I say all the industrialists will only be too glad, too happy to help you to turn out your articles in their workshops as fast as they could.

Sir Vithal Narayan Chandavarkar: May I interrupt the Honourable Member for a moment as he referred to textile workshops. Soon after the war broke out and the war became more intensive, Government carried out a survey of all tools and lathes that could be spared for Government work. The idea of making shells in the textile workshops was given up because Government thought that the most effective way of tackling the problem was to collect all the lathes and tools that could be spared from the textile workshops and locate them in the central standardised workshops. After the survey was made, we have spared as many lathes as were usable by Government and Government have taken them away. I understand that they have been located in central workshops where munitions are manufactured. Government have, therefore, already taken the co-operation of the textile industry in Bombay and that whole-hearted co-operation has been offered by the textile industry through the Millowners' Association.

Mr. Husenbhai Abdullabhai Laljee: I quite agree with every word that my friend has said. In fact, he has not brought out the point that I am making.

The Honourable Sir Jeremy Raisman: He has disposed of it.

Mr. Husenbhai Abdullabhai Laljee: Certainly not. What he has said is this. You have taken the inventory. Now, let us be businesslike. You have certainly taken the inventory and you know what they have. We have got the spare which my friend has given you for war purposes. But what I mean to say is this. Are there not still 300 workshops in Textile Mills in different industrial centres with machinery which are not being used at night? See what Australia has done. With their pilot engines they have worked over time and at night. See what they have done in Great Britain. What I want to say is this that the industrial

concerns are prepared to do this provided you trust them. Give them the work and they will do it.

[At this stage, Sir Vithal Narayan Chandavarkar wanted to interrupt but the Honourable Member did not give way.]

The Honourable Sir Jeremy Raisman: I am sorry the Honourable Member won't give way when somebody who knows the facts is prepared to state them.

Mr. Husenbhai Abdullabhai Laljee: It is clear who feels it more. As I was saying, the industrial concerns are willing to do it, but who is going to trust them, who will allow them to do it? There is no confidence in them and there is no proper organisation with the result that as much as could be done is not being done. My point is this. Every kind of machine, in every nook and corner of the country must be made use of. That should be the policy. It is true that some lathes, wheel cutting machines, drilling machines and other kinds of machines have been given by the millowners but they have given their spares and not given all their workshops. We want to work these workshops day and night. They should be used during the day for their mills for such time as they are required for that work and during the night they should be used for turning out tools and munitions. They are not working for the production of the munitions at night.

Sir Vithal Narayan Chandavarkar: Mechanical workshops are also working at night.

Mr. Husenbhai Abdullabhai Laljee: There are not many mills that are working for all the 24 hours.

Now, that is the position. I tell you honestly that what has been done in Australia and what is being done in England must be done in this country also. I know that there are even now second-hand machines available in all parts of the country. Not only in Bombay but even in Delhi such machines are available. It may be that they are more or less worn out but they are not almost entirely useless. But even from these worn out machines experts can remove some parts and can turn out some pieces to make some good machinery. In this way they are renovating the old machines. If you want to make use of them, you can do it. But you won't trust anybody. You do not trust even our moderate friends amongst whom is the Vice-President of the Mill-owners Association. Look at the way in which he spoke this morning and rightly too. Where is the trust?

Then, Sir, we have been often told about the A. R. P. work and the civic guards. I am not at the present moment out to denounce the Government movement as some of my friends would seem to think. In fact, in every town of importance there are four agencies working. The military, the police, the civic guards and the civil defence. Now, Sir, what do we find? For the civil defence, the fountain-head is the District Superintendent of Police or the Police Commissioner and the District Magistrate. The same is the case with regard to civic guards. The poor District Magistrate and the Police Superintendent have to do all this work in addition to their normal work. Is this organisation? Is this perfect working? If you entrust these officers with so much work in addition to their own work, how can they work? Then, Sir, we find that

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the civil defence people are given instructions, and rightly too, to keep in touch with the people in the *Muhallas* so that in case of a panic or bombardment they can get hold of the influential people in the *Muhalla* to help them. It was said in this House the other day that want of leadership was the cause of the failure of the A. R. P. in Rangoon. The civil defence people are asked to keep themselves in touch with the leaders of the various *Muhallas*. Is it not possible for this Government to arrange to keep themselves in touch directly with these leaders? I will throw out a suggestion for what it is worth. I am only speaking of civil defence at present and not of A. R. P. Nor am I mixing up the A. R. P. with the police or the military.

Now, you have got in all parts of this country what we know as local self-government. We also know it very well that at the present moment, in every part of the country the predominant demand, the incessant demand, the anxious demand of the people to their leaders is not for Swaraj or independence or Pakistan but a demand for their safety and proper defence. That is their demand today. Do you know that the people who have voted for the members of the local self-government, be they minor or major municipalities, or the Corporations or the Local Boards or the Local Legislatures or the Central Legislature have been approaching them? They have certainly approached them; they have been troubling them, bothering them and they expect them to help them in these critical times. Now, Sir, if you cannot trust people in big cities or if there are some reasons into which we need not go at present, one does not wish to put any obstacle in the way or any impediment in the way of some organisations. Surely, it will be admitted that in many parts of the country, you have got local boards which are not under the influence of any political body. You have got small and ordinary municipalities in the same position and the elected representatives thereon belong to the *Muhallas* and these elected representatives have got a regular list of the members residing in that locality because they are the voters. I know that every member who seeks election to a municipality has got a list of people residing in his locality. He visits the voters once or twice at least in six months or in the year with a view to canvass votes. Here is a man elected as a member of a regular constituted body known as the local board or municipality. These members are under your own District Magistrates and under the Chief Officer or the Secretary or President whatever you may call them according to the importance of the local body. A great majority of them are under the District Magistrate. If the District Magistrates were told that civil defence must be undertaken through these local bodies and that these members should be asked to take up this work more so and because their constituencies demand it in fact as I have said everybody is forcing his representative to do what little he can for civil defence then it would be safe and I may say all right for the people if you associate him with the civil defence. Unfortunately, with due deference I must say that this agency is not utilised. Why are you having persons to whom you give instructions to go to these leaders. Under the Local self-Government Act, the local bodies and municipalities are responsible for health, sanitation, welfare and food-stuffs. These are all the things you want for civil defence. Under the Act they are bound to do. There, the people want them to do, but still the Government will not condescend because my feeling is—I may be wrong, let me be wrong—

that the Government and its officials will not acknowledge according to their policy a position, a man elected by people and the Government will therefore not take his services. They will be satisfied only with a nominated member. That is the feeling foremost in the hearts of all. I hope that feeling is wrong. Elected representative, whether in a big municipality or a small municipality, he must be acknowledged as an important man in the locality by the Government. The fault lies in the Government in not recognising him and in seeking to go to other people who have no influence even though the District Magistrate and your District Superintendent of Police are the heads of the local self-Government bodies in many many places except in important cities. Furthermore it has often been said that we cannot interfere with Provincial Governments' work. It might be said that this is Provincial Government work. But certainly when you pay the money, you can lay down special conditions for these things. It is a well known fact that grants-in-aid are given to hospitals and schools and certain rules and regulations are laid down governing this grant. If any institution wants a grant in aid, it has to conform to these rules and regulations. Let the Government make it clear through the Local Governments that if any municipality or local board organises civil defence in their laid down ways under the supervision of the District Magistrate, then they will get so much grant more or less, and I am sure you will succeed.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has already spoken for three quarters of an hour. Of course, there is no time limit. He might consider bringing his remarks to a close.

Mr. Husenbhai Abdullabhai Laljee: I see that non-official Members of the House like my remarks though the Government Members may not like them. I do not mind if the Government Members do not like my remarks, and hence, Sir, I wish to go on.

We have been told very often to be bold and the people should behave in the face of calamities like bombing or otherwise boldly. During the panic, there have been difficulties of transport which has already been referred to during the Railway Budget. We cannot now remedy that. We know that a lot of different varieties of transport facilities has disappeared either due to shortage of petrol or locomotives and so on. We were only told yesterday that certain arrangements have been made in Central India, probably in Central Provinces for those who go away from places like Bombay or Madras where they have no work. The Government communique says that those who have nothing to do in the cities should go away. This is a very nice way of putting it. It is very difficult to understand whether many people can afford to remain in a city without having anything to do. The hint has been taken and many people have sent away their women and children. Surely, something must be made known to the people in large cities that certain arrangements have been made in certain areas near about their town or as in case of Bombay or Madras to go to the Central Provinces where they can safely go and live. It is not sufficient only to tell this to this House and that too only once in a way. Why is it not made public in Madras and Bombay that some arrangements have been made at least in the Central Provinces? What about Bengal, Bihar and Assam? I do not know yet where the people from Bengal, Bihar, Assam and Orissa have to go. I hope that some Honourable Member of this House from Government Benches even now will tell us where the people

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from those provinces will or should have to go. Is the Central Provinces the only place where the entire population of India could go in case of air attack? While the Government simply rest content with the warning that people who have no business in the Cities should go into the interior although they have not told them where to go, and how to go.

Dr. P. N. Banerjee: Is there enough food in the Central Provinces for all people who might go there?

Mr. Husenbhai Abdullabhai Laljee: I am serious. There is no reply to my question. That is the first essential thing. Where are the transport facilities for such large numbers of people to go to the Central Provinces? Of course, the railways are doing as much as they can. The first thing that is necessary is this question should be solved. I am very sorry I have taken such a long time waiting for a reply over this point. I ask my Honourable friends on both sides if there is any reply to my question where the people from Bengal, Assam or Bihar, Orissa, have to go, where the people from the United Provinces have to go? Or is it now definitely certain that there will be nothing like bombardment or anything like even a casual air raid in Bengal? Is it only Madras and Bombay that will be affected? If you are sure that only Madras and Bombay will experience bombing, I do not think that such assurance will hold water for a minute.

I do not want to say much but let Government realise that the Honourable Members of this House are the only class of persons in the structure of this Government who are doing honorary work, and I take pride in saying so. There is not a single institution connected with the Government of India where any one is doing honorary work. It is only the Members of this House who spend thousands of rupees on their election campaign to do this honorary work, and it must be conceded that it is not an easy job to get sufficient votes in these days of keen competition; it is not an easy job to devote your time to this work when you could make money in some other avocations of life. There is at present panic ruling every where and our near and dear ones are on the borders of the eastern frontier and near the shores which are supposed to be in danger zones and we are told that the war is at our gates and still we are here to do our duty honorarily and sincerely. I therefore beg of Government to take us into their confidence, take our views for what they are worth. We may not be experts but we will tell you how it strikes us. Why do you treat us so curtly and why have not even the gentlemen on the Expanded Council taken us into their confidence? Let me assure them if they treat us well we are at their back. Sir, I was in Bombay for five days and when even people near and dear to me asked me about the position I was not able to say anything more than what they read in the newspapers. And I believe Sir Cowasji and Sir Chandavarkar will support me when I say that they also were not able to say anything to their friends and relatives, even to console them; this is the position of elected representatives of the people in this Assembly.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

So far as the condition of Indians overseas is concerned, I cannot congratulate the Honourable the Leader of the House, which I so anxiously wish to do to one who has been for many years on these benches. I find

that our plight is as miserable as it has been. Even with the Expanded Council nothing could be done to show to the people that they are equal citizens of the great British Empire. In fact they have not even been told that their own countrymen are fighting for equal rights far away and for obtaining to the country the maintaining of democracy and equality of right. Only last year, after 2½ years of the war when the position of Great Britain was critical, the question of Burma came in. Where is that poor Burma? Even now we have not been told by the Honourable Member for Indians Overseas whether the Secretary of State for India has vetoed the whole Agreement or it has naturally disappeared.

Then, take the question of Ceylon. How is it that during this war the Colonial Office allowed the Ceylon Government to pass these rules and regulations? Was any explanation asked by the Government of India from the Imperial Government whether or not their Colonial branch were encouraging the Ceylonese to make discriminatory legislation against Indians even in October, 1941? Sir, one feels very sad to find that still there has been no change of mentality even now. As my friend, Maulana Zafar Ali, has just pointed out that in October, 1941, suddenly, His Excellency the Governor of Aden issues a communique passing laws prohibiting the entry of Indians into Aden. That communique had not, till December, been sent to the Government of India for information or may I say for being thrown into the waste paper basket. It was when the Honourable Member kindly visited the Indian Merchants' Chamber, Bombay, that he was told that such an Ordinance had been passed; now, Sir, from 1939 to 1941, this Government was asked to send Indian troops to Aden to protect it against the Italian onslaught. But no courtesy was extended to this mighty Government of ours ruling 40 crores of people by even British Colonial or Secretary of State for India in the shape of a letter telling them that a discriminating Ordinance had been passed by His Excellency the Governor of Aden against the entry of Indians. Then the Honourable Member made inquiries and got a reply from Aden to say that this is a war measure and after war the Indians will be welcomed. But may I add that during war for the defence of Aden, Indian soldiers will be welcomed even during the war. To die Indian soldiers are welcomed but Indian businessmen, Indian civilians, Indian lawyers, cannot go there. We built up that barren island and made it into a fortress and an important port for Admiralty and commerce with 70 crores of revenue of this country in 110 years. What is the result? In 1921 an assurance was given in both these Houses by the Honourable Sir Muhammad Shafi that any attempt at discrimination there this Government will not tolerate, and later on in 1931 and 1935 similar assurances were given in both the Houses.

The Honourable Sir Jeremy Raisman: Sir, is the Honourable Member aware that in large parts of England, at present, even Englishmen are not allowed to go unless they are soldiers?

Mr. Husenbhai Abdullabhai Laljee: Very well, I wanted some such interruption. Englishmen may not be allowed in parts of England but they are allowed at Aden as civilians, and only Indians are not allowed. What is the reply to that? Only Indians are not allowed but any other foreigner is allowed.

The Honourable Sir Jeremy Raisman: Is the Honourable Member able to vouch for that fact?

Mr. Husenbhai Abdullabhai Laljee: Yes, Sir. The Ordinance is confined to men from India only. It is a fact and I am sorry Government Members do not know it.

The Honourable Mr. M. S. Aney: The Honourable Member will have my reply on that at the proper time. I do not want to interrupt him now.

Mr. Husenbhai Abdullabhai Laljee: We will discuss it threadbare then and I will not go into details now. But the fact is that the people from India are not required though Indian troops are required here, there and everywhere and any foreigner is welcome. It is out of pain that we say all this.

Mr. President (The Honourable Sir Abdur Rahim): I understand the Honourable Member has already spoken for one hour.

Mr. Husenbhai Abdullabhai Laljee: Yes, Sir, unfortunately that is so.

Mr. President (The Honourable Sir Abdur Rahim): It being 4 o'clock, 4 P.M. the adjournment motion will now be taken up.

MOTION FOR ADJOURNMENT.

SHORTAGE OF WHEAT AND WHEAT FLOUR IN DELHI.

Mr. Muhammad Nauman (Patna and Chota Nagpur cum Orissa : Muhammadan): Sir, I move:

"That the Assembly do now adjourn."

Sir, on this motion I want to discuss the failure of the Government of India to make necessary and adequate arrangements for the supply of wheat and wheat flour in the capital city of Delhi which is causing a serious situation.

The purpose of the motion is clear and does not require much of an elucidation. We know the situation which has been created in this city, particularly by reason of scarcity of wheat and wheat flour. Not only they are not available but in some cases where they are available they are being sold, with the permission of the Chief Commissioner of Delhi, in mixtures of all kinds, of powdered barley, grams and what not. I have got some specimens here and if the Honourable the Commerce Member would like to examine them I can make this present to him.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): I have tasted them.

Mr. Muhammad Nauman: A chemical examination of these samples only can reveal the ingredients of this mixture. Mere tasting is not of much use.

Now, Sir, we do not know how and why this position has been created. Judging from the circumstances of average production last year in areas where wheat is grown, there was no indication of failure of crop and as such no indication of a famine situation which has arisen at this time. The only reason we can assign is hoarding of heavy stock in bazar by the dealers and merchants. Heavy stocks are lying with big merchants and

stockists in the Khari Baoli, who want to earn big profits on their so hoarded stocks and as such they have removed them to some private godowns. I am told that about a lakh of bags or even more of flour and another lakh of wheat is still in Delhi and the Government representative, who I understand is one Sardar Mehtab Singh, has not been earnest in recovering those hoarded stocks. What he does is just to go in the shops in Khari Baoli without finding out what possibilities could there be for concealing stocks in Delhi by those merchants in some other private houses. This failure on his part combined with other conditions is probably responsible for the local critical situation which has arisen due to the scarcity of wheat and wheat flour.

Another important question which arises is this. Why should that temptation have come to the minds of those merchants for hoarding big stocks and earning good profits? I am told, Sir, that exports to Persia, Libya, Middle East and even London have been very heavy and the Government, when buying for their own use and for the purposes of exports, did not take any census of the consumption of wheat and the production of wheat in India which they should have done. The result is that we are faced with a situation where it appears that there is going to be a famine in a country which was producing more wheat than she required for the use of her own people. This I would call, Sir, a famine situation more artificial than real, because there was no failure of crop and the famine has resulted because of heavy export by the Government and, I am told—although I do not know with any amount of certainty—that in those countries where our wheat has been exported, through Government agency, sufficient quantity is lying as surplus. Instead of exporting only the surplus from India the Government have exported that part which was required for the population as their staple food and Government have thus robbed them of that food which was absolutely necessary for the mere existence of the people of this country. It is for this reason, Sir, that this situation has arisen not only in Delhi but also in other provinces like Bihar and Bengal, where it is being sold at four to five seers to a rupee. Within less than three years we have seen that prices have risen from about 12 to 15 seers to a rupee to about five seers per rupee. That means the rise in price is 300 per cent. That is the position which I want the Government to realize and what it is going to result thereby?

Sir, I am told that the Commerce Department has got a Wheat Commissioner with all his paraphernalia. I do not know if this is the result of the activities of that paraphernalia. I ask what for that Department exists if they cannot have any idea of what the requirements of the people are and if that Department of Wheat Commissioner cannot make a census of what would be the probable surplus? If they cannot do this, I do not know what they are worth and why we should spend any money on this Department.

What are the factors which have tempted the merchants to hoard large stocks of wheat and earn big profits? Is it because a new method has recently been adopted by the Government of measuring particular plots of wheat-growing land in the Punjab and the United Provinces, and, it is said, that all the stocks will be purchased by the Government, and only a limited quantity will be made available to those Zamindars and landlords who are in possession of those plots. The result is that there is a panic in the minds of the people. They feel that the entire wheat crop will be monopolized for the Government. I do not know what is working in the minds of those responsible for advising the Government in this manner. If

[Mr. Muhammad Nauman.]

the Government propose to redistribute wheat through their selling depots, that may be a good proposition and that may be probably because the Government appreciate the true position and are trying to overcome the difficulty with foresight but if it is for the purpose of exporting Indian wheat to other countries leaving the people of India to starve. I will certainly say that this will create a situation which may go out of the control of the Government and become the cause of a revolution.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I do not like to interrupt the Honourable Member, but I would like to say that there is no justification in the statement which the Honourable Member has made more than once that the Government of India are exporting, without any consideration whatsoever, to various places, wheat from this country and are allowing the people of this country to starve. Stocks have been exported to other places, but I can say that an infinitesimal quantity of wheat or a very small quantity of wheat has been exported or allowed to be exported from India. I hope to give figures in support of this. As a matter of fact, from December there is an absolute embargo on the export of wheat put by the Government of India.

Mr. Muhammad Nauman: Thank you so much, Sir. The Honourable the Commerce Member should thank me for allowing him an opportunity to clear the position of the Government in this matter. This is the general impression and as a representative of the people I think it was my duty to convey to the Government our feelings in the matter. Now that we hear from the Government that only an infinitesimal quantity of wheat has been exported from India, we will inform our people that the impression under which they are labouring is absolutely wrong. I think I will be quite satisfied after hearing the Honourable Member's reply. I would also like to know from him what other factors are responsible for creating this situation. I said in the earlier part of my speech that there was no indication whatsoever of a failure of production of wheat last year; then where has the wheat gone to? What has happened to the entire production of about ten million tons of wheat? Are Government in the know of any particular reason for that? Is it because people are hoarding it like gold and silver—may be that those who cannot get gold and silver to hoard they have started hoarding wheat. Why a situation like that has arisen not only in Delhi but, as I have said, also in other parts of India like Bengal and Bihar, where scarcity is being felt and prices are going up by leaps and bounds. It is now for the Government to tell this House and the country what exactly the situation is. Another point on which I would like to have the reply of the Government is whether there is any truth in the report that the Government have measured the lands which are having their standing crops this year, and if so whether the idea is that they will monopolise the entire crop of the season

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Which Government?

Mr. Muhammad Nauman: The Punjab Government and the United Provinces Government, under instructions from the Government of India.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Certainly not under the instructions of the Government of India, even if that is a fact.

Mr. Muhammad Nauman: That was my information; I may be wrong.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It is wrong.

Mr. Muhammad Nauman: I stand corrected; and it is for this reason, that there has been a temptation among the merchants that prices would go up three or four times their present level and they felt tempted to hoard the stocks of wheat.

I would also like to hear whether the particular situation that has arisen in Delhi has resulted because of the transport difficulties. I had a talk with some very responsible officer of the North Western Railway and I was told that they were always ready to give every possible facility. If that factor is eliminated, I do not know what other factors are responsible for this critical situation where everybody finds that he cannot get half or quarter of the wheat required for the very subsistence of life.

In conclusion, I would like to remind the Government that one of the very threatening features are showing signs, and efforts should be made to see that there is no feeling of dissatisfaction on this particular account in this country. If you look back to the histories of many revolutions of the world you will find that they mostly resulted in the failure of the Government to keep adequate supply of food. When you touch the very food on which the individual exists, you will understand that you will not be able to control the crime and revolution will be the only result. I would ask the Honourable Member of the Government to make a searching enquiry into the circumstances and relieve the situation from what it is here and in other parts of India. With these words, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Assembly do now adjourn."

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I gave notice of a similar adjournment motion covering the same subject. We have been previously discussing on the floor of the House just the reverse problem, about wheat: we have been saying that the production of wheat in India is about 10·7 million tons per annum and our consumption was only about 9·4 million tons and so we produce about one million tons more wheat than we consume, and we had been requesting the Government to provide a market for the export of our wheat. Now the situation has been reversed, not because we are wanting in wheat, but on account of certain action taken by the Government in the control of prices. We have been pressing that the prices of articles ought to be controlled. In the case of wheat, these dealers purchase wheat at the time of the crops at the rate of about Rs. 2-12-0 or Rs. 2-10-0 a maund; and now the Government has fixed about Rs. 4-6-0 a maund at Lyallpur and they have thus given a very wide margin of profit to the dealers who can have no complaint that they have not been fairly treated. But other steps which the Commerce Department should have taken were not taken at the same time. The Commerce Member could not foresee that all these people would corner the wheat, expecting that it would fetch double and treble the price; they refused to bring it to the open market and sell it to the public. This was not foreseen by the Government at the time they fixed the price

Sardar Sant Singh (West Punjab: Sikh): May I interrupt for a minute? As a matter of fact the rule has been made under the Defence of India Act that everybody who keeps more than eight bags has to submit a return to the District Magistrate. So the rule is there.

Dr. Sir Ziauddin Ahmad: I have been pressing this question from June onwards. I spoke to several Members of the Government of India, to the Viceroy and the Governor of the United Provinces that the time will come soon when the situation that has arisen today will arise, and I suggested at that time that they should follow the same practice as they did for stabilising the exchange. The Government ought to purchase large quantities of wheat at the different markets, store the wheat at convenient places and bring it out for sale if the dealers do not bring it on to the market at scheduled price. I said that in the long run the Government would make a profit; but even they lost a few thousand rupees or even fifty thousand rupees, it does not matter when larger stakes are being considered. Before fixing the prices the Government should have purchased the stocks themselves. Simply to say that it is criminal to keep so much wheat in stock and out of the market, is not sufficient. The Government should come forward and demand everybody to give up the wheat for the sake of the public at this particular rate that the Government has fixed, namely, Rs. 4-6-0. They ought to have purchased the entire quantity of wheat in the country and sold it under their own supervision and not leave it to the sweet will of the dealers. They should do now even if it was neglected in the past.

Honourable Members probably know that one particular class of people who always deal in this wheat and have been accustomed to this kind of storage for the last two thousand years or more, have got special places for storage, which only few people can reach; an ordinary man when he visits these places will not be able to find out where the wheat is stored—in what they call *khatris*. Unfortunately, in Delhi, the gentleman whom the Government employs, as referred to by my friend, Mr. Nauman, Sardar Mehtab Singh, is a person who would merely take some money and would let off everybody. He has not been able to discover much for obvious reasons. I think the Government should employ a person of strict honesty and who is wide awake who would be able to find out where the stocks of wheat are. I am given to understand by persons in the know that in Delhi there is sufficient stock of wheat to keep the whole of the town going, even if there is no further import of wheat for a year. But the wheat is held up in the expectation that they will get more price later on. Therefore, I say, that the Government of India failed in not purchasing compulsorily the quantity of wheat now available in the country. If they had done that and stored it in proper places under their own supervision or by means of co-operative stores as some districts have done, the present crisis would not have arisen.

The second cause of this difficulty is that Government has put a ban on export. Every District Magistrate has put a ban on the export of wheat from his district or town; and every Provincial Government has put a ban on the export of wheat from its particular province. I had special difficulties myself in finding wheat for the university; I approached the authorities at Lyallpur and Sargodha and they said they could supply any quantity of wheat provided I got an export license from the Punjab Government. And when I approached the Hapur authority they said: "Yes, we have the wheat, but they cannot get the wheat outside the Meerut district". So, when you have a ban in every district, when you have a

ban in every tahsil, when you have a ban in every province and when you have got a ban for the whole of India, it is absolutely impossible to have equal distribution of wheat all over the country. The ban should have followed after equal distribution.

Therefore, I feel that the Honourable the Commerce Member ought to have foreseen these difficulties earlier, he ought to have taken stock of the wheat available all over the country and satisfied for himself how much quantity was available in each district; and he should have taken the precaution to purchase the wheat before fixing the maximum price at Rs. 4-6-0. But instead of doing that, he put the cart before the horse and the horse was left behind—the result is the cart cannot move. Even now, I think it is very desirable that the Government should purchase the stocks of wheat available. What is the meaning of the Ordinance that everybody who has a stock of more than eight maunds of wheat should declare how much stock he has got. The Ordinance of declaration did not achieve the object. It was neither effective, nor it was carefully applied. You may now declare that if the wheat is not sold to the Government, it will be acquired without payment of any price and a heavy penalty to boot. Then and then alone you can get out fair quantity of wheat which is now stored underground. The whole thing looks all right on paper so far as the Ordinance is concerned. It would seem that the Government of India have done their duty, but it is not so. The people are dying of hunger; they are not getting their staple food on account of the unnecessary shortage of wheat with expectations of higher profits. Let the Government of India notify to all wheat sellers that if they do not sell their stocks of wheat within a certain time, the Government will compulsorily acquire all their wheat stocks and that a heavy penalty will be imposed on the holders of such stocks, and in addition no price will be paid. Then and then alone you will find that major portion of the stocks of wheat will be forthcoming. Let the Honourable the Commerce Member go through the figures for the last twenty years, and he will find that there is sufficient wheat in storage to keep the country going for one year or more even if there is a failure of the crops. But, Sir, we do require the wheat that is now secretly stored underground. It is not the export of wheat to Iran and other places that has caused this wheat famine. We had already exported small quantities of wheat to those places for the use of our troops. The real problem is that these people have stored stocks of wheat with a view to sell at high prices, to the disadvantage of the poor people. I think it is high time that Government came forward and compelled these holders of wheat stocks to bring out their wheat and sell them to the Government at certain prices which may be fixed by the Government. Government should also notify that those who fail to bring out their stocks would be penalised and no price whatever would be paid for the stocks which will be confiscated. It is also very desirable to employ good and honest people to find out the stocks of wheat stored in a clandestine manner. If District Magistrates are wise, if the police officers are wise, then they can employ the right type of people to discover the hidden stocks of wheat. Once this is done, the task of Commerce Department will begin, and then they can distribute the wheat evenly among all the provinces, leaving every province to make its own rule in respect of any ban it may choose to impose. In fact, imposing a ban on the export of wheat from a neighbouring province is certainly an act which the Government of India alone could impose. I would point out to the Honourable the Commerce Member that he has a very grave responsibility on his shoulders. The life and death of the people depend upon his action. If he took a wise step, I assure him

[Dr. Sir Ziauddin Ahmad.]

he will save the life of lakhs and lakhs of people, and a good deal of panic in the country will disappear. If any wrong action is taken at this juncture, it will lead to an infinite amount of panic, it will lead to much greater panic than could be possibly expected to arise as a result of the wild rumours in connection with the war. With these words, Sir, I support the motion.

Sardar Sant Singh: Sir, I intervene at this early stage of the debate in order to correct certain observations which have fallen from my friend, the Mover of this Resolution, and also from my friend, Dr. Sir Ziauddin Ahmad. At the outset, I must say that I have full sympathy with the people who are suffering for lack of wheat, because it is their primary staple food, and I agree that all possible facilities should be given to get this necessity of life at reasonable rates. But I want to point out one thing, that although my friend, Dr. Sir Ziauddin, is an eminent economist, and while I cannot claim any knowledge of economics, he is not doing justice to that part of the country where the wheat is produced. Sir, in those days when the price of wheat went down to Rs. 1-4-0 a maund, we never discovered a Dr. Sir Ziauddin to come to the help of the agriculturists to raise the price of wheat

Dr. Sir Ziauddin Ahmad: I did.

Sardar Sant Singh: He did not come forward to ask the Government to provide some relief for the agriculturist. However, it is a thing of the past. Now, the time has come when the agriculturists should have got higher prices for the wheat on account of the larger demand for the commodity and shorter supplies, we find that a huge hue and cry is raised

Mr. Muhammad Nauman: May I interrupt the Honourable Member? The prices have already gone up 300 times more, if you compare the prices prevailing three years ago. What more do you want?

Sardar Sant Singh: I may inform my friend, Mr. Nauman, that in the last war the price of wheat had gone as high as Rs. 11 per maund, and the Government today have fixed the price at Rs. 4-6-0.

Mr. Muhammad Nauman: Are they selling it at Rs. 4-6-0?

Sardar Sant Singh: Yes, they are selling it at this price—there is no doubt about it. The real grievance is that some wheat has gone underground, and Government have not done anything to discover where the wheat is. I tried to inform my friend, Dr. Sir Ziauddin Ahmad, that simultaneously with the control of prices, Government have framed a rule under the Defence of India Act calling for the returns of wheat over and above the quantity of eight bags held by each dealer or agriculturist, and everybody did make that return to the District Magistrate. There might have been some evasions, but that is no reason why emphasis should be laid on these few evasions at this stage.

Then, Sir, the second point which I did not like is the reference in the debate to the activities of Sardar Bahadur Mehtab Singh in Delhi. Sir, I know him personally. I know he is perfectly honest, and there is no reason to doubt his honesty

Dr. Sir Ziauddin Ahmad: Is he a Sikh?

Sardar Sant Singh: Yes, he is a Sikh, and that is why it probably troubled you, otherwise there was no necessity to bring in the name of a public servant of the Crown and charge him with bribery and corruption without any substance behind the charge. Sir, I do not regard it as in good taste. If my friends wanted to criticise his actions, they could have done so without mentioning the name of the official.

Now, Sir, the real difficulty that has arisen is on account of the lack of co-ordination between the wheat producing centres and other parts of the country. When my friend, Mr. Nauman, said that inquiries showed that the Railways were possibly giving all possible facilities for export, he did not understand the meaning of the word "possibly". I may tell here that facilities for transporting wheat in producing centres are not so great as we are supposed to believe they are. I can assure my friends of that. I know it for a fact, because I know that Additional District Magistrates of various towns, particularly of Lyallpur and Sargodha, have been going round in each *Mandi* to find out the stocks of wheat held by the dealers. One A. D. M. travelled with me by Railway, and when I asked him whither he was going, he said that he was going to all the *Mandis* to find out the stocks of wheat, because they were needed by the Defence Department. So there cannot be any complaint, the Government have not taken adequate steps to find out the real position. The real difficulty that has arisen is on account of the bad distribution of these stocks in the various parts where the stocks are needed

An Honourable Member: When was that inquiry made?

Sardar Sant Singh: In the month of December, I think. Yes, it was in the month of December that I was travelling with him. It is not for me to say wherefrom and how arrangements should be made. I only want to say, and I am here to say, that people are starving for want of wheat and foodstuffs. If you do not supply them, I will censure you. If you do not take care, I will join hands with the Honourable the Mover and censure the Government. Why should I go into the question of why and wherefore of the situation? I only say this much, that Government should organise the position in such a way as to bring and distribute wheat to all the centres wherever it is necessary. This is the only question that confronts us. We can leave it to the Government to create the necessary organisation for the purpose. The Honourable the Commerce Member has told us that very small quantities of wheat have gone abroad or have been exported. I just want to put one question to him so that he may deal with it when he is making a reply. Are any statistics kept of the quantities of wheat that have been given to the defence forces outside India, and if those statistics are kept, has the exportable surplus been exceeded or not? With these remarks, I resume my seat.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): I just want to add a few sentences to this discussion. It will be possible for the Honourable the Commerce Member to find out when the next crop is harvested, what is the total quantity of wheat produced in the land, and, according to the simple rule of arithmetic it will be possible for him to distribute this quantity equally among the 40 crores of people living in this land. This can be easily done. So far as the wheat now in this

[Maulana Zafar Ali Khan.]

country which is being stored is concerned, and with the greed of banias behind it, I should like to say that I am one of those who do not like commerce to be governed by Ordinances. It should be free. There are causes which have led to this scarcity. One of those causes is that the connection formerly subsisting between Australia and India is cut. Australia is one of those countries which are wheat producing. Whenever we required wheat in this country, we used to import it from Australia. Then the connection between Burma and India is cut, and Burma is one of those countries which are producing rice, lakhs of tons used to be imported into Ceylon and India. But now there is very little chance of rice, which is the staple food of the Ceylonese and most of the Indians in Southern India, coming to this land. So, this must have some effect on the situation. So far as the export of wheat from India to other countries is concerned, although the Honourable the Commerce Member has assured us that the quantity was very little, we find from occasional statements that have come to our notice, that wheat was supplied not only for the requirements of Indian troops abroad who are entitled to get their food from India, but supplied to countries like Persia, Mesopotamia, Arabia and Turkey also. You have exported wheat to those countries. We have every sympathy with them, but when we are starving ourselves, it stands to reason that you should limit the quantity of surplus exported from the country. With these words I resume my seat and support the adjournment motion.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Mr. President, I am grateful to the Honourable Member, Mr. Nauman, for initiating this discussion on a very important issue, the proper and adequate supply of food to the people of this country. It gives me an opportunity also to contradict certain wild rumours that have been floating about regarding the exhaustion of the supplies in this country, irrespective of the needs of the people of this country and to satisfy the needs of other countries.

Let me put the statistical position first before the House so that in a true perspective we might examine the causes and the reasons which have tended to the most recent of these developments. The yield of wheat crop during the year 1940-41, that is, the crop with which we are dealing now, was ten million five thousand tons,—certainly over ten millions, which is roughly the figure that my Honourable friend, Dr. Sir Ziauddin Ahmad, referred to. The total export of wheat and wheat flour during the ten months of the current year by sea to all countries is 178,000 tons of wheat, and 82,000 tons of wheat flour,—250,000 tons altogether out of a total crop of ten million tons. We have also to consider the fact that at least 100,000 tons used normally to be exported outside this country, and that in the previous year this amount was, in fact, exported.

Pandit Lakshmi Kanta Maitra (Presidency Dn.: Non-Muhanmadan Rural): What is the requirement of this country? What is the consumption?

Dr. Sir Ziauddin Ahmad: About 9½ million tons.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It is impossible to estimate what is the actual consumption in this country. You can only arrive at it by deducting the exports from the total yield in this country.

Sir F. E. James (Madras: European): There being no imports.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: There being very little imports. I might say, in passing, referring to the question of imports, Australian wheat used to come at about 50,000 tons to this country, but most of it went out in the form of re-exports. It came to the ports where there were mills to convert wheat into flour. It came, because a certain portion of local wheat was mixed with the Australian wheat to yield a better kind of flour or flour which was more readily consumed and in demand elsewhere, and most of the Australian wheat that came in went out in the form of re-exported wheat flour. So that I personally think that, except for the purpose of affecting the price factor, the Australian wheat did not enter into the consumption of this country.

Now, there have been exaggerated rumours about military purchases. For the same period, the total amount of military purchases is about 220,000 tons. And it must be remembered that it is not for somebody outside this country, but for the defence forces in the country that those purchases have been made, and if those purchases had not been made, they still would have required this wheat to eat, probably in a smaller quantity. There has also been a certain quantity exported across the land frontiers. This is the background against which the position which has arisen has to be considered.

If these facts and statistics are correct, it follows that there is no reason whatsoever why the Government should have anticipated a serious shortage in the wheat position. What did the Government do? The problem that faced us in September, October and November was not a problem of shortage of wheat but a problem of prices. The prices were going up and pressure was brought to bear upon us from various quarters that it was time we intervened and controlled the prices. Organisations which were loud in their demand, at an earlier stage, that Government interference in the rising course particularly of primary commodities and foodstuffs should not be necessary and should not be used suddenly, made a *volte face* and one fine morning woke up to the necessity of price control and rigorous price control by Government. We had a Price Control Conference with the representatives of Provincial and State Governments. In all these matters, Honourable Members will realise, how necessary it is for us to act as far as possible—I do not say we are completely bound to do so—with the advice and with the co-operation of Provincial and State Governments. We had a Price Control Conference in October at which this question was discussed. We asked for the advice of various Provincial Government representatives as to the need for controlling the price of various foodstuffs. It emerged as a result of that discussion that the only product with reference to which immediate steps should be taken was wheat. There was no agreement about the level at which the control should be exercised, one wheat producing province suggesting one figure and another wheat producing province suggesting a higher figure. The Government of India had then to take the responsibility on itself of fixing what it considered a fair price and a reasonable price after taking all factors into consideration. They had to take into

[Sir A. Ramaswami Mudaliar.]

consideration the fact that this agricultural produce was in a depressed condition before the war as indeed most of your agricultural products were. They also took into consideration the fact that there were ancillary products which were needed by the agriculturist whose price was mounting up. After taking all these facts into consideration the Government of India came to the conclusion that whereas the price in the pre-war period of wheat was Rs. 2-2-0 per maund, a price of Rs. 4-6-0 at the wholesale markets was not altogether unreasonable. We also took this fact into consideration which is amply and clearly established by the statistics which we had on the subject that when the crop was moving into the markets in the months of June, July and August, the price with which the agriculturist parted with his crop was about Rs. 3 to Rs. 3-8-0 at the most, so that the margin which was left to these people who were to sell this product at Rs. 4-6-0 was in itself a justifiable and ample margin.

Now, my Honourable friend, Dr. Sir Ziauddin Ahmad, made very valuable suggestions to which I shall refer in a moment, but I do not think I can accept the charge that has been levelled at me, that the Commerce Department merely fixed the price and went to sleep and that the huge paraphernalia that has been built up in the Commerce Department, as another Honourable Member described it, of a Wheat Commissioner and Superintendents—and the Honourable Member got himself lost in the detailed names of the staff which are ordinarily employed for such purposes—and other staff are doing nothing at all. Immediately after the price was actually fixed, the first step that the Government should take in case the Government wanted to buy any stock of wheat for the very purpose that my Honourable friend had in view, is the step of finding out where the stocks are and to what extent those stocks are available. And that is the Notification to which my Honourable friend, Sardar Sant Singh, referred. We immediately asked for disclosure of the quantities that are available above a certain minimum limit from various merchants and other conservers of wheat supplies. We said that if anybody had more than 20 maunds in his possession, he should declare. That declaration is necessary and that declaration has to be made under threat otherwise of a penalty. If it is false or if it is not made, the person who declares or omits to declare will be liable to certain punishment. That declaration is essential before any question of requisitioning the stocks can be taken. How are we to get hold of the stock before we know where it is?

Mr. Muhammad Nauman: Is it not a fact that that punishment is only in the form of a fine of a few rupees?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am referring to the punishment provided by law and it is a fairly heavy punishment involving imprisonment. That is the second step that we took. Naturally, we had to invoke the assistance of the Provincial Governments mainly concerned to put that Notification into effect. We had to get through the Deputy Commissioners and Commissioners of various districts and divisions the returns which are required about the requisitioning of the stock.

Now, the statistical position being what I have explained at the present moment, I am faced with this fact that the declaration of the known stocks, the visible stocks is a very small figure indeed from the

main producing province, Punjab. Most of the Deputy Commissioners have returned small stocks in their areas. Lyallpur, which is considered the granary of the Punjab, wherefrom the largest amount of wheat has been available in the past, has declared a very small, a ridiculously small amount of wheat.

Sir Syed Raza Ali (Cities of the United Provinces Muhammadan Urban): How much is that?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The total quantity of wheat in the whole of the Punjab that has been revealed as about 600,000 maunds. That is to say, about 20 to 22 thousand tons as against a yield in the Punjab itself of nearly four million tons. Now, that must give Honourable Members some idea of the real problem that faces us.

I do not want to make any charges without having any facts in front of me and, therefore, I cannot follow Honourable Members who say that stocks have gone underground and are invisible. I am unable to say yes or no to that question. Naturally, we depend upon the Provincial Governments and the agency of the Provincial Governments to find out these facts.

Now, the immediate problem that has concerned us is the problem of finding some supplies for some of these areas, notably Delhi which has been referred to. We knew that there were some stocks hypothecated to banks. It was easy for us to get that information by direct correspondence and by a direct notice on the banks concerned. It was easy for us to get to know what stocks there were. Roughly, there was about 300,000 maunds of stock with banks, hypothecated against advances by some merchants. The Government of India have requisitioned that stock. The Government of India propose to distribute some portion of that stock to Delhi and other areas which are most seriously concerned.

Dr. Sir Ziauddin Ahmad: How many tons of wheat you have got in Delhi alone?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: About 300,000 maunds in all the banks in the Punjab. We have requisitioned that stock and we propose to distribute a certain portion of it immediately. In fact, within the next few days it will be in Delhi and it will be in various other centres. We have tried to find out some stocks in Indian States similarly and with the good help of the Administrations of these States we hope to distribute those stocks also. We have found a certain stock in Sind at the Karachi port, which we hope to send over to Bombay immediately. But these things merely touch the fringe of the problem. Till it is ascertained whether there are hoarded stocks which have gone underground and which must somehow or other be unearthed, the problem takes a different complexion. We have to supply whatever foodstuffs are possible and whatever substitute foodstuffs are possible till that problem is settled. It is no use our saying that these are the visible stocks and we can only supply these stocks and we can do no more. We do feel that we have a responsibility in this matter and we do feel that in pursuance of that responsibility and in fulfillment of our obligations, we may have to take a wider view than has so far been taken or has been possible and to over-ride certain considerations which may be advanced by various authorities and to take on ourselves the responsibility of distributing on an all-India scale which the Honourable Member referred to.

Sir Syed Raza Ali: If it is not considered an interruption, may I ask, in the first place, when were these returns made, namely the survey of the existing stocks. Secondly, what was the result of the survey and according to this survey, how much stocks we have throughout the country on any particular date?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: There is no particular date on which this survey has been made or stocks have been calculated.

Sir Syed Raza Ali: But surely the returns were made about a certain time, say in January or November or December. That will be the crucial date.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I was suggesting that unlike a census, there is no particular date on which the survey has been made. The survey has been made on various dates by various Deputy Commissioners and the results have come in within the last week to the Government of India.

Sir F. E. James: Are there heavy penalties for concealment of stocks?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: There are. I know there is heavy penalty. I think it involves imprisonment for one year or so, but I am not sure.

Mr. Muhammad Nauman: Is there any case where a man has been punished for selling beyond the control prices or for not revealing the stock?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: May I continue, Sir? I am informed that the total sentence of imprisonment which a man who makes himself liable to by any false declaration or by evading price control, is three years.

Sir F. E. James: Has any case been actually instituted?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am not aware of any case.

Sardar Sant Singh: I may inform the House that a big merchant in Hapur was put in jail.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Was it for selling at a higher price?

Sardar Sant Singh: I do not know for what purpose.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: As regards evasion of price control, perhaps he was punished. I do not know, Sir, whether there has been any evasion of requisition order or an order to disclose stocks. The immediate problem that faces us is that some food stuffs or other should be rushed to those centres where there has

been scarcity. I have now under consideration proposals to send rice instead of wheat; where it has not been possible to send wheat at least to send rice, because the crop is now in hand and in some areas there is a surplus of rice. I know this is a bad substitute for those who are accustomed to wheat, but as it is, when in these days the necessities are overwhelming, I do not think we can afford to do very much more.

Next, Sir, there was a reference to the transport problem. All I can say is that in these exceptional circumstance I do not myself think that there will be any difficulty about rushing foodstuffs to places, so far as the transport system is concerned. I have every reason to hope that that question will be solved, particularly when the Government are taking upon themselves the question of transporting foodstuffs from one area to another. My Honourable friend referred to the quantities that are in Delhi which are undisclosed. Well, Sir, I have no means of knowing whether it is a fact or not. I can say that the Commerce Secretary has been in close consultation with the Special Officer in Delhi who is in charge of this thing, and also with the Chief Commissioner and I should be very much surprised if any known stocks are not already requisitioned by the Deputy Commissioner. If the things have gone underground and if it has not been possible for the ordinary staff to unearth, then that is another proposition that applies not merely to Delhi but to all areas.

There is also a certain amount of history which has to be remembered in connection with this question. The difficulties with reference to trade and commerce in the Punjab during the last two months are well-known to all Honourable Members of this House, and, particularly, to those who come from the Punjab. It is not for me to enter into the merits of the controversy that has been raging in that Province. It is not for me to suggest that any particular agitation is justified or not justified. But it is impossible to ignore the reactions of all that has been happening in the Punjab on the main question that we have been considering. The hartal that has been prevailing for a long period in that province has had its inevitable consequences on the supplies of foodstuffs, these essential foodstuffs in particular in all areas in India right up to Calcutta.

Pandit Lakshmi Kanta Maitra: What did you do to stop that?

Dr. Sir Ziauddin Ahmad: It is the ban of the Government that has ended in the hartal.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Now, Sir, I only point that out as one of the factors that has brought about this crisis. I should like to say again with a caveat that I do not want to enter into the merits of this controversy at all, I want to make this statement with a full sense of responsibility. We are living in dangerous times. It is obvious that food shortage is one of the most serious things that any Government will have to deal with. It is also obvious that any question of such serious food shortage would have repercussions not so much even on the administrative machinery as on the whole society and I venture to state and to add my voice to those which have been raised even in the Punjab by the more moderate elements that the days of strikes and hartals must be put aside for the time being.

Maulana Zafar Ali Khan: There was no hartal in the United Provinces, yet a ban was imposed there.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Everybody should see the dangers of a resort to such methods for the solution of grievances, however justified they may be. In normal and more spacious days and under conditions of more placidity we might afford, whether it is the administration and the traders on the one hand or the employers and others on the other hand, to have recourse to such methods. But I venture to state quite confidently and in the hope that my voice will carry some weight with those who are mainly affected and it will strengthen the hands of those moderate elements which see the dangers ahead, that these are not days when however real the grievances may be, methods like that can be lightly resorted to.

Maulana Zafar Ali Khan: What has that to do with the situation in the country? If the hartal by the *Beoparis* in the Punjab had anything to do with the scarcity of wheat, how is it that in the United Provinces, there has been no hartal, but still the ban is imposed. In Bengal there is no hartal, yet how can this react as far as Bengal and the United Provinces are concerned?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It is obvious that a free movement of the commodities, a free flow of the commodities will be seriously jeopardised by such agitations and such hartals. It is common ground that in the Punjab itself the free movement of goods has been seriously affected by these hartals.

Sardar Sant Singh: Will the Honourable Member address the same advice to the Administration and ask them not to raise controversial questions?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I said that I was not going to enter into the merits of this agitation at all. I am concerned for the time being to point out what effects it will have on the social situation altogether. My Honourable friend appealed to me to realise the gravity of the position and to see what will happen if areas are starved of foodstuffs and cannot receive the foodstuffs that they are entitled to receive. I pointed out the dangers of the situation and we are acutely aware of them and to the extent that our advice will go, our advice will be offered to all the parties concerned. There is no doubt about that.

I have tried to show that all measures that are possible are being taken, that we have tried to requisition the stocks wherever available, that we shall make a further attempt. I am not free to disclose all or what methods we will adopt at the present moment to bring out the hidden stocks, if, as has been alleged by various Honourable Members, such stocks have been hidden. We have tried to distribute whatever quantities of wheat we have been able to requisition from various areas. We are trying to see that substitute foodstuffs are sent to those areas so that the position may be eased to some extent, if not totally.

My Honourable friend has made the suggestion that with reference to the wheat crop for next year, from this time onwards, a planned programme may be adopted by the Government. We are considering what steps can be taken to avert a situation like the present so that during the next twelve months after the next crop begins to move into the

market, there will not be things such as have happened now or at any rate we may be in a better position to know why such things have happened.

I have tried also to show that this Government are anxious to see that supplies are conserved for this country as far as possible and that we are not freely and willingly allowing the export of goods abroad beyond what can be spared consistently with our own interest. These are the various methods by which we are trying to tackle a very difficult situation. I do not pretend to suggest that the method that we have adopted, that we are proposing, and that are in contemplation are altogether too adequate to meet the purpose; but we are trying to do the best we can under the circumstances, and I trust that Honourable Members will at least free me from the charge that I have shown any callousness or the Government of India have shown any callousness in this matter. In fact this question of wheat particularly has been engaging our attention for some weeks and has caused more intense anxiety to the Commerce Department and every one of the superior officers connected with that Department than any other single question during the last 12 months.

Dr. Sir Ziauddin Ahmad: Sir, may I ask one question? The Honourable Member may please take this into consideration and find out a solution. I know of a case definitely of a number of persons who failed to reveal their stocks and now they do not bring them out. They conceal them because if they bring them out for sale they may be arrested. So, unless a search is made on a research principle or any other device is found out by the Commerce Department we cannot touch this hoarded stock.

Pandit Lakshmi Kanta Maitra: Sir, I have very carefully listened to the speech of the Honourable the Commerce Member in reply to the motion made by my Honourable friend, Mr. Nauman. If ever there was a matter which justified the adjournment of the business of this House or in fact any business of the Indian world, it was this motion relating to shortage of foodstuffs in this country and particularly in the Imperial capital of Delhi. Sir, I belong to a province which is not pre-eminently a wheat eating province, but having been in Delhi I have had occasions recently to get into touch with the people with whom this is now the most vital problem. And for the last 15 days the common talk of the people of this city is the shortage of wheat and the shortage of foodstuffs. Every day we are subjected to interminable queries by people as to when and where they are going to get wheat. After having heard with close attention the speech of my Honourable friend, the Commerce Member, I frankly confess that I am disappointed. When people are threatened with shortage of food it is very cold comfort to them to be told that the next harvest will be due within the next few weeks, and that when grains begin to move in the market there will be a fair distribution and the shortage will be relieved. What strikes me as very surprising is that the Government of India with all their vast machinery could not discover the persons who played this vanishing trick by which nearly five million tons of wheat disappeared from the land. The statistics given to the House clearly show that of a total produce last year of nearly ten million tons of wheat, 2½ lakhs of tons have been taken away for supply outside and another 2½ lakhs which are normally consumed by the Defence Department, have also been purchased by it and not more.

[Pandit Lakshmi Kanta Maitra.]

What has happened to the balance of the stock? If it has not been driven underground where is it? And ten months' consumption is all that may be accounted for. But even that how much? The difficulty is that Government do not maintain any statistics of anything. They cannot give any statistics of the annual outturn, province by province, of this principal crop, wheat. They do not know what is the normal consumption of the provinces of Delhi and the Punjab or of the other neighbouring provinces. We are left to the region of speculation to find that out. By a mathematical calculation we have come to deduce that barring the 2½ lakhs tons for the Military Department and 2½ lakhs tons for supply to outside, the rest must be presumed to be available for consumption in this land. Today the Honourable the Commerce Member assures us that he will exert his utmost to find out these hidden stocks if there are any; but if these stocks are not found out, what is the remedy he is going to offer to the people: Are we to tell them that they must find out a substitute foodstuff in the shape of *Jowar*? And is he in a position to tell us what is the stock of *Jowar* at the present moment? How long can the present supply of *Jowar* keep the provinces going before there is movement of fresh crops within the next few months?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I referred to rice principally. The crop is just coming in, and there is a surplus to go to those places as substitute food from certain areas.

Pandit Lakshmi Kanta Maitra: In any case I feel that an intensified effort should be made by the Government of India to find a solution for this. I do not charge Government with callousness, but I do charge Government with short-sightedness; they should have foreseen all these things beforehand, and shortage of food, at this juncture, will spell disaster for this country. You have been talking in season and out of season about keeping up the morale of the people when the war is knocking at our gates. But if in the imperial capital of Delhi with all the paraphernalia of the State, and with the entire machinery of Government functioning, if even here your people cannot buy foodstuffs for money, how can you go on preaching to people not to give way to defeatism or to develop the defeatist mentality? Is that kind of slogan going to tone up the morale of our people? And people say that coming events cast their shadows beforehand. I do not know if this is a shadow of things that are likely to happen. If there is bombing of Calcutta or Madras and communications are cut off, we can well foresee what is going to happen to our country. If at such times as now you cannot supply food to the people here and the only explanation you can give is that your officers have tried their very best to unravel the stocks and are still trying in all the provinces through the Commissioners and Deputy Commissioners but with no appreciable results, then of course it is a very damaging story to tell. Sir, I have nothing further to add.

I appear to the Honourable Member, in the interest of the Government, to see that this shortage is immediately relieved, and unless that is done I do not know what is going to happen. People will lose heart and get exasperated and all the efforts of Government to allay panic will prove abortive and all their arguments and explanations will fall flat on hungry people.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, since I am here I am being told about the shortage of flour. During the last few days I was also thinking of giving a similar notice for adjournment, but every day I was told that arrangement had been made for the supply of wheat flour by the Delhi Administration. Whenever I tried to make enquiries I failed. However, the matter has come up before us now. The people are being put to serious troubles. Sometimes the Municipality here made some arrangements in order to help the poor people in securing wheat flour but I learnt that most people returned disappointed, rather they received kicks of the Police. For the last few days wheat flour is being mixed with maize flour and millet flour and that too not in their pure condition but mixed with some husk and other uneatable stuff.

The Honourable Member has said that he has not been able to get information regarding Delhi. I say that is very easy and especially in those areas where *chungi* system is working.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: What information is the Honourable Member referring to? I did not say I had no information about Delhi.

Maulvi Muhammad Abdul Ghani: Information as to whether there is any storage of wheat in Delhi.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: My information is that there is no storage.

Maulvi Muhammad Abdul Ghani: There is storage. However, I may tell him that wherever there is a *chungi* system it is not difficult to know what quantities have been imported. *Chungiwalas* keep an account of the quantity of wheat or any other grain brought here, because they charge on that. After getting the necessary information from them, it is open to the local Administration to call the persons concerned to give an account of how they have disposed of their stocks.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am very sorry to interrupt the Honourable Member, but I may say I forgot to mention in my speech that in the month of January Delhi got very much more of wheat into its province than usually it does—about twice the quantity. What has happened is that it has been dispersed. There was a rumour started some time ago which I myself heard that following the *hartal* in the Punjab there is going to be a *hartal* in Delhi for ten days. The middle classes and those who could afford to lay in stocks of wheat and wheat flour purchased it for a month or so fearing the *hartal* and much of the quantity that came in in appreciably larger amount has been thus dispersed.

Maulvi Muhammad Abdul Ghani: That may be, but I was just suggesting a remedy in so far as Delhi is concerned, namely, if there is any storage of wheat or wheat flour in Delhi, it can easily be detected through the *Chungi* department—Octroi Department. (Interruption.) I say that an effort should be made and if there is any storage of wheat in Delhi that can be easily detected. The merchants who have imported should be called upon to account for the disposal of the quantity they received. There is another thing to be watched. Sometimes fictitious sales are

[Maulvi Muhammad Abdul Ghani.]

shown. One merchant shows a certain quantity as sold to another friend of his, and he in his turn shows that as sold to a third person. In this way sometimes these transactions go on. But in that case when they do not give a satisfactory account, I think it is the duty of the local police to watch and see whether there is any storage of wheat in Delhi. The rumour is afloat here that wheat is here but no proper action to detect wheat storage is taken by the local Administration and, therefore, these troubles are due to lack of control on the part of local Administration. Sir, I am not going to find fault with any particular individual but it is the duty of the local Administration. Some people went to see the Chief Commissioner, Delhi, and made some complaints regarding the scarcity of wheat flour. He said: "Find out the names of the persons who are storing wheat." The poor people do not like to incur the displeasure of big merchants here because they will be put to more difficulties by such merchants. So the Administration can very well take action and they can very easily find out. There are more than one ways if only the Administration really desire to investigate and go into the matter thoroughly.

Sir, with these words, I support the motion.

Mr. Muhammad Nauman: Sir, I am grateful to my Honourable friend, the Commerce Member, for having tried to explain the position in clear terms. He has tried to put himself in the same position in which we are and said that he does not know of any visible stocks and that he has not been able to find out ways and means of how he can explore those stocks which may be lying hidden somewhere. He certainly feels that there must be a surplus, because looking to the average consumption which we have in this country and the average production and taking into account the amount of exports made and the amount of stock which was purchased by the Government for the use of Defence Department, still, there should be stocks left as surplus and, besides, even if there was no surplus left, there was no occasion for the shortage of wheat. That means if the production was 10.5 millions tons and our consumption was 9.5 millions we had still in hand something like one million ton of wheat. So, at best, there should not have been a shortage. Then, it is really surprising that the Government have not been able to find out how this situation has arisen. In Delhi even he has not been able to find out whether there is any truth in the rumours that two lakhs or one lakh of bags are lying underground or are lying in some secret places. I am not in a position to suggest how this could be done but I can say one thing that the main channel of import to this particular city is through Railways and if the figures are taken from the Railways as to what has been the import in this city for the last ten months or so, they can find out exactly what they have received here, and then they can compare that with the average figure of consumption in the city.

Of course, there are other means of import as well from markets like Meerut and the near stations; but the main channel as I said is the railways, and from the different Merchants' Associations they can find out what has been the consumption in this particular city till now; and if they explore fully the situation in one city, they can use the same means for other centres in India. The situation is very serious and the Honourable the Commerce Member himself confesses it, but he finds himself in a fix as he is not in a position to know or tell us what are the real

causes of the present situation. As my friend, Mr. Maitra, put it, it does not take us anywhere to hear that the Government themselves do not know where we stand. Today the situation has arisen with regard to a staple food like wheat; tomorrow it may arise in connection with rice and other staple food commodities; and if the Government of India do not take proper precautions, which the Honourable Member said he would try to take, I am afraid things will go from bad to worse and anything may happen. Although the Honourable the Commerce Member has explained that he is taking all possible steps to see that the present situation is averted and although I appreciate his explanation yet the fact remains that the trouble has not been averted in spite of the Government Member's earnest desire. I do not know what else we can do. We look to the Government as custodians of this country to look at this aspect more seriously than on any other aspect; and if efforts are made in this city of Delhi through the Chief Commissioner, it may be more easy to explore. I cannot suggest all the other means available but when the Honourable Member has given an assurance that he will try and explore all means, I do not think there is any reason for me to press this motion to a division. He has expressed his sympathy and also his inability in the matter much in the same way as we did. The only request we would make to him is that he should now take it more seriously in his mind, as he has promised, and relieve the situation as early as he can. Sir, I withdraw the motion.

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member the leave of the House to withdraw his motion?

Several Honourable Members: Yes.

The motion was, by leave of the Assembly, withdrawn.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 12th March, 1942.

LEGISLATIVE ASSEMBLY

Thursday, 12th March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Khan Bahadur Shams-ud-Din Haidar, O.B.E., M.L.A. (Nominated Non-Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

VETERINARY INSPECTORS CONFIRMED IN THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†180. *Maulvi Muhammad Abdul Ghani: (a) With reference to unstarred question No. 207 asked by Mr. Umar Aly Shah on the 25th March, 1941, regarding permanent Muslim Veterinary Inspectors in the Imperial Veterinary Research Institute, Mukteswar, and the reply given thereto on the 27th October, 1941, will the Education Member please verify and state the number of Veterinary Inspectors in the Imperial Veterinary Research Institute who were confirmed after July 1934, as there are reasons to believe that three (and not one as stated in the reply) were confirmed during the period?

(b) Will the Honourable Member please state the dates of appointments and confirmation of all the present permanent Veterinary Inspectors?

(c) Will the Honourable Member please state if any Muslim Veterinary Inspector has been confirmed since the issue of the Home Department Resolution of 1934, regarding the proportion of Muslims in the public services? If not, why not?

The Honourable Mr. N. R. Sarker: (a) and (b). A statement is laid on the table showing the dates of appointment and confirmation of all the present permanent Veterinary Inspectors. It will be seen from this that only one Veterinary Inspector was confirmed after July 4, 1934, the date of issue of the Home Department Resolution on communal representation in the public services.

†Answer to this question laid on the table, the questioner being absent.

(c) No. As stated above, only one officer has been confirmed since that date. He had been officiating continuously since July, 1933.

Statement showing dates of appointment and confirmation of Veterinary Inspectors (Research Assistants) at the Imperial Veterinary Research Institute.

Serial No.	Name.	Date of appointment.	Date of confirmation.
1.	Mr. M. K. Sreenivasan	9-11-1928	9-11-1929
2.	Mr. J. A. Idnani	1-10-1931	1-10-1932
3.	Mr. K. Raghvachari	26-9-1931	1-7-1934
4.	Mr. R. N. Mohan	2-4-1932	1-7-1934
5.	Mr. M. R. Dhanda	3-1-1933	1-7-1934
6.	Mr. S. Ganapathy Iyer	27-7-1933	10-2-1939
7.	Mr. Balwant Singh	9-7-1923	1-9-1924
8.	Mr. N. C. Sen	8-10-1929	1-9-1930
9.	Mr. S. K. Chowdhury	9-6-1930	1-9-1931

PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

†181. *Maulvi Muhammad Abdul Ghani: With reference to starred question No. 506, asked by Mr. Umar Aly Shah on the 25th March, 1941, regarding paucity of Muslims in the staff of the Imperial Veterinary Research Institute, Mukteswar, and the reply thereto, will the Honourable Member for Education, Health and Lands be pleased to state:

- what steps Government have taken to improve the position since then;
- whether any Muslim was appointed to any of the vacancies which occurred since then;
- whether, in view of the special consideration shown in particular cases as disclosed in reply to starred question No. 145 asked by Haji Chaudhury Muhammad Ismail Khan on the 18th November, 1940, any such consideration was shown towards Muslim subordinates in the matter of promotion to gazetted posts;
- whether it is a fact that there are Muslim subordinates in technical posts possessing qualifications and experience equal to those possessed by the incumbents of the gazetted posts;
- whether the said Muslim subordinates were offered any officiating chances in gazetted ranks to enable them to gain the necessary experience; and
- whether Non-Muslim subordinates possessing lower qualifications than those required for the posts have been provided with officiating chances and thus enabled to gain experience?

The Honourable Mr. N. R. Sarker: (a) Government have decided to reserve the right, in filling Class I and Class II posts, to appoint a Muslim candidate even if he is not the first choice of the Federal Public Service Commission, provided he finds a place in the list of candidates recommended by the Commission as suitable.

(b) No. No Muslim candidate has been included in the lists of candidates recommended by the Federal Public Service Commission.

†Answer to this question laid on the table, the questioner being absent.

(c) No "special consideration" was shown in the case of the promotion mentioned in reply to starred question No. 145 of the 18th November, 1940. The rules governing consultation of the Federal Public Service Commission do not require such consultation in the case of selection for appointment to a Central Service Class II post by promotion from a subordinate service.

(d) No.

(e) One Muslim officiated for a short period in 1941. Officiating promotions to gazetted posts are made with due regard to seniority and merit.

(f) No.

IGNORING OF THE CLAIM OF A MUSLIM CANDIDATE FOR SURVEY OF INDIA, CLASS II SERVICE.

†182. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for Education, Health and Lands please state whether it is or it is not a fact that the merit list of the Federal Public Service Commission was totally ignored in the recruitment to the Survey of India, Class II Service, for 1941? Is it a fact that a Muslim candidate who secured second position amongst Muslims on the result of the Commission's examination and had qualified in all papers, as required, was not taken and the post was given to the candidate who stood third? If so, why?

(b) Is it or is it not a fact that recruitment to the Upper Subordinate Service of the Survey of India is being made from the merit list of the Federal Public Service Commission's Survey of India, Class II Examination, on the definite understanding that the acceptance of this lower service on the part of these candidates would not interfere with their subsequent recruitment to Class II Service if successful at the next Examination of the Commission and otherwise found suitable by the Commission?

(c) If so, was the candidate referred to in part (a) above ignored? Is it a fact that he joined the Upper Subordinate Service by accepting the offer of the authorities on the result of the Class II Examination of 1940?

The Honourable Mr. N. R. Sarker: (a) The reply to the first part is in the negative and to the second part in the affirmative. The candidate who secured the second position amongst qualified Muslims at the examination was not appointed to the Class II Service of the Survey of India as his work as a probationer in the Upper Subordinate Service showed that he was unsuitable for the Class II Service, and the next qualified Muslim was appointed.

(b) Candidates who fail to secure appointment in Class II of the Survey of India on the result of the examination but get appointments in the Upper Subordinate service, are not debarred from appearing, if otherwise eligible, in the subsequent examinations or from selection for the Class II Service if found suitable.

(c) His claims were carefully considered, but for the reason stated in reply to part (a) of the question, he was not appointed to the Class II Service. The reply to the latter part is in the affirmative.

†Answer to this question laid on the table, the questioner being absent.

APPOINTMENTS OF A VETERINARY OFFICER AT MUKTESWAR AND AN ASSISTANT VETERINARY RESEARCH OFFICER, ENTOMOLOGY.

†183. *Maulvi Muhammad Abdul Ghani: (a) Will the Honourable Member for Education, Health and Lands be pleased to state whether Government are prepared to investigate the following cases, as promised in reply to starred question No. 153 asked by Haji Chaudhury Muhammad Ismail Khan on the 18th November, 1940, (reply given on 27th November, 1940):

Appointments in last November of (1) a Veterinary Officer at Mukteswar and (2) an Assistant Veterinary Research Officer, Entomology, with special reference to following points:

- (i) in view of the paucity of Muslims in the Gazetted classes in the Institute, was any direction given to the Public Service Commission that Muslims of prescribed qualifications should be given preference?
- (ii) whether the candidate selected for the post of Veterinary Officer had previously been rejected more than once by the Public Service Commission for many Gazetted posts including the one for which he has now been selected?
- (iii) how the qualifications of the rejected Muslim candidates compared with those of the candidates selected for these two posts?

(b) Will the Honourable Member be pleased to lay on the table the report of such investigation and the orders of Government passed thereon?

The Honourable Mr. N. R. Sarker: (a) (i). No. In each case the candidate recommended by the Federal Public Service Commission was appointed. Directions have been issued that, in future requisitions to the Federal Public Service Commission for the filling of Class I and Class II posts at the Imperial Veterinary Research Institute, an instruction should be included that "the appointing authority reserves the right to appoint a Muslim if he is included in the selected list of candidates recommended by the Federal Public Service Commission". The existence of such an instruction, however, would not have availed Muslim candidates for either of the two posts cited by the Honourable Member, as in neither case did a Muslim figure in the list of candidates recommended by the Federal Public Service Commission.

(ii) and (iii). Government are unable to discuss the qualifications, individual or relative, of the candidates for these posts. These are matters for the consideration of the Federal Public Service Commission and Government entertain no doubt that the Commissioners did consider them.

(b) Does not arise.

THE INDIAN FINANCE BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Indian Finance Bill.

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): Sir, yesterday I was dealing with the question of machine tools and with the productive capacity of our country. I find that in the few remarks that I made I have not been able to convince many of my friends

† Answer to this question laid on the table, the questioner being absent.

here as to the capacity of our industrial concerns to help Government in production in the matter of machine tools. What I pointed out was that we have not less than, in my humble opinion, 800 industrial concerns, each of which has got attached to it what is known as a mechanic shop or a workshop. So far as I know, most of these workshops attached to these industrial concerns have a large number of machine tools such as, lathes, wheel cutting machines, shaping machines, slotting machines, drilling machines, brakesmithies, tin and copper smithies, foundry, etc. During the tour we have had recently as members of the Defence Consultative Committee, I saw a good many workshops which have been created by the Government, and I must say that the work done there is efficient, good and as much as could be desired and I have a few specimens from them. Having said that much, I know, and everybody else knows that both in England and here we are short of machine tools. I have told you in brief that all endeavours have been made there and probably endeavours have also been made in this country to obtain these machine tools, to get hold of second hand machines that are lying throughout the country, that in England they have utilised a large number of industrial concerns to help them through their workshops to turn out the required things through their machine tools. I also pointed out that the same thing has been done in Australia, and the other day I quoted, and I shall again quote a few lines today that have appeared as recently as the 25th February last in an authoritative statement:

"Australia will soon have 36 Government munition factories working at full pressure compared with the 11 at the outbreak of the war. In addition there are 100 private annexes and an undisclosed number of private factories working for the munitions department. About 2,000 factories are working for the supply department on supplies and other things. This represents 100 per cent. increase in six months."

Yesterday my Honourable friend, Sir Vithal Chandavarkar—I am sorry he is not here—expressed the opinion that Government had taken an inventory of the machinery that was at present in the workshops attached to the mills. I immediately said, it is quite right. Further more, when I said that we should have the workshops attached to our factories to work for 24 hours, my Honourable friend desired to say something but I did not yield. My Honourable friend, the Finance Member, said, "We are sorry you would not allow somebody who knows some facts to place them." I was sure of my facts and did not wish any interruption. But here we find that an inventory has been taken of the machinery working in the workshops attached to no less than 800 industrial concerns in this country. I concede, as Sir Vithal has pointed out, that some spare machinery from there and which would be usable for munition purposes were given to the Government. But that does not end the question as my Honourable friend, the Finance Member, would like us to believe, because he said in an interruption, "Sir Vithal has disposed of the matter." I say he has not. He has not been able to dispose it of and I am prepared to show and prove that at present we have workshops, 800 in number, which are used for the purpose of making repairs to the industrial concerns which are carrying on their business, but these workshops are not necessarily engaged in the repair works all the 24 hours. It is impossible to believe that most of the latest concerns should have workshops which would be engaged on their repair work for 24 hours. These workshops, as everybody ought to know, are used when there are breakdowns, and, surely, if a concern has a breakdown which would keep the workshop attached to it engaged for 24 hours, it must be a rotten concern, it must be as old as I said, 80 years, because I think the first textile mills were established 80 years ago.

[Mr. Husenbhai Abdullabhai Laljee.]

Therefore, my contention is that, although the industrialist is prepared, willing and anxious to help the Government so far as machine tools are concerned—in fact, when they have already offered their spares as my Honourable friend, Sir Vithal, has said, are we now utilising all these workshops for minor and other works? I say with confidence that we are not. I wish that the Government should carefully make an enquiry into that, and if they are assured that these workshops are not working for 24 hours, that all the mills are not working 24 hours, as an impression was given here in an interruption—mills are working,—few, for 24 hours, some are working for 2 shifts, 16 hours, but very few working 24 hours. But even if they are working two shifts and three shifts, 16 hours or 24 hours, my contention is that the workshops attached to them are not working for 24 hours and as has been the case in England and in Australia, the industrialists here are willing to come forward and the Government should take full advantage of these workshops. Let us take full advantage of these workshops at least until we are able to get sufficient tools. My Honourable friend, the Finance Member, interrupted and said: 'You are aware of the fact that we want machine tools'. Yes, Sir, but we have not been told that in this House and in an authoritative way. We have only been told in the Defence Committee three months back and something in the Secret Session only a few days back, after the war has gone on for over 3½ years. Even then may I tell you I have already drawn the attention of my friend the Secretary in the Defence Department on the 24th January, pointing out these facts in a letter and the reply that he sent was almost the same reply as my friend, Sir Vithal, has given, to the effect that these machineries in the industrial concerns will be utilised when needed. . . .

The Honourable Sir Jeremy Raisman (Finance Member): The Honourable Member spoke about machine tools for over half an hour yesterday, and he got to the stage, when four o'clock struck, of speaking on the Finance Bill. He is now giving the subject of machine tools a new lease of life, if I may say so, and he has resumed a subject which we understood him to have exhausted yesterday.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable the Finance Member can point out what the Chair can do in the matter of regulating such speeches, I should be very much obliged. The Honourable Member (Mr. Husenbhai Abdullabhai Laljee) ought to remember that there are other Members who want to speak. The time of this House is not the monopoly of any particular Member.

Mr. Husenbhai Abdullabhai Laljee: I will consider seriously the advice given by the Chair, but I do honestly feel, having seen records of the proceedings of this House, that Members have spoken for much more than two hours or three hours, or five hours, and what I have to be careful is only that I should not repeat the matter; but I do not see why the Finance Member is allowed to interfere in this way; and now, when I find further that these Benches are empty (referring to the Muslim League Benches) and that they would have taken at least ten times more time

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member does not know that they will not take part in the proceedings.

Mr. Husenbhai Abdullabhai Laljee: I will consider the advice, but I am now, Sir, doing my duty and I shall have to do my duty to my country, to my constituency, as well as I can. I was pointing out when my friend, the Honourable the Finance Member, interrupted me, that in the letter to me from the Secretary of the Defence Department it was stated that the workshops and the industrial centres will be taken into use and that shortly we will be considering proposals in connection therewith. Therefore, what I have been saying is true and correct that these workshops have not been utilised for 24 hours as we ought to do in the interest of the defence of this country and it is for that reason that I am pressing earnestly the most important and vital question before us of the machine tools and turning out of more munitions. I have been pressing this question on this House as strongly as I can and I think in fairness to the critical circumstances in which we are at present the Government Benches ought to welcome any suggestion in that respect. This clearly shows that what I have been telling over and over again. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not repeat that.

Mr. Husenbhai Abdullabhai Laljee: . . . namely, that there is very little trust among the people, although they are anxious to help the Government.

Now, coming to the Budget in details, as I stated, we find that the Honourable the Finance Member has done his level best to produce the best he can under the circumstances in which we are placed. He has told us that he has a large sterling balance lying in England. He has told us that he proposes to use 101 millions for the payment of the sterling debt, 70 millions in the month of March and another 70 millions in the month of January, 1943. If he can expedite that payment, because our money is lying there, there will be so much saving in interest. I also wish to draw the serious attention of the House to the fact that every day sterling balance is being accumulated and how does he propose to bring that money down, to India. How does he propose, if these monies remain there, that we shall be able to finance commerce and industry and our agricultural products. Of course, there are ways by which he can help us to divert some of these monies to America from which we can get some raw produce and some manufactured articles which may be useful to us. Anyhow this great balance lying there in England must cause great anxiety on account of the facts I have just now mentioned. The Honourable the Finance Member at this time has provided for one fourth of the deficit by taxation. In the previous budgets he has tried to lay down a certain ratio. I am glad that he has brought that ratio down but may I ask him one simple question. It is this. His very borrowing by loans for long periods is because of the fact that the advantages of these borrowings will not only accrue to the present generation but it will accrue more to the future generation. Even in ordinary cases when public works are undertaken, this principle has been always adopted for the same reason. So far as this war is concerned, if we succeed, which we hope we shall, then the benefit of these great sacrifices will accrue not to a generation, not for 25 or 30 or 50 years but let us hope for 100 years. If that is the principle on which all borrowing is taken, if that is the principle then our regular revenue budget ought to be adjusted accordingly. I ask in all fairness and equity, whether the present generation, the present people, who are sacrificing not only money but their lives, are to be taxed any more. They

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have been taxed for the last two years. Before that time they were taxed enormously which was admitted on all hands. Even at this stage when all sorts of sacrifices are being done by the people of the present generation, why should the Government think of taxing them any more? Are they capable of bearing the increased burden of taxation and is it fair to them? I think that all the present war requirements of the country whether they be of £100 or of one hundred million pounds should be met out of the loans and these loans must not be for 30 years but for 50 years in all fairness. So far as this country is concerned and the poor middle class people and the ordinary people are concerned, it was conceded even before the war that they were over-taxed and that they could not bear any further taxation. You have already over-taxed them for the last two years and you are going to tax them still further. As some Honourable Members have pointed out, rich persons would feel over the super-tax and the excess profits tax but they will not have bitterness in them because, after all, Government will protect their property. But what about the poor and middle class people? They have already been making considerable sacrifices and they cannot make both ends meet and yet you want to tax them further. The result will be that you will create bitterness in them. Do you want goodwill or bitterness among the masses who do desire that this war should end in our successes soon and that their country should be defended. In these circumstances, if you touch their hungry stomachs, then you will do the greatest wrong and no good will come out of it.

Sir, some of my friends on the Treasury Benches are very anxious that I must sit down. I do not know why my friends on the Treasury Benches are so anxious that I should close my speech.

The Honourable Mr. M. S. Aney (Leader of the House): I am not anxious.

Mr. Husenbhai Abdullabhai Laljee: Thank you very much. I have never been a very great critic nor have I been one of those who have non-co-operated with you. But I must bring to your notice the facts which I feel consciously if I am to honestly co-operate with you. I hope you will take my remarks in that light.

Yesterday when I was speaking about the supplies I have said that I have very great regard for the ability of the Honourable the Supply Member. Very few Honourable Members know that we have been knowing each other for more than 45 years. We read in the same school in our very early days and we have been in the public life together for more than 25 years. I know that the Supply Department, of which he is the head, is doing wonderfully good work. But I do wish to emphasise that he does require further assistance to find out the ways and means to increase our production. He has been hard working and over working but that does not mean that we must not employ or explore every source which may be available or which could be made available. I need assure him that every industrialist in this country is more anxious to co-operate with him than they would have been anxious to co-operate with anybody else. Not only that, even if I say that the industrialists of this country love him, I won't be saying too much. Therefore, I do hope that the Honourable the Supply Member will take the remarks that I made yesterday in the light in which they were made, namely, to help the successful prosecution of the war.

Then, Sir, with regard to the overseas problem, I did not wish to say any hard words to our present Leader of the House. I said yesterday and I still maintain it that the conditions, unfortunately, are still existing which had been existing for some time past. I know the great difficulties under which he has to work now because of the war, but I do still desire that he will try to exert a little more so that the people of this country may feel not only obliged to him but feel that a serious attempt is being made and that equality of status is conceded to them as the subjects of His Majesty the King Emperor which has been denied to them so long. With these words, Sir, I resume my seat.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, I wish to speak only on a few items on the Bill which is before us. I want to make a few observations so that the Government may know what is happening in the country. Really speaking, nobody will grudge any kind of expenditure which is required for the defence of the country if it is properly spent. But if it comes to the notice of the public that the money which the poor people are giving is being squandered mercilessly, then they will naturally feel disheartened. If they come to know that the Government are not using proper vigilance over the Departments which are the spending Departments, they feel it all the more. I want to bring to the notice of the Honourable the Finance Member two things. First of all, it has come to my personal knowledge that in Meerut, the army authorities wanted some contractors to supply them motor lorries. They asked lot of contractors to come to their help. A contractor was selected, and his rate was Rs. 10 per lorry per day. After a few days another army officer got another contractor and gave him Rs. 11 per lorry per day. The result was that all the lorries which were working with the first contractor left him and went over to the man who was given Rs. 11 per lorry per day. The lorry drivers and owners naturally wanted to have one rupee extra from the second contractor. The first contractor went to the officer concerned and complained about this arrangement. He asked as to how could they work in the same district with two different rates. The contractor said that he knew that in Bareilly lorries were engaged at the rate of Rs. 12 per day. Then, another contractor came to Meerut, and they gave him Rs. 13 a day. The same thing is being repeated everywhere at Meerut, because you have got contractors, one was supplying at the rate of Rs. 10 per lorry per day, and the other at the rate of Rs. 11 per lorry per day. Afterwards, both these contractors were wiped out and a full contract was given to another man at Rs. 13 a day on the lame excuse that the other contractors could not supply the number of lorries required by the military authorities, say 600 or so per day. My good Sir, if you give me Rs. 13, I will give you double the number of lorries. This is what another contractor said. I say, this is sheer humbug on the part of the army authorities to squander money like this. They spend Rs. 3 extra per day per lorry, and for 600 lorries, they spend Rs. 1,800 extra per day. This is all unnecessary expenditure. Who has got to pay this extra money? It is the poor taxpayer of India. In the present Finance Bill, the Government have lowered the limit of taxation from Rs. 2,000 to Rs. 1,000. They now collect income-tax on sums between Rs. 1,000 and Rs. 2,000 also which they were not formerly doing. Is it to give the army authorities extra money to waste that the Government are taxing the poor like this? The army people are putting into the pockets of contractors an extra Rs. 1,800 per day in one district alone. Or it may be that it goes into the

[Sir Muhammad Yamin Khan.]

pockets of somebody else. Who is responsible for this scandalous waste of public money? I urge on the floor of this House that this case should be enquired into, a full investigation should be made, the bank accounts of the army authorities who gave this contract should be checked, and if you find that within the last few months, their bank balances have increased abnormally, then those funds should be confiscated. The Income-tax Officer might send notice to these army people who gave contracts, so that he can find out the exact income of these people. If these people are found guilty, no mercy should be shown to them. They should be dismissed summarily. People who are found corrupt deserve no quarters at the hands of the Government. At first, I could not believe that such corruption could be rampant in the Army Department. I do not understand why the army authorities should show such glaring partiality to some contractors unless they themselves have some interest in the contract. This has happened not once, but twice in Meerut. Last year too, there was a lorry contractor who did supply lorries, and he was told summarily that his contract ceased the next day. The contractor, who had collected a lot of lorries from the Punjab and other places, and who had paid for petrol and who had entered into sub-contracts, was told one fine morning that his contract ceased the next day. This was a great hardship caused to that contractor. The Government want to treat everything connected with the Defence Department as a great secret. We, the non-officials, to whose knowledge such gross corruption comes, cannot keep quiet. We have a duty to our constituency and to the tax-payers in India. We cannot allow our people to be taxed if only to place money at the disposal of the Defence Department for such extravagant purposes. If you cannot exercise proper control, if you cannot keep vigilant, then you must take into consultation non-officials who will supply you with proper information. You must wake up and find out what is the reason for all this extravagant expenditure. It will be dishonest on my part, if I say that I should allow my people to be taxed simply to squander the money like this. If you want to fight the enemy, if you want to defend India properly, I will be the first man to approve the taxing of the people to the utmost limit. In the case of income-tax, I would even suggest that you should lower the limit to Rs. 500. If there is an emergency, I am prepared to go any length to raise money for defence purposes. But it will be dishonest on my part if I go and say, you should tax my people simply to squander the money in the Defence Department. This thing has been going on, and it has come to my personal knowledge, and, therefore, I am bringing to the notice of the Government that there is some *golmal* going on in the Defence Department and you must enquire into the matter. This thing has not happened in the Supply Department where contracts are given. But the contracts which are placed by the army authorities are not all straightforward. In some cases they give double and treble the ordinary rates. This leads to a lot of discontent in the country. It is not really proper for any honest man to keep quiet in the face of such malpractices. That is why I have exposed these people before the Government so that the Government might take proper steps. The Government should get hold of the contractors, and, through the help of the non-officials, they must sift out the truth. You must give the contractors a guarantee that no legal proceedings will be taken against them if they give proper information. On this condition, they will divulge the truth. Thus you will find that a lot of corruption has been going on. I suggest that these

people who are found corrupt should be discharged at once. They are a disgrace to the army; they are not the proper men to be placed in position of trust and responsibility at the present time. First of all, they should be discharged and then prosecuted. Whatever else you do, no mercy should be shown to them. War is knocking at our very doors; here some people think that, on the pretext of war, they could make a great fortune. While everybody is suffering, a few people must make money and they should get-rich-quick simply through this corruption. Sir, this is the first point I wish to bring to the notice of the Government.

The next point which I should like to bring to the notice of the Government is this. I cannot understand what is the reason for the Government taxing silver at the present moment. Before Japan entered the war, the price of silver was about Rs. 62-2-0 per 100 tolas sometime ago. That was fluctuating within a few annas this side and that side. But when Japan entered the war, it went up to Rs. 70 per 100 tolas. When Singapore fell, it went up to Rs. 80 per 100 tolas. The day when the Finance Bill was introduced, it went up to Rs. 81-8-0. But with the news of the fall of Rangoon, the price of silver went up to Rs. 89, and it gradually rose, so that today it is about Rs. 95 per 100 tolas. Where is the silver going? Why is the price of silver soaring like this? Does the Honourable Member realise what is happening to the currency position of India? Does anybody value his currency notes? Why are the people purchasing silver? Why are the people hoarding silver? Because they do not want to touch your currency notes. Therefore, they convert their wealth into silver. Has the Honourable Member taken any action on this? Why was the price of silver not controlled at once? As soon as Japan entered the war, when the Government saw that there was a tendency on the part of silver prices to go up, the Government should have brought in a measure to control the price of silver. I hear that the Reserve Bank has stopped the sale of silver. Your silver coin is getting discredited, because there is not much silver in it. Your note is getting discredited in the country, and yet you are taking no action. The result is that the price level is going up high and high everyday. Even the price of gold, which was remaining stationary at Rs. 40 per tola a few days before Japan entered the war, now has gone up to Rs. 56 per tola. Where is all this gold, and where is all this silver going? I was talking to an official of an Indian State last night. He happens to be coming from somewhere in Marwar. He informed me that in his part of the country alone, people had brought about eight crores worth of gold and silver. When war broke out, these people put up petitions to the Maharaja saying that they should be allowed free of customs duty to bring gold and silver into the State. The Maharaja agreed willingly. But the Minister was a little bit careful. It struck him to find as to what was the reason for these people wanting to bring gold and silver into the State. He thought "I must have at least some kind of statistics when they bring into my territory silver and gold", and he said that he would allow it to come free of customs duty provided they declared at the customs the quantity of gold and silver brought and its value, and provided also that they did not use it in the State. These people agreed and declared that they would not use it. Then he collected all the statistics and he was telling me last night that in that small State eight crores of rupees worth of silver and gold has gone and has been buried underground in three or four people's houses. Why not issue an Ordinance to bring back all this silver which has gone from British India and has been hoarded under the ground? You can stop this and stop the fluctuation.

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You may say that the value of your rupee coin will go up, because it is a token coin only; but your old silver coin was also a token coin and did not contain silver worth the nominal value of the rupee. And what will be the effect if it goes up to Rs. 100 a tola? All your Edward VII and George V coins which are still in the market and not ceased to be in circulation will be melted. Then you will be faced with the difficulty that while your books in the Reserve Bank will show that there is so much coin in circulation, it will be only on paper and there will not be these coins in circulation. The result will be that those financiers who know it will know that the value of your currency must depreciate and it will go on depreciating. You have been seeing this for the last three months, from about the 7th or 8th December, but you have taken no action. Action should have been taken at once though it is right that your new George VI coin has come up to the same level. It may be a token coin, but its value has increased, because though it had originally six annas worth of silver, it will now have at least eight annas worth; and people think it better than your paper notes. The difficulty was met when you introduced the rupee note. That saved the situation and brought forth a lot of coins. But this year hoarding has come in on account of the rise of the price of silver and gold. Gold has gone up to Rs. 56 per tola, and a lot of people are selling their gold. Formerly it was going to meet your liabilities outside, and today it is being hoarded by a few people and put under the ground. So I think it is right and proper that Government should issue an Ordinance to requisition all the silver that they know to be hoarded and the Reserve Bank should issue a certain amount of silver at that rate which prevailed at a certain time. It may be Rs. 62 or Rs. 70,—I leave it to them, and if the Reserve Bank issues a certain portion every month, that will keep down the price. You may melt your old coins or the new coins, but, at the same time, the sale of silver should continue in order to keep prices down and not let the poor people suffer. You know what the Indian mentality is, and, during marriages, some amount of jewellery has to be given. They must purchase it, and if they do it now, it will bring them probably half the price after the war. If a man purchases silver now for Rs. 100, his capital will be reduced by Rs. 50 after the war.

The Honourable Sir Jeremy Raisman: What about the silver that he had before which has now gone up to double the value?

Sir Muhammad Yamin Khan: But the Honourable Member knows that the poor man here will never part with his silver in spite of the fact that he can make a profit and double his wealth. He will keep his little silver, because it may be valuable to him afterwards. Nowadays rumour-mongers are saying that the British Government are going; and this poor man feels that if that happens, your notes will be worthless like the German marks after the late war. This kind of rumour is going on and the poor man, therefore, does not want to part with this little silver, which may become afterwards his medium of exchange. So the poor man hoards it and keeps his jewellery for bad times when they come. When he is in difficulty, he goes and pawns his jewellery, rather than sell it although he has sometimes to pay interest which is equal to the value of the jewellery itself. He pawns it and pays interest of about 3½ per cent. per month on the security of the jewellery; sometimes he has paid even 6 per cent. per month, but he has got back the jewellery and not sold it.

That is the mentality of the poor man; in having his jewellery, he thinks it is in his own bank. It is, therefore, wrong to suppose that on account of the rise in prices he will bring out his silver and sell it in order to make a profit. That he will never do. Sir, my advice to the Government is that they must take immediate action in stopping further rise in the price of silver and bringing out into the market all the hoarded silver. A certain limit—say, 100 tolas or 200 tolas—or even 1,000 tolas should be fixed, and nobody should be allowed to keep more than that as bullion. If, in that way, you are able to throw into the market crores worth of silver, this tendency of discrediting your notes will stop. You should make every effort to see that this idea that your note is valueless should not prevail in the country, or else the responsibility of the Government will never be discharged properly. You must keep your note

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has made that point often enough.

Sir Muhammad Yamin Khan: Now, Sir, the other point which I want to bring to his notice from the poorer people is this—the Honourable Member may communicate it to the Member concerned, because I do not find all the Executive Councillors present at the moment. It is the question of supply of wheat and wheat flour. Although it was debated yesterday, I feel that this point was not discussed. You cannot control the price of wheat unless you control the price of coarse grain. You have not so far taken any steps to control the sale price of coarse grain. Only one glance in any newspaper in the morning will show you that barley flour is selling at less than 7 seers to a rupee—I think, exactly 6 seers and 12 chattaks; *bajra* is still higher; gram has gone up to 7 seers; and wheat, as you know, is selling at 7 seers to a rupee. Now, if the cheaper and coarser grain becomes costlier than wheat, naturally the tendency of those who were accustomed to use that would be to turn to wheat and wheat flour, because it is more sustaining. If a man needs half a seer of coarse grain at one time, he will only require 2/3rd of wheat flour in its place, and he can very well do with that. I am glad that while I am on this subject, the Honourable Member has come. Sir, I was just saying, before the Honourable Member came, that unless you control the price of coarse grain, you cannot control the price of wheat. The price of coarse grain ought to be controlled, otherwise you cannot control the price of wheat and wheat flour properly. At present wheat flour, barley flour, *bajra* flour, gram (*channa*) flour are all selling at about the same price

Mr. President (The Honourable Sir Abdur Rahim): All that was fully discussed yesterday.

Sir Muhammad Yamin Khan: Sir, I am sorry I was not here yesterday.

Mr. President (The Honourable Sir Abdur Rahim): That does not matter.

Sir Muhammad Yamin Khan: Sir, I was told that this coarse grain matter was not brought to the Honourable Member's notice, and that is why I am doing that now.

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Sir, I think all the coarse grain should be requisitioned, as otherwise this difficulty of scarcity of wheat will not be overcome. I, will, therefore, advise that immediate action may be taken in the matter of control of prices of coarse grain, because the crop has only just been harvested and wheat crop is coming. Coarse grain must sell cheaper, otherwise there will be a great deal of difficulty when the new crops of wheat come into the market.

As regards the proposal in the Finance Bill to bring down the limit of taxation from 2,000 to 1,000, although the Honourable Member says that this money will be some kind of accumulation, I think it is very inadvisable. I do not think it will bring much relief while the prices are going up. The prices are getting higher and higher, and the man who suffers the most is the man whose income is fixed, say between one thousand and two thousand. He has got fixed income, and he cannot increase that in any way, and then he is saddled with this. Of course, an ordinary labourer, even if he is getting six or seven annas per day, can increase that to, say, twelve annas. He will go and ask, "I am not willing to work for this salary or for this wage as it does not even bring me sufficient food. The price of food has gone up. I must get more." He will get more and may not suffer so much, but a lower middle class man, whose income is not elastic, whose salary is fixed and which cannot be increased, has got to be content with what he gets. And then you have taxed him. You know that his bare necessities have gone up very high—foodstuffs, cloth, house-rent, in fact every thing costs more. He cannot indulge in any luxury, but he has got to pay for the education of his children, and for many other things which are bare necessities. I think it will not bring you so much relief as it will cause hardship to the man whom you are proposing to tax. A tax is good if it brings lesser evil and greater benefit, but if it brings lesser benefit and greater evil, that taxation is bad in principle. In this case, I think, it will not bring so much benefit to the Government as it will bring hardship to the poorer classes. And, therefore, Sir, at least I feel—though it may be necessary—that this taxation is inadvisable. The Honourable Member has given figures which are so mixed up that we do not know what will be the net benefit which he expects for the Treasury. Then, it will involve extra expenditure for the collection of this tax—that was tried once and he found that that was hopeless—and I do not think that it will make much material difference now and specially when the war is going on, when you have to keep the poor man contented, when you have to make a gesture that the Government are not in much trouble, it is not conducive to keeping proper order in the country if you tax the man who carries about all kinds of bad rumours in the towns and villages. I think your policy should be not only a merely mercenary policy. The other side should not be ignored. You have to keep the masses contented so that they may not think that bad time is coming. You have got plenty of people whom you can tax. Why insist upon a high level of the minimum of Excess Profits Tax? You could reduce it. You could get much more from that. Why not reduce the limit in the case of people who have been making extra profit? Excess Profits Tax means that the man is making extra profit on account of the war, and he should make payment towards the war. The man who is benefiting should be taxed, and not the man who is already suffering on account of the war. You are brushing both with the same colour—the man who is getting all the benefit on account of the war, and the man who is losing everything on account of the war.

There should be some kind of proportion in that. The man who is losing everything should not be made to lose further, while the man who is benefiting should be taxed to its maximum limit. I think this would have been the proper course.

I will now make a few very short general observations, as this is not a year when everybody should ventilate the grievances of his constituency. I will speak on only two or three matters, about which I have spoken before. We hear that Calcutta is in the danger zone and it has been so declared by the Government of Bengal, and we find that a lot of people have left; but we do not know what action has been taken to remove our valuable things from Calcutta. I attach great value to our books in the Government of India Library there and the exhibits in the Museum. You cannot replace these things if a bomb destroys them. There are certain very valuable books and records which have been there for a very long time, and there are also manuscripts which cannot be replaced. The articles in the Museum also should be removed to a safer place. I have always suggested that they should be removed to Delhi, as there is no justification now for our Government of India Library to be kept in Calcutta; it was kept there when Calcutta was the Capital of India. Now Delhi is the capital,—not Calcutta; and Delhi is a central place where students, who want to conduct research, can do so. Calcutta has a big population which can use the Library in a better way than Delhi, but that can be done by the Library of the Local Government, not the Government of India Library. The Government of India Library must be transferred immediately from Calcutta—the valuable records and manuscripts should be shifted as soon as possible

Mr. N. V. H. Symons (Government of India: Nominated Official): May I just inquire of the Honourable Member whether his remarks are theoretical, because I was talking to the Maharaja Bahadur Tagore only a few weeks ago, who is the Chairman of the Trustees of the Museum in Calcutta, and they have done all this already. If he has any information that something is left undone, we shall be very glad to do it.

Sir Muhammad Yamin Khan: I am very glad to know it and it gives me great satisfaction; but will the Honourable Member throw some light as regards the Library?

Mr. N. V. H. Symons: That is the immediate concern of the Education, Health and Lands Department.

Sir Muhammad Yamin Khan: I would like that the Honourable Member in charge of that Department may take note of this and follow suit. (Interruption.) I do not care for the buildings; buildings can be erected and re-erected many times, but the stock is valuable and cannot be replaced—a few bricks can be put up any time you like. But valuable things should be shifted immediately to places which cannot be in the danger zone.

I would like to make another general remark. In India it is only that person who is absolutely anti-British that would like today that the war should not be fought properly, but I think such people will be very few who would not like to defend their own country at this time and who are not ready to shed their blood and contribute all their wealth for the protection of India. Everybody is prepared and willing

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to do his little bit and to sacrifice the maximum for the safety of the country. But the present political situation is stopping people from taking part as they really desire; and any delay in coming to a decision and hanging on will not do. It is very satisfactory that we have learnt some good news that something is being done and will be done soon. What it will be and how it will satisfy the people of this country, I do not know; we have not been taken into confidence by the Prime Minister of England; but we know that he has arrived at certain final conclusions which are being sent through an accredited Member of Parliament. It may or may not satisfy the people of this country—it depends on the nature of the final settlement which will come. The Muslim League Party took their decision before this news came; they were thinking that their voice is not heard properly, and they were not taken into confidence in the administration, and they had no share in the administration, and, therefore, they felt that not much value is attached to their co-operation. They think that unless they are given proper voice in the Government, it will not be right and proper to tax the people or to vote for taxation which will not be consistent with what they have been demanding in the past. Therefore, they feel obliged very reluctantly—they would have liked to give full support, but they think that as the Government have not come to any final decision and have not taken the Muslim League Party into confidence and have not given them any power in the day to day administration of the country and in the expenditure of the money which is to be voted, it will not really be honest for them to vote for this taxation. That is the position of the Muslim League Party when they decided to vote against the Bill. But as I have made it absolutely clear, this is not to be inferred that the Muslim League or its members do not intend to help the Government; many members have been helping the Government in the prosecution of the war and are doing everything possible in their individual capacity everywhere; they are free to do what they think honest and proper. But as a party, and, as an organisation, they think that in its official capacity the organisation cannot, consistently with the rejection of their demand, take any responsibility of supplies, unless the responsibility in the expenditure also is thrown on their shoulders. They would have been very glad to vote for this Budget or for whatever other object intended for the prosecution of the war, to defend this country and to render whatever help necessary for the maintenance of law and order, provided they were given an effective voice in the Government, and not treated as untouchables. Such a position the League did not like to accept, and that will be the attitude of the Muslim League throughout in this matter in regard to the voting on this Bill. It may be somewhat unfortunate, but I should like to make it quite clear that there is no disposition on the part of the Muslim League or any member of it to be an impediment in the way of the Government in the prosecution of the war. They are always ever ready and willing to give the Government whatever assistance that is required of them. They do not want to be a hindrance in the successful prosecution of the war, but they feel that unless and until their demands, which are just and legitimate, are met, unless and until they are given an effective voice in the administration of the Government, I am afraid, they cannot vote for this Bill. Sir, I have finished.

Sardar Sant Singh (West Punjab: Sikh): Sir, this is the 31st month since India has been at war with Germany and her allies. During this period, Sir, many a political leader has demanded a real transfer of power to the people of the country. From many a platform voices have come with different proposals to induce men in power today to part with real power, so that India's mind and soul may be with them in the present war. But every time some excuse or other has been put forward by His Majesty's Government to put off this demand, that is, transfer of real power from the hands of the bureaucracy to the hands of the people. Today, Sir, after raising so many hopes for a declaration, we discover a statement has been made in the House of Commons by the Premier of England giving certain information to this country. The most important part of the statement is the sending out of Sir Stafford Cripps to this country on an important mission. I, Sir, extend to him a hearty welcome to this country. It is really a good and happy sign.

Then, Sir, the second thing which we are told in this connection is that His Majesty's Government have reached certain definite conclusions, but they are not willing to announce the same; they have left it to Sir Stafford Cripps to come to this country and do it at some psychological moment with some psychological background. However, one thing is clear that there is going to be a further transfer of power from the bureaucracy, if that declaration contemplates any such transfer at all. I may say, Sir, that there is still time to take adequate steps for the transfer of power, though in some quarters we find there are some differences of opinion. Some people, particularly that class which always supports the Government, which always holds that Government could do no wrong, it is always wise and whatever is done by Government should always be supported, that type of people, however, feel that there is no use of handing over power to Indians. They ask can it advance the war effort even by one jot or add one piece or material towards that? Sir, such an argument can only be advanced by those who have not given full thought to the value of another important factor which goes to win the war, and that factor is the morale of the civil population. Sir, during the thirty-one months of the war, I can say without any fear of contradiction from any serious minded man, that the people of this country have been falling slowly and steadily into that attitude of mind which is called sullen. They are becoming indifferent to the course of the war, and such an attitude is certainly not conducive to increasing the morale of the civil population. I think my friends will agree that the necessity for increasing the morale of the civil population has been brought home to His Majesty's Government, for I find in the declaration itself that the background which has led to the making of this declaration is described in these words by the Premier of Great Britain:

"The crisis in the affairs of India arising out of the Japanese advance has made Britain to rally all the forces of Indian life to guard their land from the menace of the invader."

This statement proceeds on the clear understanding of the situation which was made clear in the House of Commons during the last debate, that the attitude of the civil population in Malaya and Burma has not been one of helpful co-operation. As a matter of fact, it was reverse of it. In order to avoid that danger, the British Government has been forced to the realisation of this fact that India must be saved from that

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situation. We are not concerned with the motives which have led His Majesty's Government to come to a decision at this late hour to part with real power, provided the declaration, the terms of which are not known to us, contains such provisions which will satisfy Indians in regard to the transfer of real power.

We have been pressing from these Benches for the last 2½ years that England can win this war provided India fully co-operates with England; England need not look to America, England need not look to Russia, England need not look to outside help provided India can be persuaded to put forward its full effort to the winning of this war. But, unfortunately, it was not to be so. England looked to Russia in preference to India, England looked to America in preference to India, for the winning of this war. And today we find England in difficulties. We have spoken many a time on the floor of this House, to the Members sitting on the Treasury Benches, change your outlook, do not look to any other direction, look to India and India will stand by you. But, as I said before, the reply was given, "Can political India give a man more, a single thing more than what the Government are getting for the war effort?" I am, in this connection, reminded of a story which was narrated the other day in the Non-Party Conference. The story is from the Aesop's Fables. A man went with his hounds for a hunt. He set the hounds behind the deer, and there was a race between the deer on the one hand and the hounds on the other. The deer escaped. The master became exasperated with the hounds and asked them, "How is it that after my having fed you for such a long time you could not catch the deer?" The hounds made the reply, "Sir, the deer was running for its life, while we were running at your bidding". That is the difference between voluntary effort and forced effort. You may get men, you may get money, you may get material, but it is at your bidding.

Mr. P. J. Griffiths (Assam: European): Is not your life concerned here?

Sardar Sant Singh: I will refer to that point very soon, but at this time I am busy trying to persuade you to do something which really matters, not to try to argue it out, whether this thing is for the good of India, or that thing is for the good of India. I know that our life is concerned, I know, I fully realise and appreciate the criticism of my Honourable friend, Mr. Griffiths, that the defeat of India means greater suffering for the Indians than for a handful of Englishmen in India. But do you realise in your turn that the defeat of the democracies in this war will mean complete destruction of England?

Mr. P. J. Griffiths: Of course, we do.

Sardar Sant Singh: I am glad you realise it. So, the duty or obligation does not sit on one shoulder only.

Mr. P. J. Griffiths: On both.

Sardar Sant Singh: That is what I was trying to persuade—that the responsibility lies on the shoulders of both, and that responsibility can

be discharged only when both are working as allies, as friends, as equals, not as superior and inferior, not one as a master and the other as servant. That is what I am trying

Mr. P. J. Griffiths: Sir Stafford Cripps comes.

Sardar Sant Singh: He is coming. I am glad he is coming, I have said that. I started this speech by welcoming him. At the same time my Honourable friend's interruption has reminded me, "Will not Sir Stafford Cripps meet the same fate which Montagu met when he came out to India in 1919-20?" History has not forgotten it. Whatever recommendations were made in the Montagu-Chelmsford Report were not fully given effect to by the Parliament later on. We have yet to be careful as to whether what he does, what he thinks proper to be done after consulting the great parties in India—will it be given effect to by His Majesty's Government? The only indication that we get in this statement is that he is coming with

An Honourable Member: full authority.

Sardar Sant Singh: I cannot say, full authority, but with some authority.

An Honourable Member: Final authority.

Sardar Sant Singh: Is it final? I am glad if it is going to be so. Whatever it is, at any rate, there is some hesitation in saying that he comes with full authority to settle the matter finally and once for all in this country.

Mr. P. J. Griffiths: Don't spoil his chances in advance.

Sardar Sant Singh: I am not spoiling, I will be the last man to spoil his chances. But there is one thing

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): What about Hitler?

Sardar Sant Singh: How does he come in this picture except in your imagination? I never referred to Hitler. Why should he obsess you? Please let me go on. From the statement of Mr. Churchill I find that still certain conditions are insisted upon and those conditions are. One thing is very important which I forgot to mention, and I must admit that that will be a great advance if it is given effect to, and that is this. Referring to the August offer he said:

"This amounted in short to a promise that, as soon as possible after the war, India should attain Dominion Status in full freedom and equality with this country and other Dominions under a constitution to be framed by Indians by agreement amongst themselves and acceptable to the main elements in the Indian national life."

Mr. N. M. Joshi (Nominated Non-Official): That is an old story.

Sardar Sant Singh: That is the old story of August. Later on, in this connection there is one thing said:

"We had thought of setting forth immediately the terms of this attempt by a constructive contribution to aid. . . . (I do not like the word 'aid'). . . . India in the realisation of full self-government. We are however, apprehensive that to make a public announcement at such a moment as this might do more harm than good. . . ."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Where is the point in your circle?

Sardar Sant Singh: The point which I am trying to make is this—the recognition of the principle put forward by the Non-Party Conference, attainment of status equal to that of other members of the Commonwealth after the war. That is a new phrase. It goes beyond what we call Dominion Status. That is the point which I was trying to make. But I find that there are again three conditions laid down, three hedges laid down. The first is, “subject to the fulfilment of our obligations for the protection of minorities, including the depressed classes”, the second is, “our treaty obligations to the Indian States”, and the third is, “to a settlement of certain lesser matters arising out of our long association with the fortunes of the Indian sub-continent”. Those conditions in the Declaration of August, 1940, are still there.

The Honourable Mr. M. S. Aney: May I remind the Honourable Member that in that portion of the present announcement the Premier is only explaining what is meant by the Declaration of 1940.

Sardar Sant Singh: He is emphasizing the same three obligations. Somehow or other His Majesty's Government think that these are their obligations which must be discharged. It is the same old story of obligations. We say that these obligations no longer subsist. An attempt should be made, as is said in the latter portion of this statement, that an agreement between the various sections and political parties should be evolved.

An Honourable Member: Martially?

Sardar Sant Singh: Yes, sometimes martially, at other times mutually.

Mr. M. Ghiasuddin (Punjab: Landholders): If it is not evolved, then do you expect the Government to coerce the Minorities?

Sardar Sant Singh: If it comes from the genuine desire to settle the question and to arrive at an equitable settlement, I would not mind it.

An Honourable Member: Mind what?

Sardar Sant Singh: What I mean is that there should be a sincere and genuine desire to settle the differences in this country. That must be the proviso, with a capital P. It should not be like the Communal Award of 1932. However, the position which is made clear by this statement is that something must be done and delay should be avoided. Any attempt to delay matters will frustrate the very object of the visit. Sometimes good cometh out of evil. The entry of Japan into the war and its treacherous assault on the neighbouring islands and on our neighbour has made the British Government realise that India becomes a springboard for defeating Japan's purpose, a base from which invasion can be repelled and I say that realisation should have come much earlier than it did.

I now come to the second point and that is His Excellency the Viceroy's call to action that was published yesterday. There is one sentence in that Declaration and I would request the Honourable the Leader of the House to explain its implications. It is this:

“I send this message to all men and women who live in this land, whatever their politics or religion or their race, you will be invited during the next few weeks to enrol yourselves in the National war front.”

May I know what this means. It has set people thinking in many ways. I will await the reply of the Honourable the Leader of the House. I want to know whether any fresh legislation or some other action is contemplated like compulsory conscription. I should like this sentence to be explained, with all its implications.

The third point which I want to raise in this debate is that the Central Legislature has been consistently losing ground during the last 2½ years, since the declaration of War. The Members of this House have not been invited to give their opinion on vital matters. Changes have taken place in the legal and constitutional field which could have been referred to this House for disposal. I do not say that the Government have done anything illegal or unlawful. What I say is that the propriety of doing the things through the Legislature, in preference to ordinances, should have been considered by the executive of this country. May I, in this connection, say, without meaning any offence to the esteemable gentlemen who occupy the Treasury Benches or who have been occupying the Treasury Benches, that they have been there for several years now and their Government, as shown by the results of this war, has proved to be an utter failure. Your policies have gone wrong. Your methods have gone wrong and today you are nothing but defeatists in this country. You boasted of the defence of this country and have complained that Indians cannot manage the defence of this country. Where is that boast? Has it not blown over. Have not the hard realities of the situation proved to you that whatever you have done you have failed to achieve any substantial result today. The enemy is nearer the shores of India. He is actually knocking at the door. Why should you keep your seats there and not give place to better men,—to those who can work to win this war. The British Government during the last 31 months of the war has changed several times.

An Honourable Member: Who are the better men? Give their names?

Sardar Sant Singh: We judge you by your failure. A tree is known by the fruit it bears. Your policy has been proved to be wrong and yet you do not vacate those seats and make the Government a national government. All Parties want that the power should be transferred to the people and yet you still think that the Parties are wrong and you are right. I never thought any religious sect of any denomination claiming such infallible men as the members of the I.C.S. in this country. When are you going to realise that you have been guilty of all the misdeeds that have resulted in bringing this peril and in giving away Rangoon and Burma to the enemy? The policy should be revised and it is high time that you should vacate your places and give them to Indians with better brains, better initiative and probably better initiation of policy than you have been able to do. I will presently show you how far their success is written in what they have been doing. Forty-five Ordinances have been issued over the

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head of this Legislature during the last 31 months, several of which have been amended more than twice and some of them have been amended as many times as four. Could this have happened to these Ordinances if they had been passed, after a proper deliberation and if proper thought had been given to the legislation before it was promulgated? I will give some instances. The Coffee Control Ordinances had to be amended more than twice. Similarly, the Indian Coinage Ordinance had to be amended several times. But I am not concerned with these small Ordinances which have no principle or policy behind them. I am concerned principally with those Ordinances which have some policy behind them.

The Honourable Mr. M. S. Aney: The House should be prepared to accept the allegation of the Honourable Member that some of the Ordinances have been amended more than once.

Sardar Sant Singh: I am not stressing that point. I stopped it. What I said was that I will deal with those Ordinances which involve the question of principle and policy and I will confine my remarks only to those now.

I will, first of all, refer to Ordinance No. 2 of 1942. This Ordinance is to provide for the setting up of special criminal courts. Nobody will dispute the fact that the civil courts of a country are the forum where the liberties of the people are protected. It is left to the civil courts to defend the rights of ordinary men against the executive act of the Executive Government. My friend, Mr. Joshi, should be interested to hear this because he has recently presided over the Civil Liberties Union Conference. It is all right to enunciate the principle that civil liberties should be protected, but we cannot ignore the forum in which such civil liberties are protected. The civil courts in this country are established by various Statutes both of the Central as well as the Provincial Governments. It is a revolutionary change to create new Tribunals and new courts, and I claim on behalf of the elected Members, rather on behalf of all the Members of this Honourable House and the Upper House, that it is the privilege and the duty of the Legislature to have a voice when new Tribunals or courts are set up. I want to make it once more clear that I do not question the legal right of issuing an Ordinance but I question the propriety of issuing an Ordinance particularly when a change of a revolutionary character is contemplated. I want to make it further clear that I do recognise and appreciate to some extent the necessity of doing something in order to save the war effort or to enhance it. But what I protest against is the continuous ignoring of this House in doing that duty which the Constitution has laid upon this House to be done and to side-track the whole thing.

We have found, during this Session, that comparatively trivial pieces of legislation have been brought to us for passage and we are associated with those pieces of legislation which I would call as ordinary matters of day-to-day routine. But where the policy of the country's government is to be changed or to be modified, we have been respected simply by being ignored. I brought this aspect of the question to the notice of the Government early in 1939 when the Defence of India Ordinance was promulgated. I brought to the notice of the House then that the Government ought not to ignore this Legislature. But the Government have begun ignoring this Legislature again. At that time, the Government did make a promise but it was a conditional promise, the condition being that it will bring the Ordinances

before the Legislature provided they expedited the passing of the legislation which was in the nature of an emergency legislation. We accepted that condition in Simla and in the passing of the Defence of India Act we showed an expedition to which no objection has so far been taken. In one day, the Select Committee was constituted, the next day the Select Committee met, and then within three days, the Select Committee report was presented to the House and the Defence of India Act was passed, if I am not mistaken, within a week. There we demonstrated our willingness to co-operate. What can you do with the suspicion of the bureaucracy?

Mr. N. M. Joshi: What did you do?

Sardar Sant Singh: I know my Honourable friend over there objected at that time too. But today again the same thing happens. What should be done for the distrust that prevails in the ranks of the Executive Councillors? They do not trust Indians. They do not want our co-operation, except on their own terms. They do not want us to participate in the duties which are constitutionally laid partly on this House too.

Mr. P. J. Griffiths: Is there no distrust on your part?

Sardar Sant Singh: I am very sorry that my Honourable friend has given away the whole case. He does not realise that he has given away the whole case of the Government. If there is distrust on our part and there is, I do not conceal it, let my Honourable friend be satisfied on that point, it is due to Government's act in the country, consistent and persistent repudiating of pledges that it has been giving from time to time. The Government have created and developed this distrust in the country. The Government should be the last to complain of the existence of distrust. Your duty today in this crisis lies in not referring to the existence of that distrust, but in trying to show that you have changed your methods.

We have seen, Sir, that the sight of distress impels human minds. There is distress all over the world. Those supermen of Europe who claimed higher civilisation for themselves are busy today in cutting each others throats and slaughtering each other. At this time when you are seeing distress all over the world, the humanity in you should have awakened you to the full sense and its full height. But it has not awakened in you. You complain that we distrust the administration. Why should we distrust it? Is there no justification? Now, reverse the position. Supposing India has been governing England and India has been repudiating pledges after pledges given in all earnest, hedged in by several conditions. Will there not be distrust engendered on that account? It will be engendered. The duty of the Government at this time is not to refer to that distrust, their duty at this time is to take sincere steps, genuine steps to remove that distrust, so that the war effort may be enhanced. It is not for me to explain why there is distrust. I have not to cleanse my mind, it is the Government who have to cleanse their mind. On that score they cannot complain about it if there is a distrust in India.

There are other Ordinances also. I was referring to an Ordinance that introduced a new principle in the government of this country, and one of the principles which they have transgressed without consulting this House, is the introduction of conscription in certain ranks of Indian society. Why, Sir? Why was it done without consulting this House? That is my complaint.

Mr. N. M. Joshi: Skilled workmen.

Sardar Sant Singh: Yes, I know skilled workmen have conscription. I do not want to take up much of the time of the House. If the Government are capable of being impressed, I want to impress upon them that we regard this as a great slur to the Legislature. An attempt is made to throw the Legislature out of the picture and to get everything under their control so that we may not share the responsibility or share power or any voice in the administration of this country. I finish this part of my speech.

The next point is about the abuse of the Defence of India Act and the rules framed thereunder.

Mr. N. M. Joshi: Speak of detenus.

Sardar Sant Singh: Detenus will come in their turn. The position is this. When the Defence of India Bill was introduced in this House in 1939, I pressed for an assurance being given in this House on the same lines as the assurance given by His Majesty's Government in England when the Defence of the Realm Act was passing through the Parliament in Great Britain. After a great deal of haggling and bargaining, the Leader of the House sent for the verbatim report of the assurance that was given in Great Britain and then read that out saying that the Government of India gives the same assurance. Now, Sir, may I know even if that borrowed assurance has been honoured in the working of the Defence of India Act and the rules framed thereunder? During the last 2½ years, I have seen religious processions being stopped under the Defence of India Act, I have seen land revenue being realised under the Defence of India rules, I have seen cases under section 498, I.P.C., being tried under the Defence of India rules, I have seen a father being compelled to send his married daughter to the parents of the husband who was employed in a military regiment because the man would not fight unless his wife was with his parents, I have seen criminal courts compelling the father of a girl to restore her to her husband and awarding imprisonment to the father till he agreed to send the girl

Sir Cowasji Jehangir: What advantage did you get out of it?

Sardar Sant Singh: I may tell my Honourable friend, that he will get his own turn soon. Let him not worry. The time has come when my Honourable friend might be screwed under the Defence of India Act to do something which he may not like to do. The latest exhibition of the exercise of powers under the Defence of India rules is found in arresting political opponents so that a majority in a Provincial Legislature could be maintained and the Ministry could function. These are the ways of the working of the Defence of India Act and the rules framed thereunder. After the last war, in 1914-18, the Defence of India Act culminated in the introduction of martial law in the Punjab. A committee was soon appointed and its report is known as the Hunter Committee report. In that report the committee came to the conclusion that the provisions of the Defence of India Act have been abused for purposes for which the Defence of India Act was not intended. I referred to that in my speech when the Defence of India Bill was under discussion and my Honourable friend, Maulana Zafar Ali Khan, from the Punjab, got up and told us that the days of Dyers and O'Dwyers were gone never again to return.

We would welcome it if it were so. But in the working of the Defence of India Rules what has been our experience in the Punjab recently? Women and children were assaulted in the main street of Anarkali at Lahore when they were carrying on an agitation against a local measure. What has that to do with the war effort unless, in the legal phraseology, there could be said to be remote connection with it? It may be that you are walking on a path and a company of policemen or soldiers are also walking on it, and you are said to be obstructing the path and arrested under the Defence of India Rules. That is the manner in which your administration is going on and yet my Honourable friend, Mr. Griffiths, for whom I have got great regard, says that the distrust . . .

Mr. M. Chiasuddin: Is the Punjab Government representative of the people of that Province or not.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member is devoting too much time to provincial affairs. The Punjab has got its own Assembly and I think the members there are competent to discuss their own affairs. The Honourable Member must leave the provinces alone.

Sardar Sant Singh: Then I come to the actions of this benevolent Central Government. What has happened here in Delhi? Certain Sikhs were arrested under the Goondas Act. The matter went to court and no less an authority than a Tribunal presided over by the Sessions Judge of Delhi found that the Goonda Act had been misapplied in that case and let them off. No sooner were they acquitted than the Criminal Law Amendment Act was applied and they were asked to go out of Delhi for six months. One of them was running lorries and cars here and he had a petrol pump and he had to leave after that. He went to live at Ghaziabad to look after the business. Then the Defence of India Act was applied and he was arrested although he did not do anything in the province. And my information is that the Central Government advised the Provincial Government to arrest this man under the Defence of India Act. This is what the Central Government did. His name is Beant Singh.

Then, Sir, there is the case of Lala Shankar Lal of Delhi. He was arrested and brought to Delhi. I am not going into the merits of this arrest but what justification was there for not allowing him an interview with his wife?

The Honourable Mr. M. S. Aney: Sir, I learn reliably that Lala Shankar Lal had an interview with his wife recently.

Sardar Sant Singh: Yesterday?

The Honourable Mr. M. S. Aney: Recently; I cannot give the date.

Sardar Sant Singh: I am glad that after about a dozen letters which I possess at this time and after my protest to the Home Department he has got one interview at any rate.

Then there is another case. A man, during the recent evacuations from Calcutta, came with his wife and children to Amritsar to leave them there. He was a permanent resident of Calcutta, but no sooner did he reach Amritsar than he was arrested then and there under the Defence of India Act. The Bengal Government did not take any action although

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he was a resident of Bengal, and how the Defence of India Act was applied to this case is still a mystery. My friend, Mr. Joshi, has been advocating the cause of many detenus who for political opinions or political differences fell victims to the Defence of India Act and were deprived of their liberty. I hope, Sir, the Government of India will see that some sort of check is placed on the arbitrary use of the Defence of India Act and the Rules. We do not want to frustrate or even hinder the war effort. The Act was intended and passed by this House for that purpose. But do not strain the terms of the Act to breaking point and bring the war effort as a convenient excuse to suppress the civil liberties of the people of this country. The Penal Code has not yet been expressly repealed by the Defence of India Act; and if any one commits an offence he may be punished in due course of law and with all the safeguards which the law provides. But do not use the Defence of India Act and Rules on mere suspicion and on very remote connection and in matters which have no connection with war effort, because it makes people suspicious and distrustful as my friend Mr. Griffiths says.

Then, Sir, I want to deal with the question of racial discrimination. Racial discrimination is still to be found looming large both in the services as well as in other departments of Government. For the same service done by an Indian he is paid much less than his fellow Anglo-Indian or a European. Why should it be so? When Indians of very high qualifications—Graduates, Masters of Arts, Masters of Science, who have obtained first class diplomas in the University as well as lawyers—start their life with a bare salary of Rs. 60 or Rs. 80 per month, why for the same service—typist or clerk—a man of another community is paid about Rs. 100, Rs. 150 and sometimes Rs. 300 excluding other allowances. What is the purpose for which you are taxing us? You are taxing us in order to meet the requirements of the Defence Services, the needs of defence. This is not a need of defence that where you can get a typist at Rs. 50 or Rs. 60 you should pay Rs. 150 or more. You must save that money and use it for the purpose of strengthening the defences of this country and for the purpose of providing amenities for the troops who defend us and who are sacrificing their lives for our sake. But do not please pay enhanced salaries to persons who use that amount in Astoria, in dances, dinners and what not. This is not a defence effort. (Interruption.) I wonder, Sir, if Mr. Griffiths becomes Minister in charge of Internal Security here, he will use the Defence of India Act

Mr. P. J. Griffiths: I have never gone to Astoria.

Sardar Sant Singh: What I say is that those who waste money on these things when all that money is required for the war effort, are they falling within the Defence of India Act? They are. And I will say that the Finance Department should take pretty good care in reducing the salaries of those who are being paid very heavy salaries merely because they happen to belong to a different community. This is a serious grievance of Indians.

Then, in connection with this question of racial discrimination, is the treatment meted out by those who are being employed in the Defence Department to command our troops—I refer to Australia. Recently, I think, it was the Australian Prime Minister who made a speech before the Australian Parliament that Australia shall be maintained for the Whites only. No coloured man will be permitted to go to Australia. My Honourable friend, Mr. Zafar Ah Khan told us a story yesterday that mechanics who were evacuated from Singapore went to Australia for protection

as evacuees, but they were not admitted. Is this the policy that is conducive to that helpful co-operation which probably we all desire? Why not take this question in hand and do something to remove the misunderstandings that are growing particularly in this war time?

Mr. President (The Honourable Sir Abdur Rahim): As the Honourable Member is not going to finish now, he will continue after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Chairman (Syed Ghulam Bhik Nairang) in the Chair.

Sardar Sant Singh: I next want to make a few observations on the law of contempt as it prevails in India today. I do not want to go into the details of this law—I wish the Honourable the Law Member had been here—but I will only state this point that two cases have recently occurred and one or two cases occurred some time back, in the Lahore High Court and in the Allahabad High Court, which has drawn public attention to the shortcomings of the law of contempt as it prevails now. Some of the Honourable Members must have read the book Magna Charta by K. L. Gauba, for which he was held up for contempt of court in the Lahore High Court, and has since been convicted for six months. Without going into the merits of the case, I want to say that the present law of contempt has proved to be a weapon of tyranny in the hands of some of the judges. It is the duty of the Legislature to look into those judgments and come to the conclusion whether such vast powers should be allowed to remain in the High Court, as they possess today. In one case the law of contempt was used for the purpose of getting some cases withdrawn by force which were pending in the Bombay Presidency. There are several instances given in that book Magna Charta, which are quoted from the judicial records, where, in my opinion, the power given under the law of contempt has not been used wisely, if not actually abused by the High Courts. I will draw

The Honourable Sir Andrew Clow (Member for Railways and Communications): On a point of order, Sir. Honourable Members are allowed very wide latitude in criticising any acts of the Government during the discussion of this Bill; but the Honourable Member seems to be departing from it and criticising both the law and certain High Courts. I would ask for your ruling on the point.

Mr. Chairman (Syed Ghulam Bhik Nairang): I think the Honourable Member should not make any remarks concerning the correctness or otherwise of the decisions of the High Courts.

Sardar Sant Singh: I wanted to make it clear and I have tried to make it clear that I am not going into the merits of those cases. I am not questioning the rightness or otherwise of the convictions given. What I am questioning and what I am entitled to say in this House is that a certain piece of legislation has been interpreted by the High Courts in a manner that it calls forth a change in law.

The Honourable Sir Jeremy Raisman: I submit that that does amount to questioning the correctness of the decisions of a court.

Mr. Chairman (Syed Ghulam Bhik Nairang): Certainly that would mean that a High Court has failed to exercise its jurisdiction judicially, and, therefore, the Honourable Member had better refrain from passing any remarks about the High Courts.

Sardar Sant Singh: May I submit this? I think I have failed to explain my position; and I will try once more to assure you that I am abiding by your ruling. I am not questioning the correctness of the judgment of the High Court on the law as it stands today. What I am questioning is whether the vast powers that are given to the High Court today, under the law of contempt as it stands today, should not be curtailed; and I am perfectly within my rights and within the rules governing the conduct of debates in this House to draw attention of the House to. I will be transgressing the rules if I say that the judgments are wrong or not in accordance with the law—I am not saying that. The law as it stands today has been administered—I do not question the right of the judges not to interpret the law as it stands; but what I say is that the law as it stands should be altered; the effect of the law should not be what it is today; and this House, and, particularly the Government, should undertake modification and amendment of the law, so that the powers which are vested in the High Courts today under the present law should be curtailed. That is the point of what I am saying, and I think I am perfectly within my rights when I say that. I do not propose and I have not gone into the merits of the judgment of the High Court. I do not want to do that; the rules do not permit me, and I would not go into that; but those Honourable Members who have read that book must have been influenced to a very great extent that the law of contempt requires to be overhauled in view of some of the rulings of the High Courts. The power vested in the High Courts should be seriously curtailed, so that the liberties of the subject may be protected

Major Nawab Sir Ahmad Nawaz Khan (Nominated Non-Official): Is there a copy of the book in the Library or in the hands of any gentleman here?

Sardar Sant Singh: I think if the Honourable Member tries to get a copy, he will get it; it is proscribed in the Punjab, but not in the Delhi province.

Major Nawab Sir Ahmad Nawaz Khan: Where can you get it in the Delhi province.

Sardar Sant Singh: I think he should apply in the right quarters, which he should know better than I do

Major Nawab Sir Ahmad Nawaz Khan: Which quarter, please?

Mr. Chairman (Syed Ghulam Bhik Nairang): Honourable Members need not carry on a conversation between themselves.

Sardar Sant Singh: Thank you, Sir. I wanted to avoid it. "

Next is my appeal to the administration of the Delhi province which I propose to make once more. I am glad the Honourable the Home Member is there. I listened very carefully to his speech and to the reiterations of facts which he disclosed on that unhappy incident about the Sisganj

Gurdwara in November last. I think I am right in pointing out to the administration that the obligation to enhance the respect for law does not lie on one party alone. The executive Government is as much in duty bound to see that the respect for law is enhanced as the people who are governed by that law. The incident which I related the other day, in this House, is not such which would enhance the respect for law. My friend read out large extracts the other day from the communique issued by the Delhi Government and pointed out that minimum force was used, and that nothing was done against the provisions of the law. Sir, these are old repetitions of a formula when the executive does a wrong and wants to justify itself. May I ask the Honourable the Home Member whether he has ever calmly considered over the situation and to say whether it was or it was not a fact that horses' hoofs were used for trampling down women and children engaged in religious worship in a religious congregation? Was it the minimum force that was used? Was it not wrong to employ tear gas to disperse a peaceful congregation engaged in religious worship

The Honourable Mr. M. S. Aney: May I draw the attention of the Honourable Member—not on a point of order, but as a matter of convenience, to the fact that there was a motion on this subject and it was fully discussed in the House, and if he can avoid a repetition of those facts, it would be a convenience to all interests.

Sardar Sant Singh: Sir, I would not repeat the incident again, but I want one thing the Honourable the Home Member to take note of and to tell us what he is prepared to do in the matter, and it is this. Sir, Delhi is the capital town of India. Here those who are put in charge of the administration in the capital town of India should have some sense of responsibility developed in them, they should have some method of doing things which may not be done in the provinces, though there too they ought to be done. My point is that only those public servants who are known for their sobriety and for their broad-mindedness should be posted in Delhi. I can tell my friend, the Honourable the Home Member, that Mr. Kilburn is not one of them. He is not known for sobriety, nor for broad-mindedness. I thought that the administration would do justice and smoothen the feelings of the Sikh community by transferring him from this province. But no such step has so far been taken. I would still appeal to the Honourable the Home Member that Mr. Kilburn's presence in Delhi is a source of heart-burning to every Sikh who is living here, and the only suggestion I can again make to my friend is—please transfer him to some other place, and let Delhi be put in charge of a Superintendent of Police endowed with a broader view, a larger outlook and greater sobriety in manners and methods than Mr. Kilburn. After all, these are war times, and you want people to be attracted towards the administration; you don't want people to curse the administration. And I say it is due to the Sikh community that Mr. Kilburn should be immediately transferred from Delhi

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): He should be transferred to a place where there is no Sikh? Is that your suggestion?

Sardar Sant Singh: I don't say that. My point is that Delhi is the capital of India, and so here we want officers endowed with a greater sense

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of responsibility and broad-mindedness to be posted in charge of the province than in the provinces where such idiosyncrasies and fantasies can be put up. However, I leave that point there.

Then, my next point is, that the Sikh community is paying much more taxes and making a much larger contribution to the finances of the Central Government than their mere number indicates. We are one per cent. of the population of the whole of India, we are 14 per cent. in the Punjab. If you want me to put up my proposition in a financial way, I shall do so; I am afraid that the proportion of Sikhs in the services of the Central Government is very limited. I have studied the returns furnished to us the other day, returns relating to the percentage of communities employed in the various Departments, and to my utter surprise I find that, with rare exceptions, in all the higher posts and gazetted posts, there is not even a single Sikh

Sir Cowasji Jehangir: Because they are all engaged as contractors which pays them better.

Sardar Sant Singh: My friend, Dr. Sir Ziauddin Ahmad, is not here, otherwise he would have taken up your point immediately. The point I am trying to make is this, that the percentages given there as one per cent. two per cent., in some places as 1.5 per cent., but never above 2.5 per cent.; are not at all correct. Some represent a typist Sikh out of so many, and, therefore, they say that Sikhs have got 25 per cent., including Chaprassis, Mechanics and so on and so forth. I don't understand the meaning of these percentages

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Still you are very rich.

Sardar Sant Singh: We are rich in spite of the Government. Therefore, I would draw the attention of the Honourable the Home Member that by mere showing of percentages by giving small posts to Sikhs will not help matters, nor can you do justice by the Sikh community. Sir, the Sikh community is helping the Government in the war effort by organizing the Khalsa Defence League which no other community has done so far. But this is the general complaint among the Sikhs everywhere in the Punjab and outside it that Sikhs are receiving a rebuff so far as the higher posts are concerned in the services of the Government of India.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Especially in the Central P. W. D.?

Sardar Sant Singh: In your absence I referred to you when my friend the Baronet got up and mentioned about the contractors and I said that you had studied this question well. I am sorry you were not present then. Sir, there is a paucity of Sikhs in the higher services of the Central Government. It is no good telling us that the percentages are complete. I would like to know if the Finance Member and the Home Member would find it convenient to compile statistics in a manner which would show the percentages in values and disclose how much money is paid to each community in each Department? That will show whether we are getting one per cent. of our proportionate share or not

Dr. Sir Ziauddin Ahmad: You know the balance sheet of New Delhi.

Sardar Sant Singh: We will prepare a balance sheet of Aligarh, as well. Sir, it is no good giving an eyewash and telling the public that the community has got so much percentage when a few typists, mechanics and ordinary clerks are employed. I hope the Honourable the Home Member as well as the Honourable the Finance Member will look into this matter.

I shall now deal with a pure question of finance which my Honourable friend wanted me to take up, and that is this. It deals with the defence budget. I only ask for information on that point. The Honourable the Finance Member told us in his speech that the actual cost of the defence services amounts to something like 400 crores, though India pays about a quarter of that amount. I just want to know, how this money is spent. Are we paying for our troops sent overseas, and if we are paying for our troops sent overseas which are probably much less in number than the troops which are kept in India, how is it that the cost of those troops who are in India in greater numbers than those who are sent overseas, comes to much less than in the case of those sent overseas. The next point is about the equipment and munition which we are supplying to the troops overseas. Is it or is it not a charge upon Indian revenues?

The Honourable Sir Jeremy Raisman: No.

Sardar Sant Singh: I thought so, that it is not a charge. I am glad to hear it from the Honourable Member. How is that money realised and from whom? Is it from His Majesty's Government or from those in whose country the troops are placed? The third point which I want to know is this. Troops sent overseas—I am deliberately avoiding the figures concerning them—troops sent overseas are regarded as defending the outlying borders of India. Are they not defending similarly the frontiers of, say, Egypt, the frontiers of, say, Great Britain itself, because they are all involved in defending the Empire today. And what proportion is being shared by His Majesty's Government in the cost of these troops? I will request him to kindly explain when he gets up to make a reply.

An Honourable Member: He has given one-fourth and three-fourths.

Sardar Sant Singh: Lastly, Sir, I will finish by submitting this. The peril is nearing India, that is common ground between us and those who are in power today. May I appeal to those who are in charge of power today to change their policy and try all methods by which the trust of the people is regained and rehabilitated in the executive Government of this country?

Mr. P. J. Griffiths: Mr. Chairman, when I came down to this House this morning it was not my intention to take part in this debate, and even now, I propose to confine my remarks briefly to two points. I have, in fact, been called to my feet by the speech, and particularly, the first part of the speech of my Honourable friend, Sardar Sant Singh,—a speech, which, with the greatest respect, I must characterise as having been definitely unhelpful in view of the forthcoming visit to this country of Sir Stafford Cripps. It was a speech, the first part of which was imbued with suspicion and impregnated through and through with a desire to hark back to the past. It was full of charges about racial

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discrimination and allegations that what had been done should not have been done, and what had been omitted should have been done. He began by talking of equality, he went on to the subject of minorities, and then he came to the question of coercion. I want to suggest to him that every one of those words, every one of those thoughts suggests disunity rather than unity, and that at this particular juncture of Indian history

Maulana Zafar Ali Khan: May I remind the Honourable Member that Sir Stafford Cripps is coming?

Mr. P. J. Griffiths: If the Honourable Member will have patience to hear me, he will see how I suggest we should approach the subject of Sir Stafford's visit. Every one of those ideas suggests disunity. I want to impress upon this House that the one thing which we need particularly to emphasise in this country above everything else at this moment, is the possibility of building up unity. To every problem now I personally apply three tests. I ask whether a particular solution is likely to help in the war effort. I ask whether it is likely to help in preserving the peace of India internally, and I ask, thirdly, whether it is likely to lead towards self-government for this country. I would ask my Honourable friend to apply these three tests to the speech which he has just made and then to say if he possibly can, that that speech in any way contributes to any one of those three major objects.

Sardar Sant Singh: May I make a personal explanation, Sir? My Honourable friend has asked me that question. I may assure him that if he keeps his bureaucratic traditions behind and begins to bring a calm judgment to his mind, he will find that these are the things which can help war effort, and not what he is going to talk.

Mr. P. J. Griffiths: If my Honourable friend thinks that dwelling on differences in real life is a practical method of achieving unity, he has been brought up in a school of experience very different from that to which most of us are accustomed. And I do suggest to him, if we want to achieve unity at this moment, by far the best way of doing it is to stop talking about factors that make for disunity. Let me remind Honourable Members of the appeal made by Mr. Winston Churchill in connection with the visit of Sir Stafford Cripps in which he hopes that "no words will be spoken or debates held here or in India which would add to the burden which he has assumed in his mission". Every one of us here wants to see India united, to see India self-governing, to see India strong to repel the possible invader. We can achieve that unity and achieve that strength if we will avoid recrimination and avoid bickering. My Honourable friend, Sardar Sahib, spoke of mistrust, and he said that the mistrust which exists between Government and the people is "your fault". I do not know whether he meant the fault of the Government or the fault of the British, but it was somebody's fault. I would suggest to him that the lesson of history is that when there is mistrust there has nearly always been blame attaching to both sides. And in the matter of mistrust between Government and the people, I am fully prepared to admit that the British have had their share. They have some responsibility

for that mistrust, and my Honourable friend himself will also admit that he and his community and the people of this country have also borne their part in bringing about that mistrust.

An Honourable Member: They had no power.

Mr. P. J. Griffiths: Whosoever's fault that mistrust may have been, it is a luxury which we cannot afford now. I for my part am willing to put aside that mistrust, and my appeal to Honourable Members today is that they for their part will put aside that mistrust. I can assure my friend, on behalf of my community that, if we had lingering amongst us any remnants of mistrust, we put those aside now. We welcome the forthcoming visit of Sir Stafford Cripps in a spirit of open mindedness and determination to help him to find a solution.

Sardar Sant Singh: I welcome that statement.

Mr. P. J. Griffiths: I am sure you do and that is why I made the appeal to you. It is not only a question of putting aside that mistrust. 3 P.M. If this mission is to have a chance of success, let us go even further, and for the next few weeks, let us try to put aside every topic which can reasonably be described as bitterly controversial. We have got rather into the habit in these days of thinking in terms of differences, how the interests of the European are different from the interests of the Indian, how the view point of the Muslim is different from the view point of the Hindu and often the view point of the Sikh. Differences do exist, but my appeal to every Member of this House today is, let us for the time being stop thinking about those differences. They will not cease to exist, I do not mean that. Let us stop being obsessed with them and sit down rather to think exactly how much we have in common and I am satisfied that we shall find that what we have in common between us is a good enough basis, given determination and good will, on which to build a new self-governing India, free from these dissensions which have been disfiguring India for some years past. We can achieve unity if we are determined to do it and if we achieve unity Sir Stafford Cripps will at least have a chance. I take it that every Member of this House rejoiced when he heard that Sir Stafford Cripps was coming on this mission to India, for his record is at least a guarantee of the sincerity of the British Government in its intention of giving India self-government and it is a guarantee that ability and integrity in the discharge of the task will not be lacking. But not even Sir Stafford Cripps, with all his record behind him, can achieve anything at all, unless we first put ourselves in such a frame of mind that unity is possible between us.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Including the bureaucrat.

Mr. P. J. Griffiths: Yes, including myself and including you. I am trying to include us all in one common condemnation and one common determination to do better in the future. We have reached a stage in our history today when we dare not allow Sir Stafford Cripps' mission to fail. Failure of that mission may mean things far more serious than can be foreseen or described. As far as my community is concerned, we will do nothing whatsoever by word or deed or statement in the Press to lessen

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the chances of success. We will allow no rancorous thoughts about the past, no prejudice or arrogance in any way to diminish the prospects of a happy settlement of the Indian political issue and I ask everybody here to join us in a self-denying ordinance, an ordinance of restraint and determination that every word that we say between now and the visit of Sir Stafford Cripps shall be directed towards the one end of achieving unity in this country and putting this country in a condition to stand against the enemy without the gates. The object of this restraint will be exactly the same as the objects which have been set forth by His Excellency the Viceroy in inaugurating the national war front. I believe my Honourable friend, Sardar Sant Singh, was half jesting when he saw some sinister motive in the inauguration of this front.

Sardar Sant Singh: I never said that. My friend misunderstood me. I only wanted to get an explanation of this one sentence in that statement and nothing more. The statement said: "You will be invited during the next few weeks to enrol yourselves in the national war front". I only wanted an explanation of that. I never questioned it and there is nothing sinister in what I said.

Mr. P. J. Griffiths: I can possibly assist the Sardar Sahib in understanding what was meant by that sentence. It has no connection with any conscription or any kind of elaborate mechanism for carrying on the war. It is purely and simply a campaign to re-enforce and mobilise public opinion. It is first and foremost, in the words of the Viceroy himself, a call to action for everyone of us, a call to close the ranks and stand shoulder to shoulder against an aggressor whose conduct in the peaceful countries which he has overrun brands him as barbarous and pitiless. It is an attempt to build up morale, to keep up the courage of each one of us in this country, be he an Indian or European, in facing the dangers that are not far ahead.

Maulana Zafar Ali Khan: Why don't you say Englishman, instead of European? Germans are Europeans, Italians are Europeans.

Mr. P. J. Griffiths: My friend has put me in a quandary. I see the force of his objection yet I cannot possibly say "Englishman", because I am a Welshman.

Sardar Sant Singh: Please say "Briton".

Mr. P. J. Griffiths: If I say "Briton", I may be accused of being ancient. I fully accept the spirit of my Honourable friend's correction. The front aims at instilling determination in the face of danger. Some of us in this House have some experience of the sickening sound of the explosion of a bomb and the rattle of the machine gun and we know that when these two sounds are heard even the stoutest heart may quail unless that heart is enforced by some inner principle. This national war front aims at providing the inner principle by which all our hearts may be enforced in times of danger—the principle of unity, of readiness to sacrifice, one for all, and of resistance to a common danger. Those are objects which can appeal and do appeal to every one of us in this House irrespective of political affiliations or philosophical views. They are objects which call on each one to give of his best in this time of danger. Not only will

he give of his best but he will so try to spread this national war front movement that other people will be encouraged by our example also to give of their best. Let us remember at this time that the eyes of the world are directed towards India; our position in the world of the future and the respect which we shall command amongst the nations depend very largely on our bearing in the months that lie ahead of us. Let us so bear ourselves that India will earn glory, that the place of India in the respect of the world will stand higher at the end of the war than it did at the beginning. Let us so frame and fashion our thoughts that we shall echo those words uttered the other day by Madame Chiang-Kai-Shek. "The spirit of new China is one for all and all for one. We are united by suffering and victory will crown our efforts". Let us so frame and fashion our thoughts that we shall be able to say that "the spirit of the new India"—and when I say new India I mean the India that embraces British, Indians and every other community living within its coasts—"is one for all and all for one. We are united by suffering and victory will crown our efforts". It is in this spirit that I want to make my appeal to every Honourable Member of this House, irrespective of his political views to join with me in saying that we will be united. We will achieve that unity by suffering if necessary but we will be united. Having achieved that unity, we shall have the strength by virtue of which victory will crown our efforts.

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I stand to oppose this Finance Bill and, in doing so, I want to place some facts before the Government to consider, so that they may frame their policy in the future in such a way that it may not be said that they have blundered at the opportune moment. It has been the practice, it has, I may say, almost become the fashion to say—let us forgive and forget as we are now in a dangerous time. It sounds very well to say—Forgive and Forget—in such a moment. But before we think of "Forgive and Forget", we should remember one thing, that even though we forgive and forget the past, at least we should remember what we are going to do in the future. Unless we do that, there will be no meaning in saying that we must forgive and forget and we should try to do something in a haphazard way, because we are in danger. It is always said that we should get rid of any mistrust, and Mr. Griffiths has made the same appeal to us just now. Even if we get ourselves rid of mistrust, how are we going to do things in the future? That is the problem before us. We are informed that Sir Stafford Cripps is coming to visit our country with a mission over which even this House is not today united, because we have been hearing whispers from certain Benches, although we do not know what is in store for us, that we are not all united. I have given my thoughts to this problem of India. Although up till now this Government and most other people were treating this subject as a sort of a plaything, they are now confronted with the reality. It was quite an easy thing for the Government to follow the policy of divide-and-rule all this while. Even, now, when they are on the eve of making some announcement, and God alone knows whether it is in the interest of the people of this country or for their own purpose, they are following the same principle. But hoping that it is surely for the best of us all, we believe that there is some amount of sincerity now in making such an announcement. But we cannot yet know definitely as to how we are going to fare by this announcement.

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The policy which has been the mainstay of this foreign Government in this country was that at every stage they followed the principle of divide-and-rule. Now that division has assumed such proportions that, though a thing of their own making, they are now perplexed how to manage the situation. They might now be trying to retrace their steps, but they have now reached such a stage that unless they think constructively and unless they retrace their steps in such a thorough way, they cannot now undo the mischief they have done throughout their stay in this country. If I may be excused of saying this, I may tell them at once that it will not pay them to pose as an injured and innocent man as they are at present behaving, because whenever they are confronted with the national demand, the offer of 8th August is thrown at the face of this nation. It is all good to say that there is no unity in this land and that there is no compromise or pact of any kind amongst the people of this country; but may I ask, what the Government themselves have done in this direction? Was it not their duty to see that, during their long stay in this land, they ought to have at least tried to evolve a nation although they believed that the people were so hopelessly divided communally and otherwise? But what have they done? Instead of attempting anything to do away with these divisions, they have done just the reverse. It cannot be said that the British people were so simple and childlike and were so devoid of commonsense that they did not know what to do, or they did not think it proper to help the people to give up their differences or the differences that existed in this country were of such a nature that if they were encroached in any way, the division would still become more acute. They were not such a simple people; they knew all these things. As a matter of fact, people who are destined by God to rule other people know how to rule over them. And they knew it. Even then, they did not do anything to remove these differences; rather they acted otherwise. It may be that the people of this country were not so much politically-minded. Had they been politically-minded from the very beginning, there would not have been this spectacle of so many divisions in this country. But instead of trying sincerely and honestly to do away with those differences, they deliberately helped those differences. It is a historical fact. They cannot suppress it and they cannot go against it. They cannot say that they are so simple and so innocent that they did not know these things at all. They knew this thing and every act of theirs was prompted by this policy.

Sir, I read an elementary book on politics in my B.A. course which was written by some German author. He had written that when one nation wants to rule over another nation, it emphasises over the points of differences in season and out of season. Can we not infer from that what can be the meaning of Muhammadan and non-Muhammadan constituencies? Where is the word "Hindu"? Why was not the word "Hindu" used? Why was the word "Muhammadan" emphasised so prominently in season and out of season. When I mention this, I do not mean to say anything against my Muhammadan brethren. I have not the least intention to say anything against them. My Muhammadan friends should not take these remarks amiss. Surely, the word "Muhammadan" is very much dear to my Muhammadan friends and they cannot be blamed for that. But I ask my British friends, what

is the policy underlying it? They cannot say that they are so innocent and so childlike that they cannot understand the implications of all these things. When I did put a question in this very House some time back and asked the meaning of Hindu water and Muhammadan water at the railway stations, I was laughed at. But there cannot be any water with Muhammadan tenets made soluble in it or Hindu tenets made soluble in it. There cannot be such water on God's earth. But still these things are done by those people who are said to be imbued with a political sense. But I believe there have been attempts by our rulers also in this direction.

When I was the Chairman of the Bhagalpur District Board, a Government servant proposed to me that there should not be any holidays for the Mussalmans at the time of the Dassehra or other Hindu festivals, and there should not be any holidays for the Hindus at the time of the Muharram and other Muhammadan festivals. I said that these festivals have become national festivals, and all persons, irrespective of caste or creed, should take part in them. So, it ought to have been the duty of the Government not to make these festivals communal festivals. I have already said, our rulers are not so simple. They are political people, and they have come to rule over this country. They could rise to their best sense of politics if they wanted to further the cause of this country and they could have made such a lot of improvement. So, even in these minor things I cannot exhaust the vocabulary. The Government have utilised the position in such a way that they have created divisions. One other example, I may quote. Even in the census, we are asked to declare our castes. With every census the castes increase hundredfold. Nobody even among the Hindus want that caste should be so much encouraged. I may narrate to the House how the rules are utilised to promote these caste divisions. In 1930, when the Congress was going to launch Satyagraha in Bihar, the Bihar Provincial Congress Committee printed forms in which particulars about names, fathers' names, castes were asked for. I opposed the column of "caste", and I urged there was no necessity. Anyhow, the President ruled that it was necessary, and so it was retained, and it was made optional for anybody to write if he liked. A few days after that, the President had to get some property transferred, because it was in his name, and, before offering Satyagraha, he wanted it to be transferred. In the transfer deed, he forgot to mention his caste and the Registrar said: "You have omitted to write your caste." I reminded him of my argument against the inclusion of the column, caste, in the Satyagraha form and about his over-ruling me. Then he wrote in a fit of enthusiasm, "Bihari Hindu". But the Registrar said that would not do, because he had Government circulars to the effect that particular castes like "Rajput, Brahman, Kayasth, etc." should be mentioned. I submit, Sir, here I am "Kailash Behari Lal", or there is "Rajendra Prasad" if these names cannot be distinguished by father's name or place of residence, because there are ten persons of the same name in the same caste in the same village, how does caste help in bringing out the distinction? But here caste is emphasised. I do not know whether there is any secret code for the administration of this country in such matters. The people have been made so much conscious of these small things that they would not care for the interest of the nation. They would care more for the small community to which they belong. Now, Sir, things have come to such a pass that every

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caste or every community based on a religious group would claim to be not a part of the nation, but a nation by itself. Of course, this is deplorable. This ought to have been seen long before by our rulers who claim to be a political people. It is not a thing of a day's making. It has been in the making for some time past.

Sir, we know the history of Pakistan. Our Muslim brothers claim to call themselves a nation. They were before long only a religious group, a religious community, and now they have become a nation. Naturally as a nation, they claim a homeland which now even our masters, the British rulers, shirk and shiver in their shoulders that this thing has happened unexpectedly. Attempts are being made to explain what this Pakistan means. Yesterday my Honourable friend, Maulana Zafar Ali Khan, tried to explain that Pakistan does not mean anything but the right of the majority to enjoy this majority right in those provinces where they are in a majority. God knows what this distinction means. I have got a pamphlet in my hands written by Mr. C. Rahmat Ali, Founder President, Pakistan National Movement, which does not define Pakistan in the same way as my Honourable friend, Maulana Zafar Ali Khan, described. This book is called: "The Millat of Islam and the Menace of 'Indianism'." I think this pamphlet might have been sent to other Honourable Members also.

Dr. Sir Ziauddin Ahmad: We know nothing about the author of this pamphlet, and so we are not responsible for its contents. He is not known to anybody in this House.

Babu Kailash Behari Lal: He is a Muslim gentleman. Surely, you do not suggest that this pamphlet was got up by the Hindu Mahasabha. The author blames not only the people of this country, but he blames even the Government for overlooking the claims of the Muslims. What is the fundamental creed of this movement? The author of this pamphlet says:

"What is the 'fundamental creed' of the Movement? It is that we are Muslim, not Hindu; Pakistani, not Hindustani, and Asian, not 'Indian'; that, in retrospect, the 'India of today' is the 'South Asia of yesterday', but in prospect, the sphere of the individual solidarity of several nations of tomorrow; that, at present, 'India' is the arbitrary name of the British Empire in South Asia, but, in future, it will be the natural designation of 'Indianism', confined to its national home in India proper (Hindustan); that as this Empire is composed of several countries of south Asia, of which India (Hindustan) is only a minor unit, no system of government, whether inspired by the Gladstonian soul of British imperialism or by the Gandhian spirit of Indian nationalism, or by grasping capitalism of both, can ever succeed unless it recognises and guarantees, the distinct nationhood of the nations living therein; and finally, that in so far as we are concerned, we will accept only that political solution which is based upon the aforesaid eternal verities—verities which inspire the 'Creed of the Movement' and ensure the sovereign status of Pakistan, of Bengal and of Usmanistan".

Of course, I welcome that my Honourable friends should denounce this pamphlet and its author. I would rather wish that the whole principle of it is denounced. But I have quoted this as I apprehend that this has been growing gradually and slowly

Sir Muhammad Yamin Khan: Why is this idea growing? Have you ever thought of that. Diagnose that first?

Babu Kailash Behari Lal: This thought has been growing, because it has been fed on some wrong ideas. Whatever might be the grievance, and whatever might be the tyranny of a brother against another brother, that cannot lead the one to say that the father of the two brothers is not common, nor that the mother of the two is common. Whatever the grievances may be, whatever may be the grievances of the Muslims against the Hindus, the Muslims have begun to say "India is not our motherland".

Some Honourable Members (from the Muslim League Benches): No, no. We never said that.

Babu Kailash Behari Lal: I welcome that denial. I am merely basing my argument on this pamphlet. The thoughts of the Muslims are advancing by leaps and bounds, from a religious community they now claim to be a separate nation. The Muslims want to parcel out a portion of Hindustan. They do not want to call themselves residents of Hindustan! God knows what ideas they have got in their minds. I only hope that the day will come when you will denounce this Pakistan altogether, sooner or later.

Maulana Zafar Ali Khan: I may point out that we are not going to denounce the Pakistan at all. That is our creed. Pakistan means that Muslims are a nation and as a nation they want the North West corner of India and also the North-East corner of India to be their homeland.

Babu Kailash Behari Lal: I am afraid you have denounced in part some of your ideas, although you are not prepared to denounce Pakistan, and the fun of the thing is that most of you do not know even in your own minds what Pakistan means. I find there is so much confusion in your own minds.

Mr. Muhammad Nauman (Patna Chota Nagpur cum Orissa: Muhammadan): What does the Honourable Member understand by Pakistan?

Babu Kailash Behari Lal: As I read this book, all kinds of ideas are conjured up as regards Pakistan, the ideas are growing by leaps and bounds. I cannot fix what Pakistan means. But I can say that Pakistan means that certain portions of Hindustan, in which the Muslims form a majority, should be carved out into a homeland for the Muslims. I am not concerned so much for the well-being of the Pakistan of your imagination. I say this thing has come out of your imagination and it is surely detrimental to the well-being of the national growth of this country. If I am wrong, it is better. I would rather welcome the day when you denounce it as we denounce it today. You must form part and parcel of the same nation to which we all belong.

My Honourable friend, Sir Muhammad Yamin Khan, asked me whether we have thought it as to why it has come about. I have, of course, thought how this difference has come. It has come in a clumsy and unhappy way and now one section even disclaim their country and their nationhood. And I am blaming this Government for having helped this situation, because it is not a question of material grievance when this or that wrong has been done to one community. Such wrongs are bound to remain so long as people live in this world. Today you talk of

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grievances among Hindus and Mussalmans; tomorrow, if power is given to Mussalmans, there will be grievances among Shiah and Sunnis. So if all people belong to one religion, there will be grievances among different families. So grievances will remain, but for that you should not disintegrate the nation in such a way. That can be remedied if we go to the root cause. The whole trouble has been brought about by the policy that Government have followed in this country. They have even tried to destroy history. They have written history in such a way that students of the same stock, sitting on the same benches and reading the same books, form different ideas. For instance, they write about the Muhammadan invasion of India. There has been Moghul invasion and Pathan invasion, Persian invasion and Arab invasion,—but no Muhammadan invasion. Mahmud of Ghazni and Mohammad Ghori were Afghans and Chengiz Khan and Babar were Moghuls, Mir Kasim was an Arab, and so on. So history would have been properly written if the nationality had been mentioned and students of any religion might have learnt that these were invaders and not their forefathers.

Sir Muhammad Yamin Khan: Has the Honourable Member read Bhai Parma Nand's History of India? If he has not, he must try and get it. He will find a remedy in that book.

Babu Kailash Behari Lal: History has been spoiled in that way in order to create different impressions in the minds of different people. They belong to the same stock and their forefathers were the same with the only difference that some of them adopted Islam and others followed the ancient religions of India. With that they did not change their race or nationality. But now even well educated persons, even Honourable Members of this House talk as if their forefathers ruled India for 700 years. It was the Mughals, Pathans or Persians who ruled this country, and they did as much injury to your forefathers as they did to those of the Hindus. Nadir Shah shed as much of Muslim blood in Delhi as Hindu blood; but when a drama was played in the Patna College by the students, in which Nadir Shah was shown as a villain, there was a riot over that. You can thus understand how the mind works. These people were foreigners. Of course, they settled down here and they became one with the people; but that was a different thing just as there are so many Christians from Europe who have settled here. They are ruling over this country, but by no stretch of imagination the Indian Christians can say that Queen Victoria was their great grandmother or King George V was their grandfather. No Tom, Dick or Harry who has been converted into Christianity from the stock of the people of this country will say that. It is simply absurd to make that suggestion. And the Mussalmans of this country should take it as an insult if any one suggested that these invaders were their forefathers. And it is in this way that the minds of the people have been poisoned and they have begun to think in separate terms about each other. This has been deliberately emphasised and given importance by our rulers. Let our rulers put their hands on their hearts and say whether they have not followed this policy of bifurcating the people. They can even now retrace their steps and declare once for all that they have changed their policy; otherwise no amount of tinkering and patchwork will do now.

Even in political and constitutional matters I charge this Government with having been insincere. For instance, the present Act of 1935, which is now being worked out on the basis of Federation has been brought into existence not to satisfy the demand of the people but to create one more mischief. Throughout that Act you find attempts made to sow the seeds of mischief that may bear fruit in course of time and may disrupt the country still further. India did not require a copy of Europe in the matter of Federation. We had before our eyes the history of Europe which consists of so many small nations like our provinces in dimension and importance; and what a sad spectacle Europe is presenting today! They attempted through the League of Nations to form a Federation but they failed; it burst like a bubble, and there is no hope even for the future. Knowing all this, how could they suggest a Federation composed of the provinces with so much of importance of the component units and with an attempt to weaken the power of the Central Government? So long as India is in their hands they do not want to weaken the Central authority. But they have sown the seeds of mischief, so that if at all the provinces grow strong they may fight against each other. India required a unitary system of Government in which provinces should have sufficient opportunity to develop and grow but at the same time to remain under one strong Central Government. But what do we find even in the cry of Pakistan? It would mean disintegrating the Central power just as you are attempting to do. And the helplessness of the League of Nations which we are seeing today that is to be repeated in India in the course of time.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): What about the United States?

Babu Kailash Behari Lal: I do not know. I have not made a special study of the United States. But, if at all there is, it is a misnomer.

So, even now this Government has time to beware. If they do not beware of the danger they have already created then if the situation develops itself, they should thank themselves and not the people of this country. If today they are confronted with a difficult situation, they should not bring up 8th August offer before the country and say: "Here it is. We are honest. You are all guilty. Patch up your quarrel and we are going to give you." This sort of argument will not do. They should go deep into the mischief they have done and they should now retrace their steps. However, the question suggested by my Honourable friend, Sir Yamin Khan, was as to what is the remedy I suggest.

Of course what I am placing before this House look revolutionary at first sight, but it is not so revolutionary if you think over it and if our rulers might have thought over it some years before. I am going to suggest that in order to do away with this evil, you must first conceive the idea of one nation and you should call it by one name. You cannot have different names for calling the nationals of one country. So what can be that one name. It will be, surely, astonishing for you to hear it for the first time but you should hold yourself in patience, and I am going to tell you that it is not at all objectionable. The one name should be that by which even the Mussalmans of this country are called in America, even in Arabia where they go for performing Haj, and that is the word 'Hindu'. They are called Hindus even outside India.

Mr. Muhammad Azhar Ali: They are called Hindi Mussalmans.

Babu Kailash Behari Lal: There are Japanese Mussalmans; there are *Chini* Mussalmans. Similarly, there should be Hindu Mussalmans.

Of course, some friends suggested to me why not Hindustani Mussalmans. The mischief will remain. Psychologically people have been made to think of Hindus and Mussalmans as two equals and separate entities. That is to be demolished and the Muslims are to be accommodated in the Hindu nation and placed along with other religions under the Hindu nation. Hindu is a nation. Hindu is a term that never indicates religion; even as regards the Hindus they could make it clear what they are in the habit of saying, Hindu Dharma—there is no such thing as Hindu Dharma

Mr. Muhammad Azhar Ali: The word used in Arabia is not Hindu Muslim but Hindi Muslim.

Babu Kailash Behari Lal: All right; that makes little difference. My friend, Sir Yamin Khan, says it is Hindu Muslim

Maulana Zafar Ali Khan: The expression used in Arabia is Hindus and Hindi.

Sir Muhammad Yamin Khan: If the Honourable Member will allow me to interrupt—let me make it clear that in Arabia they call us Hindu Muslims and in Palestine and Syria they call us Hindi Muslims.

Babu Kailash Behari Lal: So there is no such thing as Hindu religion

An Honourable Member: Why not Hindustanis?

Babu Kailash Behari Lal: I was saying that if you adopt the common word Hindustani then the mischief remains, that has been created till now. I want to see that the mischief is undone and there should not be any Hindu religious community. There is no such thing as a Hindu religion. I have given a challenge to most of my Hindu friends even to say if there is any set of tenets which they can lay down as saying this constitutes the Hindu religion. There are hundreds of religions in the Hindu nation. Why not two more, Islam and Christianity? There will be no harm done; the Hindus should disabuse their minds of any idea.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadan Rural): Make them two *avatars*.

Babu Kailash Behari Lal: They may not take Christ or Muhammad as *avatars*; but they can very well accommodate so many religious preachers of the world. Religions in any part of the world are not the property of that particular part of the world. They belong to the world at large and they can be accepted in any part of the world. So there is no harm if the Muslims and Christians are also included in the word "Hindus"

Sir Muhammad Yamin Khan: How will you term the Sindhis, because in the old scripts, the terms "Hindi" and "Sindhi" are the two brothers?

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sindhis are Hindus.

Babu Kailash Behari Lal: So if the tinge of religion is taken away from the word Hindu, then the word Hindu remains altogether a term denoting a nation, and there can be no objection on anybody's part residing in this country to call himself, a Hindu. Then, Muslim, Christian, Jain, Buddhist, Vaishnava, Shakta, Sikh are all reduced to one common level, and then the whole trouble goes away. There will not be any question of compromise or pact or agreement, as has been suggested till now, because compromise, pact and agreement all suppose the existence of parties; so long as parties remain, there will be a tendency for disintegration and separation, and unless you go to the root cause—of course it cannot be done in a day—but there must be that idea in the minds of those persons who are in authority to set the matter aright, to take the people to the right road and to make of us one common nation. No attempt has been made in the past by the present power to see that the people of this country form one nation. Rather the work that has been achieved by nationalists like Akbar the great has been undone in subsequent years. Our rulers would say that they have not created Muslims or other communities in this country—they were in existence before they came

Sir Muhammad Yamin Khan: That is also defective history which you have read.

Babu Kailash Behari Lal: Even up till 1857, when there was this so-called Sepoy Mutiny, when the people of this country rebelled, they seated Bahadur Shah on the throne, although he was a Muslim by religion, and most of the mutineers were Hindus. It never entered their minds that they were going to make a person sit on the throne who was a Muslim by religion.

Maulana Zafar Ali Khan: The difficulty is this, that in the case of Muslims it is given in the Holy Book, the Koran: "Hova Sammakumul Muslimin", which, rendered into plain English, means:

"He has called you Muslim".

and now are we to follow the commandments of God, or of you?

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member is attending too much to interruption all round; he had better go on with his speech.

Babu Kailash Behari Lal: Our rulers cannot say that the process of nation-building or national fusion did not exist in this country when they took over charge of this country; and if they had any real sincerity in them they would have rather developed on that rather than increased the differences. Since 1857, it is not even one hundred years. But today, not to speak of the Hindus remaining under Muslim rule or the Muslims remaining under the Hindu rule, they are now proposing that they would not remain within one nation; and this is the situation with which our rulers are now confronted; and but for the fact that they are now confronted with a life and death struggle, they would not have even come with the suggestion that now let us forget and forgive the past and build for a brighter future. You may give credit for the intention; and it is no use crying over spilt milk; let us now think that all these suggestions come out of the heart—to forget and forgive and build up a better future. But if they do not still go on the right path, then no amount of diplomatic

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words and trying to skip over realities will help them out of this situation. They have created the situation with which they are now confronted, and even if up to the last moment they do not retrace their steps, if they do not take to the right key, they will not be able to solve the problem.

My suggestion in this respect will be that they should now give up their idea of dividing India religion-wise. There should be, as they have adopted in Europe and other parts of the world, a division on territorial lines and they should never recognise any other division. There is still time for that. I remember when I put a question even on small matters of looking to the interests of people in certain provinces under a certain territorial jurisdiction, the Honourable Member in charge of Railways said in answer: "Government do not recognise distribution of services in railway on provincial basis." I may remind Sir Andrew Clow that it was he who gave this answer on the floor of this House. It was surely heart-rending to me, and I still pin my faith that a day will come when those who are in authority will realise that territorial recognition is the only basis for building up a nation elsewhere in the world and that will be recognised in India.

But even till now they do not seem to be at all repentant even to express that their recognition of the division of India on a religious basis was wrong. What will be the consequence if they recognise such things on a religious basis? There will be more and more clamour from all the communities inhabiting this vast continent of India to recognise every one of them on a religious basis. Sir, it is not a question of clamour from the different community, but it is a question of encouraging the different communities to make such a clamour to recognise them on a religious basis. The beginning has been made, unfortunately by the authorities higher up. Now the excuse is always made that the clamour is coming from below. I want that the authorities should search their hearts and find out from where the real mischief has begun, whether it has begun from people below who have become the game, or from people above in authority who have introduced this game. If the authorities higher up, directly or indirectly, were a party for introducing this game, then it is time that they retraced their steps and recognised the healthy principle of building up and evolving a nation in this country on a territorial basis.....

Sir Muhammad Yamin Khan: What do you mean by territorial basis?

Babu Kailash Behari Lal: India means it is a home for all Indians residing in all the provinces, but the existence of provinces also will remain. India is a very great country, and so it is said to be a sub-continent. So there must be provinces which have common affinity, a common language, customs and manners. On this basis there are bound to be small divisions, such as we find even in Europe, but they are in no sense better than the provinces of India. So territorial divisions should be recognised and they should be controlled with a sense of reasonableness so that the disintegration of the country may not be helped or encouraged. I don't suggest that though the provinces have got differences in customs, manners, language and other things, they should be helped to develop independently of each other so as to create a situation similar to the one with which Europe is faced today. That should be wisely controlled, and provinces should be given adequate scope to develop according to their own line, but they should remain in the common sub-continent of India.

Sir, I have given my suggestion in regard to this matter and food for reflection for my friends in this House as well as to the Government, so that in time they may retrace their steps and set right the mischief they have already done in order that in future all may feel alike for the evolution of a common nation. Unless that feeling is created, unless some effective steps are taken to bring about such a feeling, there will be no hope for this country.

Then, Sir, I come to some of the wrongs that this Government has done in the matter of administration, because it has become customary to point out of such defects when considering the Finance Bill. The first to which I would like to draw the attention of the Government is in regard to their military policy they have pursued in this country. I have been saying this for a long time that this Government has blundered in regard to their military policy, in listening to the advice of others or believing in their wisdom and creating martial and non-martial classes. Now, I am sure Government must be repenting as to why they created such classes as martial and non-martial. When they recruited untrained men and expected them to do justice to their duties, it was not their fault if they could not discharge their duties satisfactorily, and they cannot be blamed. It was the fault of the Government, because they created these martial and non-martial classes and prevented all classes of people from getting into the army. Government ought to have foreseen that a time might come as it has come now, when they might be compelled to draw upon the other classes also for enlistment in the army. There would have been absolutely no harm if other classes also had been encouraged to join the army in peace time and given them training. The so-called non-martial classes were all discarded in those days, and now recruitment is made from those very classes, and it must be said to their credit that some of them are giving a good account of themselves, and if others are not fulfilling the expectations formed of them, they are not to blame, and for that the responsibility is of the powers that be, as they had divided the people into martial and non-martial classes. Sir, even to day in the midst of this war that policy is still pursued. My friend, Mr. Deshmukh, put a question the other day in this House and some reply was given to it, but I have not seen it. It has been contradicted by Dr. Syed Mahmood, the ex-Minister of the Bihar Government. Mr. Deshmukh asked whether there was any correspondence on the question of military training to youths of Bihar, and the reply given to that question was not very clear or it was evasive, at least it indicated that the Central Government was not so much at fault. To that reply a contradiction has been issued by Dr. Syed Mahmood of Bihar. It has been published, and Dr. Syed Mahmood has clearly said that the reply of the Central Government was such that the Bihar Government could not possibly start giving military training to youths in that province; that the Central Government wanted to keep control of military affairs including military training in their own hands or something like that. So it is clear that even in the midst of this great war, the Government are so suspicious of the people that they would not like to impart military training to youths who are non-martial according to Government.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

The Government should question themselves whether they are right in asking the people to forgive and forget the past, because every day shows the past of the coming morrow, and if you go on committing blunders and

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saying at the same time 'forget and forgive the past', there will be no end to it. Sir, it is nothing short of hypocrisy for Government to ask the people to forgive and forget the past.

Then, Sir, there are certain central subjects, the working of which in the provinces has caused grave injustice to the people. It is really very painful to mention it, but I feel it is our duty to point out to the Government that such small pin-pricks, such small injustices create a wrong-impression in the minds of the public, it brings about a feeling of hatred against the authority, and it even ends in doing permanent harm to the people themselves. I am not going to give facts and figures about all those things, but I might mention here that the working of the Income-tax Department in particular, the working of the Postal Department, of the Railway Department and also Customs, which are all Central subjects, in the provinces is most unsatisfactory. Of course, in the Postal Department we saw some circulars, to which reference was made by Sir Gurunath Bewoor when he was Director General of Post Offices. He wanted to establish some systematic and just principle, but whether he was allowed to work out that principle or not, he knows it best. Sir, when I had occasion to represent matters to him, he ended the reply by saying that he had some phobia, he wanted to introduce some provincial feeling.

Dr. P. N. Banerjee: Some provincial phobia?

Sir Gurunath Bewoor: Bengali phobia.

Babu Kailash Behari Lal: I have forgotten the phobia.

Dr. P. N. Banerjee: In any case it is a phobia.

Babu Kailash Behari Lal: I leave it at that. The phobia has caught hold of my friend to such an extent that he remembers it even today. I am placing it before him even today. Whatever be the phobia, we are concerned with the justice of the thing, we are concerned that they should deal out justice to the people of the locality, because if you bring out a circular telling people that you want to govern them on a wholesome principle with due regard to the claims of the people of the places where recruitment is made, it will not satisfy them if the principle remains only on paper, and it is neither here nor there. It must be translated into practice, and those who are in authority should see that they are not hood-winked by their subordinates and that the people of the soil get real justice. My Honourable friend, Sir Andrew Clow, said that he did not recognise the distribution of services on a provincial basis. That means that he recognises some basis by which the people of one province are totally neglected.

I come to another thing, and that is about the road fund. The principle on which the road fund is being distributed to the provinces is not a just one, because when I was a member of the Road Committee, I tried to bring up this matter and fought hard to have it revised. The principle is that the provinces get their quota according to the petrol they consume. I tried to bring home the injustice of that thing, and I want to place before the House how that principle is working in actual practice. The point is that Bombay, Calcutta and Madras are big cities where people from

neighbouring provinces also go and make use of petrol. Big cities like Madras, Calcutta and Bombay cannot be said to be like towns where only the people of the province concerned live. People from other provinces go there and the other provinces have got a right to share in the profit that those cities get. In this way the provinces which have the good fortune of having Madras, Bombay or Calcutta, get a much larger share, so much so that there is a large surplus accumulated for those provinces because all the roads are not being developed in the cities particularly. After all, the road fund is utilised for developing roads in the interior of the province. Unequal distribution of the road fund leads to the unequal development of roads in the provinces because the share of Bombay goes to the Bombay province, the share of Calcutta goes to the Bengal province, the share of Madras goes to the Madras province. These being big cities, there is more share to those provinces, but the provinces have similar conditions throughout. There is no meaning in giving ten lakhs to Bombay, two lakhs to Bihar, or one lakh to the Central Provinces because.....

Mr. Husenbhai Abdullabhai Laljee: Is Bombay also Hindi?

Babu Kailash Behari Lal: There is no question of Hindi. Why do you make a distinction in the matter of equal and just distribution of the road fund? This principle should be revised and the matter should be brought up before the House in the form of a Resolution as was done on the last occasion.

Another thing that I want to place before the Government is about a broadcasting station for Bihar. I do not know how far they have progressed, but I saw in the papers that there has been some progress. Up till now, whenever the question was brought up, the Government used to give some evasive reply, that perhaps the Bihar province is served by the station at Lucknow, or the station at Calcutta, or the one in Delhi, and they have not taken into consideration how far a province is profited or gains if a broadcasting station is established there. I do not want to embarrass the Government, but their programmes are so unequal that in some provinces they are having two or three stations, in other provinces there is not even one. They should look into this matter. With these words I resume my seat.

Sir Henry Richardson (Nominated Non-Official): Sir, I am going to talk on the Finance Bill, and I am going to take a few minutes only. The other day when I spoke in the general discussion I made my speech very early on, and the Honourable the Finance Member, although he took some notes of my points,—I think they got blocked out in the subsequent discussion that took place, and, unfortunately, I did not get any reply from him, which I know was an oversight. So, today I tried to time my speech in the middle of things hoping that he will retain the slip on which he will now write one or two points from what I am going to say. Perhaps, I have gained something by his not replying at that time, because I see from the amendments which have been given notice of to clauses 8 and 10 of the Bill, he has answered two of my questions, and I am very grateful for the consideration which has been given in meeting those two points and I have nothing further to say on them.

There are really only two points left. One is regarding the repayment by the Central Government of a portion of the excess profits tax, and

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it is to be subject to such conditions as the Central Government may hereafter determine. Sir, the Post-war Reconstruction Committee is undoubtedly a very good source from which to enquire regarding what those conditions should be, but I think that it is a matter which requires far wider application, and I hope that the Honourable the Finance Member will take an opportunity of enquiring from all sources who may be interested regarding the imposition of these conditions and as to what they should be. Certainly, there is time for further consideration to be given if the amendment is passed, because it will give us until the 1st July next, which is very much better than the thirty days originally laid down. The other point is regarding the fact that the Government's contribution will be a taxable receipt of the year in which it has been paid and I made the suggestion that the Honourable the Finance Member might say now that the rates of taxation which would be levied on this Government contribution, when it was paid over, would not be higher than those contained in the Budget now before us. I realise, since making that suggestion, that there are certain difficulties in that the assessee's tax depends on the scale in which their income happens to land them but if there can be any means whereby the Finance Member with all his experts who are sitting behind him can make that rule apply in some form or other, so that assessee's do know what tax they may be liable for and can calculate accordingly what sort of a gamble this is, it would, I think, very much assist them in coming to a decision on what after all may involve a considerable amount of money, especially in the case of companies that have been paying and may still pay very large excess profits. Also I think that it may help the Honourable Member in the object which he has in mind in getting bigger sums from companies and other assessee's affected than may otherwise be the case if they are left in doubt. It is a point that my constituents have brought up and it is obvious that they have it in mind and these two points, namely, the conditions which are not known at the present moment and the tax which is also unknown at the present moment, are the two factors which do make the suggestion rather a gamble. Therefore, I hope that when the Honourable Member replies he will put a red mark against these items and will give me some indication as to what these questions involve. That is all I have to say.

Rao Sahib N. Sivaraj (Nominated Non-Official) : Mr. President, it looks as if very few in this House even today realise that the war is on and that it is very near India. Otherwise we should not have had to listen for hours and hours to speeches on Hinduism, Pakistan and the like and particularly I feel, without meaning to attack the claims of the Muslim League for the establishment of Pakistan, that now, more than ever, they should use all their strength, all their energy and all their enthusiasm to defend what will in future become the homelands of Pakistan, because we see already that Japan, if she continues to be successful, will take one limb of the Pakistan, should Assam and Bengal for instance fall into her hands and on the other side if the threatened move of the Germans through Turkey ever takes place, the other limb of Pakistan will also go away. I should, therefore, naturally, expect my Muslim friends to shed their blood in the first place to preserve those homelands, those portions of territory in India which may later become the homelands of Pakistan. If I am not presumptuous I may also turn towards the Congress and those

who are inclined to the view that India must have independence here and now and say that even independence will be a false cry at the present juncture, because we know perfectly well that it is very difficult to defend any independence that we may be able to get, even with the willing consent of the British Government or even of the authorities here. I really feel that the time has come for all of us, as Mr. Griffiths has pointed out, including the Government and the members of the Government, to see that every effort is made on our side to preserve our country from the impending attacks. What makes the problem even more difficult and what causes anxiety in the minds of those who are really interested in the welfare of India are some of the things that have been taking place outside India. For instance, Sir, we are dealing with uncertain factors like the French fleet. We do not know the disposition of the French fleet. The incident that happened in Turkey about the throwing of a bomb outside the Chancellery where Von Papen was residing and the subsequent action of the Turkish Government in arresting a Russian. Then there is the ministerial crisis in Persia and also the constitutional trouble in Egypt and, lastly, the announcement that we read in the papers about Madagascar. These things make me feel that India is being more and more threatened with danger from both sides. That being so, Sir, I wish Honourable Members of this House really consider the question of how best to co-operate with such bad people as the Britishers and with an ancient and worn out Government like the Government of India to ward off this danger. There is no other alternative, I say, except to throw our lot with these people and carry on the defence as best as we can. It is from that point of view that I want to talk on the Finance Bill.

Dr. P. N. Banerjea : You have called them a bad people.

Rao Sahib N. Sivaraj : Personally, I think they are bad, so far as I am concerned. - At a time like this, we feel that we must get on with them as long as the war lasts and see that we put forth our best efforts which might in the end prove to be effective, so far as the forces of aggression go. I find that when people talk of Parliamentary systems and democracies in times such as these, how unreal they are. Even democracies which have enjoyed freedom and which have enjoyed wealth and which have enjoyed empires find it extremely difficult to cope with the Axis powers. At any rate, they find that they are too late in the fight. There is one aspect of the war efforts that are being made by England, America and the other Allies, to which I should like to draw the attention of the House. When the war was first started in 1939 and 1940 the equipment that England then had was not enough at that time to defeat Germany, and the war was then confined just to a part of the continent of Europe. When in the next year they advanced in the matter of preparations and when they increased the war potentials, unfortunately the war was carried on to two continents. Now they find that their material equipment, in spite of speeding up, is not enough to cope with the situation. They will very soon find that the war will spread to both the Hemispheres. In that case, they will find that the preparations have been inadequate all the more, in spite of all the efforts that the United States is now making to cope with the situation. That is the unfortunate position we are in so far as the Axis aggression is concerned.

At the same time, there is a new wonder so far as the success of Japan is concerned. It is a matter, no doubt, of surprise to the Westerners themselves, but it is a matter even of greater surprise to the Asiatics

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themselves. Now, the people in India all admire and wonder at the remarkable successes that have attended the Japanese. No doubt, the military experts and strategists and the apologists of the Allies say that Japan was treacherous in its attacks and it had taken the Allies by surprise and that is the reason why it has succeeded so far. But I personally do not believe in a thing like that. It is, indeed, bad propaganda according to me because, in my opinion, a defence is a defence against all kinds of contingencies. A defence must be a defence against both a friend and a foe. Treachery can exist only between friends and can never exist between persons who are either enemies or potential enemies. That being the position, I am prepared to admit that Japan concentrated its efforts and had organised itself and had worked for a number of years to get what she wanted. She got what she wanted. In the meantime, our Allies were sleeping and had given themselves up to pleasure and probably to profit making. Viewing the situation from this line and also having regard to the forces that are gathering in increasing strength against India, I desire to examine for myself as to how far the Government of India are strong enough to cope with the situation or at least are modern enough to tackle the problem. I personally feel that having regard to their ways, having regard to their traditions and having regard also to its lack of experience, the Government of India, as they exist at present, are not so strong as to stop an enemy of India from taking possession of our country. But I do believe that it can be so re-constructed as to make it possible to move with the modern times and to fight the enemy. It is not for us, especially as Sir Stafford Cripps is coming over to India, even to suggest the possible ways in which the Government of India can be re-constructed. I believe his object in coming over to this country is not merely to solve the constitutional deadlock to the best of his ability but also, as I can read between the lines, and even if the first thing should fail, to re-construct the Government of India in such a way as to be strong enough to meet the crisis.

We have willingly and with a knowledge of the dangers that face us voted all the demands which the Government wanted and we also voted them on the basis of war. But in many a direction, as was pointed out in certain cases like the Supply Department and other Departments, I think, there is a considerable wastage and I am anxious to see that such a wastage does not recur in the Departments.

This brings me to consider the question of the propaganda efforts of the Government. I, personally, feel, without meaning any disrespect or casting any aspersion on the administration of the Member in charge of Information and Broadcasting, that the propaganda that is done in India is somewhat primitive and elementary. I was rather surprised that in India, for instance, it is said that Marshal Goering has been put into the Concentration Camp. Two or three days later we find Marshal Goering going to Turkey and having a Conference there with the German and Turkish Ambassadors there. Again, in the case of Singapore it was said on the very day on which it had fallen that it was still holding out. I am merely saying what I can remember without being able to quote extracts. We often hear many things from the British Broadcasting station which are suppressed by the All-India Broadcasting station here. Things like these give rise to suspicion in the minds of people who can think for themselves. I think it is a thing which ought to be immediately looked into and rectified. That is a matter which relates, I believe, to the

counter-propaganda. Even in the matter of propaganda, certain things do not and cannot appeal to Indians. For instance, I will mention the example of V for Victory. We find everywhere that V stands for Victory. I am sure the Government know and Honourable Members in this House know that a good percentage of the population of India does not know even the letter V and they cannot possibly understand what is meant by V for Victory. On the other hand, wherever this letter V is written, it has unfortunately given room for some mischief-making. We do not know who they are; probably they are students. They have written in certain places the Tamil or the Sanskrit equivalent words which start with the sound of V. For instance I was surprised to see on the Bombay, Baroda and Central India Railway and in some of the electric trains where the letter V was written that some persons had written that V stands for Vinasakale, which brings about a kind of defeatist mentality. It gives rise to a very bad counter-propaganda by the enemies when it is done by those who are not interested in the welfare of Indians or the Allies. So that, I honestly feel that the Information Department, or whichever is the Department that is concerned, should immediately convene a conference as to how best to carry on this propaganda as a war effort and also as a counter-propaganda. So far as India is concerned, I am a great believer that it is much better for war efforts that a greater amount of truth is said than suppressed.

My next point also refers to war. I shall again point out, I have already once before said in this House that this war effort ought not to be made entirely a matter for the Britisher and the Britisher alone. I do not know how far you have taken it to heart, but I feel it very sincerely that Japan is laying the foundation or at least is introducing the germs of a particular kind of hatred which I am afraid, if it takes shape will be the basis of the next great war, and God forbid that there should be another war, but if war should be the normal feature of the world, I sincerely feel that the next great war would be fought on the colour basis and Japan is already laying the foundation for that because we find, wherever Japan goes, she says "drive the white devil away" and this gives the impression that she likes the brown and the other devils or angels or whatever she might call them. But in any case, I want that the Government of India should do propaganda to counteract that. In two ways the Government of India can help us. In the first place, as has been pointed out by my Honourable friend, Sir Vithal Narayan Chandavarkar, the English people must give up a bit of their uppishness and I would also advise that their Anglo-Indian wards should similarly give up their uppishness. We find it a common sight in any cabaret show or in the cinemas or pictures that people, particularly the Britishers, feel as if they have nothing whatsoever to do in common with Indians so far as the war is concerned. I find the Britisher struts in his uniform, it does not matter where he came from and he wants to create a great impression on poor Indians. Well, Sir, it is really this kind of thing that really goes down and affects the mentality of people who cannot think for themselves. It does not matter; it is natural.

An Honourable Member: Where do you find this? In Madras?

Rao Sahib N. Sivaraj: Why, all over India. You can find it right in the train or as I said anywhere. Somehow that kind of feeling is there and it is a tragedy that it should persist. I hope the Government of India

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will do something to remove this feeling, particularly at a time when Japan is carrying on this kind of campaign. One can imagine to oneself as to how a campaign of the kind which Japan is carrying on can get hold of minds which are unfortunately thwarted by experiences like these. That is all I have to say with regard to the propaganda aspect of the war.

Now, Sir, I do not desire to refer to many matters which are all important. The time at my disposal is short. The subject of constitutional reforms and the arrival of Sir Stafford Cripps was referred to. In my own interest, I mean in the interest of my own community, I want to remove the impression that we do not know our rights or that even if we know, we do not care to fight for our rights. On this point, I wish to express a few words with your permission. Sir, for some time past, it is my unfortunate experience as also the experience of many Honourable Members and it has also been the experience of the leaders of my community, that whenever statements—and there have been quite a storm of statements relating to constitutional reforms in India—whenever statements were made there has been omission of any reference whatever to the part or the lot that our community should have in any constitutional reform. This is the case not only with any particular political party but also with the Government; whether it is the Muslim League, or whether it is the Congress or whether it is the non-Party Conference

An Honourable Member: The Hindu Mahasabha.

Rao Sahib N. Sivaraj: Or the Hindu Mahasabha, which has no connection with us, or the Government of India or even His Majesty's British Government, all have dropped any reference whatsoever to our community. Indeed they do not make any mention of our existence at all.

Sir Muhammad Yamin Khan: Mr. Churchill has done that.

Rao Sahib N. Sivaraj: I shall come to that point. There is a method of expressing it. So much so, we suspect that there is a conspiracy of silence resorted to by all the parties to push our case entirely into the background. They think, being helpless, being poor, not having a platform, nor like the Muslim League having a flag, nor a scheme like the Pakistan, that we can be transferred from the slavery of one set of people to the slavery of another. I do not want to refer in very harsh or unhappy terms to the conduct of most of these leaders and parties. It is also very natural that if I am sleeping, if we are sleeping, others must take advantage of our lethargy and, naturally, they will try to get the best of what they can for themselves. We have had this experience before when the Communal Award was settled by His Majesty's Government when Indians were not able to settle things amongst themselves. What happened in that Communal Award? There was the grant of separate electorates for our community. A certain number of seats were allotted to us which were so plainly not near the proportion or the number of seats that we were entitled to get on the population basis. All kinds of arguments were trotted out. It was said, you do not get the right type of men to fill the Legislatures. Sir, without meaning any insult to any Honourable Member of this House, I have to see a House which consists all of experienced people, all eloquent men. I think it is invariably the

other way about. Arguments like that were brought out and our numbers were reduced. So we feel that such things should not be repeated and I would request the Government of India, particularly as it is constituted at the present day having on its body a number of Indians who were prominent politicians and know the conditions that actually exist in India, to keep this in mind if they come into contact with Sir Stafford Cripps or if otherwise they have to advise His Excellency the Viceroy or His Majesty's Government. There is another feeling which worries me with regard to Sir Stafford Cripps. When he came out last time to India he came as a man who was not probably recognised by the British Government or by the British Parliament or even by his own party,—I think Major Attlee disowned him in those days,—and he was in a minority of one. And when he came out to India, I am sure he was shadowed by the special police and the C.I.D. of the Government of India. I do not know if he was a guest at Viceregal Lodge then; but, unfortunately, when he toured round India he forgot that there was in existence some people called the depressed classes and that there are a few of them who can talk to him in English and express their ideas. He never came in contact with the depressed classes. I believe he just saw one or two persons in the Congress Party and went away.

An Honourable Member: Did your community take any notice of him?

Rao Sahib N. Sivaraj: That is a different matter: I am merely stating facts. Now he comes back to this country and he deserves to come in the capacity in which he does come at the present moment after his great success in Russia. But whatever the reputation of Sir Stafford Cripps may be, I do not want to belittle him in the least. This unfortunate country has been the grave of many a reputation. I hope that Sir Stafford Cripps will succeed, to the satisfaction of all and bring about a settlement which will please everybody. While I honestly felt that we should not at all refer to this constitutional question, I was obliged to do so in the interest of my community, and I hope my Honourable friend, Mr. Griffiths, will not take it amiss if I refer to it on this occasion. We on our part will not do anything, will not exaggerate our claims or over-state our case so as to put any obstacle in the way of any settlement which is likely to be attained by Sir Stafford Cripps.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, I am sorry to say that the admonition which the Honourable the Finance Member gave at the outset of the opening of the debate on the Finance Bill was not conceived in a happy strain. He expressed the wish that Government being very busy with war there should be as short speeches as possible. Perhaps what has followed since then has not been according to his expectations; but I venture to put to him a suggestion that the King's Government must be carried on even when there is a war; the Finance Bill is the only occasion when the Members of the Legislature get an opportunity of reviewing the entire administration and the financial and political side of the country's affairs. And it is on that account that Members are allowed to give full expression to their views at the risk of some inconvenience to permanent officials. I am sure the Honourable Member knows that Mr. Winston Churchill has much greater war work than the Honourable the Finance Member can possibly have. Still Mr. Churchill has again and again maintained that they were

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sure to succeed because they were a free country having free institutions, where democracy expresses itself even in the gravest time of danger, and that, therefore, he never stifled Parliamentary criticism or Parliamentary activities. I do not say that the Honourable the Finance Member had any such intention, and if he had the intention I am sure that was not fulfilled by what has followed in the last two days. Members perhaps want also to indulge in many repetitions because they know that on this occasion at least they can escape the displeasure of the Chair. That seems to be behind the long speeches that have been made, but their length should not perturb permanent officials who are giving a trial to democratic institutions in this country. I do not wish to make any point of it except to tell him that I have no intention of making a speech of an hour and 25 minutes. I do not want to beat any record, the record for the length of a speech was broken by one Member, and that for the brevity of speech was broken by another Member; I hope to keep a golden mean.

At this time, Sir, I wish to tell the House that I am speaking with a feeling of indescribable sadness, because to me all discussions on other matters besides the war are mostly wide of the mark. To me the war is the one engrossing thing which must hush all controversy and we must present to the world a scene of united India determined to beat out the Japs. I am going to develop my appeal at the end of my speech, but in the meantime,—as I cannot conclude today,—I shall take up one or two points so that today's business may be over.

The first point that I wish to make is what I requested the Finance Member on the general discussion of the budget. On page 20 of the Memorandum the net revenue is stated to be 144 crores and the cost of collection is stated to be 4 crores. If the revenue was gross it would be 148 crores; and still in paragraph 29 of his speech he has stated the revenue to be 140 crores. I am sure there is some explanation and I am sure in his reply he will explain what has to me been a slight discrepancy. The same applies to the question of deficit and I hope the Finance Member will clarify the point when he gets up to give his reply.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may continue his speech tomorrow.

The Assembly then adjourned till Eleven of the Clock on Friday, the 13th March, 1942.

CORRIGENDA

- I,—
- In the Legislative Assembly Debates, Budget Session, 1942, Volume
- (1) No. 8, dated the 23rd February, 1942, page 402, line 5, for "his" read "the";
 - (2) No. 10, dated the 25th February, 1942, page 525, line 22, for "is more than a 24-hour run" read "has been more than a 24-hour day".

LEGISLATIVE ASSEMBLY

Friday, 13th March, 1942

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

WOMEN EMPLOYEES IN THE DEFENCE DEPARTMENT AND THE GENERAL HEADQUARTERS.

†184. *Sardar Sant Singh: (a) Will the Defence Secretary please state the number of Anglo-Indian and European and Indian women employed in the various branches of the Defence Department and the General Headquarters? What duties are given them and what emoluments do they draw including various allowances?

(b) Have they signed any agreement that they are willing to serve overseas? If so, will he place a copy of such agreement on the table of the House?

(c) Who are messenger girls? What are their qualifications, the duties they perform, and emoluments paid to them?

(d) Have Government considered whether all these duties could be performed by Indian educated young men?

Sir Gurunath Bewoor: (a) The total number of women employed in all the Branches of the Defence Department, including General Headquarters, is at present 434, of whom 297 are Europeans, 123 are Anglo-Indians and 14 are Indians. They are employed on ministerial duties, such as typing, stenography, dealing with files, supervision of sections and Cipher duties. They receive pay which varies according to the nature and responsibility of the post, and they draw the winter allowance if working in Simla during winter and the Delhi Moving and the Delhi Compensatory House rent allow-

† Answer to this question laid on the table, the questioner being absent.

ances if working in Delhi, stenographers' allowance and recorders' allowance if working as such, and in the Cipher section night duty allowance if required to perform duties between 9 p.m. and 9 a.m.

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

(c) There are no women employed as messenger girls. The latter part does not arise.

(d) Yes.

GOVERNMENT MONEY SPENT ON ESCORTING OF JEDDA PILGRIMS.

185. *Mr. Ananga Mohan Dam: Will the Defence Secretary be pleased to state the amount spent by Government in escorting pilgrims to and back from Jedda?

Sir Gurunath Bewoor: As the escorts for pilgrim ships were part of the general naval arrangements for the protection of shipping, no expenditure was incurred by the Government of India.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 10 asked by Qazi Muhammad Ahmad Kazmi on the 11th February, 1942.

EXAMINATION AND INTERVIEW OF SPECIAL CLASS APPRENTICES AT JAMALPUR.

(a) Yes.

(b) Yes. The marks obtained at interviews are treated as being similar to Confidential Reports.

(c) The marks allotted at interviews are recorded as percentages of a possible 100 and are not allocated to subjects.

Information promised in reply to parts (a) to (h) and (l) of unstarred question No. 5 and unstarred question No. 7 asked by Maulvi Syed Murtuza Salih Bahadur on the 11th February, 1942.

HARDWAR RAILWAY TICKET FRAUD CASE.

No. 5.—(a) to (g) The Railway Administration incurred a total expenditure of Rs. 28,098-11-0. Rs. 27,048 was paid to counsel and Rs. 7-3-0 was spent in respect of residences for them.

(h) No. The senior counsel was engaged by the Railway Administration after reference to the Police Officer concerned with the prosecution of the case in the Magistrate's Court. The junior counsel was the Railway Pleader at Moradabad.

(l) There was consultation regarding payment to the junior counsel, as he was a Government pleader for civil as well as railway departments. There was no consultation regarding payment to the senior counsel as he was a private pleader and the fee was a matter for negotiation.

REMOVALS FROM SERVICE OF EAST INDIAN RAILWAY EMPLOYEES IN FURTHERANCE OF WAR EFFORTS.

No. 7.—(a) and (b). No.

(c) Information regarding the number of men discharged is not readily available, and in view especially of the pressure on the staff of this railway it is not proposed to undertake the research necessary to obtain it. But there is no reason for believing that it is above normal.

Information promised in reply to parts (a), (b), (c), (f) and (g) of unstarred question No. 16 asked by Qazi Muhammad Ahmad Kazmi on the 16th February, 1942.

GUARDS DISCHARGED FOR PHYSICAL UNFITNESS IN LUCKNOW DIVISION, EAST INDIAN RAILWAY.

(a) No, the letter quoted was addressed only to one individual.

(b) The medical report on the guard in question did not suggest any reason for deferring action against him.

(c) No information is available on this point.

(f) Government do not propose to interfere in the case of this individual as the matter lies within the competence of the General Manager, to whom a copy of this reply is being sent.

(g) The replies to the previous parts give the information available with Government.

Information promised in reply to unstarred question No. 24 asked by Mr. Lalchand Navalrai on the 19th February, 1942.

RELIEVING STAFF OF CERTAIN CATEGORIES ON NORTH WESTERN RAILWAY.

(a) and (b). The attached statement gives the required information.

(c) Where staff available fell short of requirements, steps taken to bridge the gap included the re-engagement of retired staff and the training of staff locally in addition to speeding up the training in the Walton Training School. Figures available do not show any serious shortage; but it has been necessary to curtail leave to some Commercial staff in view of the large increase in traffic.

Serial No.	Category of staff.	Delhi Division.			Ferozepore Division.			Karachi Division.		
		Existing sanctioned per-centage of relieving staff.	Actual percentage on 1-9-40.	Actual percentage on 1-9-41.	Existing sanctioned per-centage of relieving staff.	Actual percentage on 1-9-40.	Actual percentage on 1-9-41.	Existing sanctioned per-centage of relieving staff.	Actual percentage on 1-9-40.	Actual percentage on 1-9-41.
1	Station Masters, Grade I, II & III.				25%	20%	19%			
2	Assistant Station Masters, Grade ordinary, I & II.	25%	24.5%	21.7%	25%	27%	28%	33%	33%	33%
3	Ticket Collectors & Trains Clerks.	15%	15%	15%	15%	12%	22%	18% for Asstt. Station Masters, Grade ordy.	18% for Asstt. Station Masters, Grade ordy.	8% for Trains Clerks & 13% Ticket Collectors.
4	Booking Clerks, Parcel Clerks and Goods Clerks.	15%	15%	15%	15%	15%	15%	11%	10.5%	10%
5	Guards, Grade II, III and IV.	15%	15%	15%	21%	21%	21%	10%	10%	10%

NOTE.—1. The figures shown in the (columns "actual percentages on 1-9-40 and ascertained.

2. The Divisional Superintendents have powers to fix the strength of relieving exceeded thereby. The absence of uniformity in the percentages is due to School for training and refresher courses, special fairs, breaches and rush of

STATEMENTS LAID ON THE TABLE

Lahore Division.			Multan Division.			Quetta Division.			Rawalpindi Division.		
Existing sanctioned per-centage of relieving staff.	Actual percentage on 1-9-40.	Actual percentage on 1-9-41.	Existing sanctioned per-centage of relieving staff.	Actual percentage on 1-9-40.	Actual percentage on 1-9-41.	Existing sanctioned per-centage of relieving staff.	Actual percentage on 1-9-40.	Actual percentage on 1-9-41.	Existing sanctioned per-centage of relieving staff.	Actual percentage on 1-9-40.	Actual percentage on 1-9-41.
20%	17%	20%	25%	25%	15%	25%	25%	25%	20%	18%	16%
20% for A. S. Ms. Gr. I & II and 25% for A. S. Ms. Gr. ordy.	25%	25%	25%	25%	21%				20%	16%	1%
15%	15%	12.5%	15%	15%	15%	11%	11%	11%	10%	10%	8%
15% for Booking & Parcel Clerks & 10% for Goods Clerks.	14%	12%	15%	13%	15%	20%	20%	20%	15% for Booking & Parcel Clerks & 10% for Goods Clerks.	9% for Booking & Parcel Clerks & 7% for Goods Clerks.	6% for Booking & Parcel Clerks & 4% for Goods Clerks.
25%	23%	22%	25%	23%	20%	Leave reserve is included on the total sanctioned strength which is 42.			10%	10%	10%

1-9-41") are approximate figures on these dates as could possibly be

staff to meet the special needs of their divisions provided the budget allotment is not the fact that there are other factors, such as attendance in the Walton Training traffic in addition to leave influencing the amount of absence during the year.

THE INDIAN FINANCE BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim) The House will now resume consideration of the Indian Finance Bill.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, the second point which I wish to take up is a widespread complaint that revenues are under-estimated and expenditure is over-estimated. It is particularly so in respect of various kinds of taxes on income, and on the ground that there would be a certain deficit, new taxation is imposed which is found to be unjustified by the course of events. When the actual revenues are found to go beyond what was estimated the new taxation levied on the basis of a prospective deficit is not remitted. On the contrary, as in the case of Railways, when there is a thirty crores of surplus, rates and fares are increased. It would be always improper to under-estimate revenues, although over-estimating is equally bad, but when that under-estimating is made the basis of fresh taxation and that fresh taxation is not justified by the course of events it requires careful consideration.

Thirdly, apart from the complaints of the heaviness of income-tax, there are many complaints by assesseees of harsh administration. We had a long discussion in the course of this Session, therefore, I will only request the Honourable the Finance Member to tax what and when it is really necessary and justified to do so but the administration must be just and humane, and any real complaint on the part of an assessee—whether he is a capitalist or otherwise—should be reasonably responded to and relief given.

One particular point has cropped up during the last few weeks as a result of events in the Far East. Many Indian firms have business dealings in Malaya and other parts of the countries which are now over-run. They have not got the account books; their monies and their possessions have been robbed; they do not know even the whereabouts of their agents, and they are now called upon, either to be assessed to a certain amount or to pay the assessment on the basis of previous years. I have seen quite a number of complaints that Government are not sympathetic in dealing with men who have been stricken with adversity on account of the events in the Far East; I suggest that every consideration should be shown to these countrymen of ours who are today stranded and do not even know whether they have anything left, after the millions which once belonged to them. I would, therefore, appeal to the Finance Member to take a very broad and sympathetic view of these people's difficulties.

Another complaint about the income-tax is that there are innumerable cases under assessment, where even the approximate amount which is likely to be received from them is not indicated anywhere; there is a feeling in certain quarters that this sum, which is not assessed or where the assessment work is in arrears, amounts not to a few lakhs, but, as one Honourable Member of the Council of State has assessed it, to fifty crores of rupees. I cannot vouch for that but this is how it has been assessed by one member of the Council of State.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Very alluring to the Finance Member.

(1094)

Mr. Jamnadas M. Mehta: And he is a very successful businessman. He thinks that Government should not only take steps to recover it as quickly as possible but that on the basis of that concealed result they should be careful about the new taxes.

The Honourable Sir Jeremy Raisman (Finance Member): That is the object.

Mr. Jamnadas M. Mehta: But if the object is reasonable I think we might heed it. I do not vouch for the figure but it really appears that a great deal of assessment is not made, not merely for one or two years but for several years past. Whatever justification there may be in this complaint, it is worth paying attention to

I shall now pass on to some other grievances of the public. One has been reported to me by Mr. A. V. Thakar who is a great social worker, and he writes to me to say that in Neemuch Cantonment there was a Municipal Board which was wholly nominated. Neemuch has now been abandoned as a Cantonment, and still there is no elected Municipal Board, and as that is within the Government of India's jurisdiction this point might be looked into.

There is a gentleman called Rao Bahadur Joshi who has invented what is called Phonetic Telegraphy which renders it possible to send telegrams in our own language. Large masses of the people of this country are unable to read or understand English and if Rao Bahadur Joshi's Phonetic Telegraphy is really useful, it should be looked into. He gave me an exhibition and particulars in Poona some months ago and I could see that it was working very well. I wish, therefore, to invite the attention of the Department concerned to proper justice being done to Rao Bahadur Joshi.

I will not go at any great length on the question of the increase in the customs duties on the kerosene oil or bringing under income-tax people who are today immune from it. I will once more plead with the Honourable the Finance Member that the people who earn this income are not many. They are largely collected in capital towns like Bombay, Calcutta or other industrial and big places; and I beg him not to imagine that the people who get Rs. 2,000 there are well off. In winding up the general discussion on the budget, he was inclined to think that a man earning Rs. 2,000 was rich. Probably, in the small villages and the smaller district towns a man with an income of Rs. 2,000 is not badly off; but the largest number of people who earn this income are not in these places, they are in big capital towns like Bombay, where the rents are higher than rents in London and where the cost of living is too much, even for the Rs. 2,000 annual income. They are lucky if they can save anything for their funeral; but barring that, their savings are virtually nil. A man with Rs. 150 a month in Bombay is a pauper for all purposes. He is generally in debt, he cannot even educate his children, he cannot make both ends meet. Therefore, I beg of the Finance Member, whatever his views may be on the savings campaign, not to include these people earning up to Rs. 2,000 in his scheme of taxation. Even in ordinary times they are badly off; but when the price level is going up, according to his own book, from 130 at least to 155 highest, the purchasing power of this Rs. 2,000 is reduced to somewhere near Rs. 1,200; and, therefore, whatever may be the nominal

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figure of their income, its purchasing power has gone down and if at anything, they deserve more sympathy than extortion. While, therefore, reserving my remarks at a later stage of the Finance Bill, I would request him, even at this stage, to consider that theirs is a case which deserves very sympathetic consideration.

Referring to the labour conditions in this country, I had my say more than once, and I do not want to amplify my observations at any great length. But one thing remains, which I would urge the Labour Department to keep in mind. Whenever there is a rise in the cost of living, let them sympathetically inquire, without waste of time, and take into consideration the rising price level; and while I do not want anything which can be said to amount to luxury, I do want, without any qualification, that the present scanty purchasing power of the working classes shall not be reduced. The idea of purchasing power having grown in this country is true, but only in part. It cannot be considered separately, unless the cost of living also is taken into account; and there I have been at issue with the Honourable the Finance Member, because I know that the hardships of the poor workers are very great today. Coupled with the food shortage and the rise in prices these hardships are growing day after day; and, at a time when of all the people in the country, the soldier and the worker are giving their lives—others are giving their blessings—but these people are giving their lives—anything that will deteriorate their low standard of living should be most religiously avoided; I fear it is there that the Honourable the Finance Member has not taken into account the circumstances of the case. The cost of living in India is admittedly high and the danger of inflation is only partial. I know that a large amount of purchasing power, which cannot be used in this country, has come into existence since the outbreak of the war; but let him also remember that it is not so great as it looks, even in the returns of the Reserve Bank. I will ask him also to remember that the rupee coin in circulation has gone into hiding; on account of the panic which sometimes grows into great proportions and which is likely to grow, the rupee coin itself is going out of circulation; hoardings are very natural and some of the biggest of us are not free from it. I am told that coin is going into Indian States wherever the people of Bombay can take it. The people, therefore, are not supplied with that volume of circulation which is too much in excess. It was said at one time that the rupee coin in circulation amounted to more than Rs. 300 crores. I beg the Honourable Member to take it that about half has disappeared from circulation, that people are becoming cheque-minded and currency-note minded. Therefore, the volume of circulation, as a whole, cannot be said to be unduly excessive; moreover, the purchasing power in the country in general might increase without increasing the purchasing power of the workers. The fact that Sir Victor Sassoon has got two crores more—I am simply taking his name as he is one of the biggest multi-millionaires in the country—or Sir Cowasji Jehangir, for example, has got two crores more and their purchasing power has grown does not at all prove that the purchasing power in the hands of the poor people has grown; the millions of my neighbours do not enter into my budget if my own purchasing power still remains low, and is now subjected to the rising price level and the rise in taxation. Therefore, in all earnestness, I beg of him to keep these things in mind when deciding finally the question of additional taxation.

One or two things more before I turn to the present situation. Several lakhs of our people are now serving both in factories and workshops or in other war work. I beg of the Government to consider their claims to gratuity. The gratuities are not paid until the man retires—whether retirement is compulsory on account of war conditions or whether it is retirement in due course from this life while doing war work it entitles the families of those deceased employees of Government to fair consideration.

Another point which seems to worry the public is a statement of the Honourable the Finance Member about which there is nothing to fear; it is feared that the Rs. 400 crores to which he made reference is not a gift but merely the amount which is being spent in India on account of British War expenditure. It is not a gift to India; it is spent in this country for war purposes of the British Government and their allies. We pay for every rupee that we need for our war purposes and no gift is made out of the 400 crores for our war purposes; the impression is that it was sought to be impressed upon the public that the British Government was making a gift of Rs. 400 crores to this country, which I am sure is not the case.

The Honourable Sir Jeremy Raisman: That is not what I said. I only said that a good deal of this expenditure assisted towards the defences of India.

Mr. Jamnadas M. Mehta: That is how I read it but a different impression somehow or other is created in the public mind. I am trying to dispel it, and my Honourable friend's authoritative voice will make it clear that not one rupee out of this is a gift

The Honourable Sir Jeremy Raisman: That is not strictly correct. What I did say was that by far the greater part of this amount represents expenditure connected with the maintenance operations engaged in operations overseas, which vitally concern India's security against external aggression. I also pointed out that in addition His Majesty's Government provide us free with certain kinds of equipment.

Mr. Jamnadas M. Mehta: I am fully satisfied, but many people in this House and outside have got a different impression, and, therefore

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): May I ask, Sir, out of the 400 crores, how much is spent by foreign countries for making purchases in this country?

The Honourable Sir Jeremy Raisman: I am not prepared to give details of all this expenditure completely, because details are not given even to the British Parliament, but I tried to give an idea of the proportion in the language I used. I said more than one half of the total, relates to the acquisition and storage in India of stores of all kinds intended for the initial equipment and maintenance of such forces. A relatively small portion of this amount consists of expenditure unconnected with the defence of India, and that is the kind of thing to which my friend refers.

Mr. Jamnadas M. Mehta: I will not pursue this matter further, because those who will read the Honourable Member's speeches will

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not draw that impression, but the impression unfortunately remains, and, therefore, I have referred to it today.

Then, Sir, regarding the Simla exodus, I understand it is stopped this year, and while partly some Departments may still go up, what I beg of the Government to remember is this. The people who are sent there in these times of mounting prices should be granted sufficient allowance to carry them through. I understand that the postal and other clerks who are going there and also some others are not liberally paid in proportion to the cost of living. Sir, it will cause them a great deal of hardship if, while they are sent away to a cool climate, they will also have the cold comfort that they will starve there.

Lastly, Sir, I would advert to the huge balances which remain in London. It is a curious commentary on the Reserve Bank of India's organization that 70 per cent of India's balances—in order that there may not be any misunderstanding I shall quote the actual figure

The Honourable Sir Jeremy Raisman: At the present moment it is just under 60—it is 59 point something.

Mr. Jamnadas M. Mehta: It used to be 70 per cent of the currency and banking reserves of the Reserve Bank. If it is reduced now, I accept the latest. But what do you think of the Central Bank of a country which under the operation of the Act makes it possible that 60 to 70 per cent of its national reserves are outside its own frontiers

The Honourable Sir Jeremy Raisman: There is one important point on which I must correct the Honourable Member. The gold which is a large part of that percentage is not outside India's frontiers.

Mr. Jamnadas M. Mehta: I am talking of the sterling reserves.

The Honourable Sir Jeremy Raisman: Then that does not amount to so high a percentage.

Mr. Jamnadas M. Mehta: I have not taken any figures deliberately. I have just selected the weekly return casually, and I find that on the 17th February we had a total currency reserve of 375 crores total, and the banking assets of 73 crores, which makes the total assets of the Bank, both of Issue Department and the Banking Department, at 450 crores, out of 258 sterling securities and 45 balance reserves abroad made something like 315 crores out of 450. Now, Sir, if it is not 70 per cent, I should like to know what it is, and I beg to ask whether you can think of any country whose Central Bank keeps 75 per cent of its assets outside its own country? What would be the value of such a bank? At any rate, the value of that Bank in co-ordinating the currency and credit policy of this country, as assisting the financial development of this country, must be considerably discounted by the huge balances abroad which have been made at that high level for a long long time.

Sir, we used to charge the Secretary of State in the pre-Reserve Bank days of manipulating Indian currency, of keeping Indian reserves abroad. Under the Reserve Bank for the last seven years, our fate has not been much better, and the one great object for which the Reserve Bank was

started—namely, the development of Internal Bills, and here even a beginning has not been made. Look at any side—whether of the Banking Department or of the Issue Department under the head Bills purchased and discounted—Internal—Nil; external—nil. Then under the Issue Department Internal Bills of Exchange and other commercial papers—nil. If there was one object which was iterated and reiterated as the object of starting a Reserve Bank, it was to develop these Bills, —not a rupee there—and 70 rupees out of 100 rupees is all outside. It is a forced loan at $\frac{1}{2}$ per cent.

Seth Haji Sir Abdoola Haroon (Sind: Muhammadan Rural): How can they bring this back when the import was restricted?

Mr. Jamnadas M. Mehta: By purchasing gold. I am giving just a casual suggestion. I am not saying that there are not other methods. What I do say is that while the Inland Bill market is not at all developed, you have 70 per cent of your assets in England perhaps earning interest at $\frac{1}{2}$ per cent, while we on our loan pay 3 per cent and 4 per cent. That kind of thing does not give us any hope that the purposes for which the Reserve Bank was started will be fulfilled.

Then again, Sir, with regard to agricultural finance, all that has been done by the Reserve Bank is to issue some bulletins and on the whole throw cold water on the hopes of the peasant. All sorts of objections are taken. The indigenous Banker must change his ways. It is possible to bring him within the orbit of the Reserve Bank. Some kind of objection or other is always there. While a special Department exists, agricultural financing has still not been brought to any state of practical politics even after the establishment of the Reserve Bank nearly seven years ago. One thing more I should like to say, and it is this, that the help which the Reserve Bank gives to other Scheduled Banks in the matter of remittances, between various cities in India, is still very meagre. Its counter-part, the Imperial Bank, which acts in the districts, will not give you any assistance. On the contrary, it does not even give loans against municipal debentures which are as good a Government security as any other; no municipal loans can be issued without the sanction of the Government. And yet, there are cases where the Imperial Bank has refused to give loans on the securities of municipalities which are sanctioned by the Government. Not only that, Sir. On the Land Mortgage Banks debentures whose capital and interest are both guaranteed by the Government, the Imperial Bank has refused advances. This I brought to the notice of the Government of Bombay.

Sir, I have several grievances but I have already done what justice I could do to these various considerations and now I will wind up my submissions by an appeal about the present war situation. I said yesterday, that the present position fills me with indescribable sadness. While the tread of the enemy soldier is heard at the gates of India, while the thud of an enemy gun may be heard in India, while the roaring of the enemy aeroplanes may deal death and disaster to many, the situation in this country remains extraordinarily bad. There is no oneness of mind and oneness of purpose which alone can save us from the impending disaster. My speech is going to be an appeal. I recognise there is no time for recrimination. I shall not speak one harsh word to

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any section of the community. It is very attractive in indulging in a powerful denunciation of the British Government today. Everything that the Indian nationalists have been saying for the last 60 years and more can be proved correct to the hilt. Our economic exploitation, our political humiliation, our racial degradation abroad, not to say of a thousand and one other things, are all present in my mind. But I will be the last man to allow all those happenings to interfere with the war effort of this country. On the contrary, I am in favour of hushing up all controversies and here I appeal to the Benches present in this House first, and I shall begin my appeal by addressing the Muslim League Benches first. I am sorry that while the paucity of Muslims in public services may be great, the paucity of Muslim Members on the Muslim League Benches is greater still.

Dr. Sir Ziauddin Ahmad: We are here to hear you all right.

Mr. Jamnadas M. Mehta: I am sorry that the paucity of my comrades of the Muslim League Party is still greater. I wish to tell them that the time has arrived when you must bury the hatchet of all kinds. It is not for the first time that the Hindus and the Mussalmans will work together and the racial and religious distinctions shall not interfere with our duty to our country, our homes and our families. Every part of this country is threatened with desolation. This threat to our homes and to our country should draw us nearer and I am sure will draw us nearer. And it is not for the first time that we have been drawn together at such a calamity and no racial limitations have come in our way in the past. When Nadir Shah sacked the City of Delhi in 1739, he made no distinction between Hindus and Muslims. While the solidarity of Islam might be maintained and may be maintained, the blood of Hindus and Muslims alike flowed in this Imperial Capital of Delhi when Nadir Shah, a Muslim, sacked the Hindus and Muslims alike. When Ahmad Shah Abdali invaded India later on, some 20 years later, the Hindus and Muslims combined to drive him out and the Mughal Emperor called the assistance of the Mahratta against the Muslim invader. Though we could not succeed, we at least battered him enough and he never returned. Even in these unhappy days that we are living in, the Hindus and Muslims do have friendship which transcends all religious distinctions. I am glad to confess that one of the greatest friends of my father was a Muslim and I am very glad to admit that one of my greatest friends is today a Muslim. But for him, it would not have been possible for me to do much of the public work that I am doing.

Seth Haji Sir Abdoola Haroon: In those days there was no democracy.

Mr. Jamnadas M. Mehta: Today we are concerned with the question of safety. I beg of you to remember that what our forefathers did and what most of us are still doing may be done on a common platform and not by recriminations

Seth Haji Sir Abdoola Haroon: Please remember in those days there was no voting system.

Mr. Jamnadas M. Mehta: Voting apart and there will be no voting if the enemy comes. In fact, one of my astrologer friend in this House

has already decided that there will be no next Session of the Assembly because, there will be a fight in the streets of Delhi. But I do not believe in such dismal astrologers. I believe in the right hand of man and in his soul, and, therefore, I am appealing to the soul which flows in you as much as it flows in me. At this time, do not think of the so-called homelands only but also of what is happening all over this country. Let me tell my Honourable friend, Mr. Jinnah, that he was at one time a nationalist leader of this country. We started in Bombay a Jinnah Memorial Hall when Mr. Jinnah was a nationalist in his more evangelic and more regenerate days. I am one of the trustees of that Memorial Hall. We then admired and adored him. Mr. Jinnah's homeland is in a small village in Kathiawar where his ancestors recited the Gita. In fact, his very name is a Hindu name. The word Jinnah means "small, puny". Therefore, I can beg of him that his blood and the soul that is within him both belong to this country. Today I beg of the Muslim League Benches that you may remember as much as you like your sacred places, but in the past the Arabs and the Turks have slaughtered each other. Even today in Ibni Saud's time, my Muslim friends will remember, there was an International Muslim Conference in 1927 for the safety of the sacred places of Islam. The Indian delegate said to Ibni Saud: "Give us the government of the holy places". Ibni Saud said: "Here it is. I am a Muslim and you are a Muslim. We shall all govern these holy places in the name of Islam". I can refer you to a book in which he has said this. Then, the Indian delegate said: "No, it is not merely the religious government but the political government of Hedjaz which you must give to us". Ibni Saud said: "I have protected these places when you were not here and I am going to protect these places, as a sovereign when you may not be here. Therefore, take the religious administration of Hedjaz in your hands but leave the political sovereignty to me". But when the Indian delegate insisted on his demand, then Ibni Saud's men spoke out in the following words: "When the Muslims in India will know how to manage a kitchen, a tea house, in Bombay properly then we shall consider their claims to govern Hedjaz". These are the words addressed by one Muslim to another. Therefore, our real future and our real destiny lies in this country. I will forswear all dissensions and all controversies. For the present let us combine for a common victory. It is victory alone which counts. All our aspirations will be ashes if our internal struggle continues.

To the Hindus, I can only say: give up the futility of caste and sub-caste. Our homes are in dire calamity and our families and our country are threatened with things which are full of agony. To my European friends, whose representative, Mr. Griffiths, spoke yesterday with great eloquence, I beg of them to declare themselves now. If the Europeans in India today made it clear that what the Government in England might do or might not do, they at least are prepared today to live as citizens of this country without privilege and without claiming any extraneous advantages on the grounds of the past conquest. I think the Government in England will not even think it necessary to send Sir Stafford Cripps. I want that declaration now in this House from the European Benches, that they are the people of this country and from today onwards, prepared to live as citizens of India and no better.

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that our glories will be their glories, that our disasters will be their disasters. Let them stretch their arm of friendship to us here and now today. Let them imagine the electrification of public opinion if such a declaration is made by the three lakhs of Europeans in this country. Let them say that they are not a conquering race any more, that they do not believe in exploitation and that they believe in equality. Their promise that they are for the freedom of this country will ring throughout the country, if they could make such a declaration here and now and I would request them to rise in their places and say that that promise is given. I am waiting for them to rise in their seats and say that that promise is given here and now. Unless that promise comes, my friend, Mr. Griffiths' speech, eloquent as it was, will lack that strength and sincerity which is needed today. His speech must be followed up by a declaration in this House on the part of the European Benches that from the 13th of March, 1942, the Europeans in this country are not exploiters but fellow citizens, and equals among equals.

Lastly, I come to the Government. I know that their voices are hushed. They cannot speak out what they might be thinking. The Expanded Executive Council consists of some of my best friends whom I have known for a life time as honest public servants but they are silenced. I would ask the Government, if possible, to speak in the same language in which His Excellency the Viceroy spoke the other day in making his appeal to the people of India. That appeal is as much to the European as to me or my friend, Maulana Zafar Ali Khan. Will that appeal be responded to or will it remain a pious hope of His Excellency the Viceroy? That is the problem. Sir Stafford Cripps is coming. When the aeroplane is available; he is welcome. What cargo he is bringing I do not know. But I do not build much hopes on that. Whatever may happen, I want to tell him this. Do not forget the common citizenship of all of us—the children of the soil, that nothing will remain permanent which is not truly democratic and national. In a hurry you may do some patch work which will make things worse then ever before. I have the privilege of knowing Sir Stafford Cripps personally when he came in 1940 and his great reputation fills me with hope that he will succeed where others failed. But whether he succeeds or fails, today it is my country that is in danger and I am forgetting everything else. I do not wish simply to hear the sound of my own voice. Angry denunciations of Government or of my comrades are out of the question. The days of mob oratory, the despicable demagoguery which incites but cannot inform, which inflames but cannot enlighten, those days are gone. What is required is sincerity and determination. When the great Marshal came to this country, we in this House unanimously passed a Resolution admiring the combating and resisting spirit of the Chinese. We wished him well but what have we done?

An Honourable Member: We did not see him.

Mr. Jamnadas M. Mehta: Not necessarily. You read his message, the message of hope and cheer, the message of call to assistance to China. Was that an empty Resolution that we passed or do we believe in that Resolution? People have picked up a small part of it which refers to political conditions and neglected the rest. I beg to invite your

attention to one passage in his message in which he says that the destiny of India and China is today identical. Has anybody noted those remarks?

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Yes. I have.

Mr. Jamnadas M. Mehta: If you have and if others have, then let us not simply waste our time on one passage. Those only are wanted today whose determination is clear, whose will to sacrifice is undoubted, whose courage is undaunted and who have made up their mind that, whatever may happen, the Jap shall not come to this country. That is the one single thought that has assailed me during all these days and nights and I say that when death is stalking all round, you should remember that humanity is fighting a deathless struggle for freedom. It may be that the struggle may end in the victory of the aggressor. In that case, humanity will not accept it as a final solution. Christianity, Islam and Hinduism and Buddhism are all in the melting pot today. They are threatened as much as any other things. Therefore, all controversies must be hushed. All differences must be kept in the background and the one and only consideration that should weigh with us is that we shall resist to the last, if it came to that. If in the struggle we are exhausted, if in the struggle we expired, let our last words be 'Fight on'. Then, the verdict cannot be in doubt. We have wasted 2½ years in idle controversy.

An Honourable Member: Who wasted?

Mr. Jamnadas M. Mehta: All of us. I am not blaming any one Party. We have wasted our energies on things that are worthless and insignificant. Your own children may be mangled and mutilated by the enemy. My heart will bleed just as much when your home is bombed, as yours will bleed when my home is bombed. My only quarrel is with those who even today, at the twelfth hour, are still carrying on idle empty controversies, whose mind is not made up about winning the war. These empty controversies ought now to be put in the cold storage. If the Congress, the Hindu Mahasabha and the Muslim League and the other parties have spent any time in these idle controversies, let them not do it any more. The Congress and the Muslim League have today kept aloof from the war effort. I beg of them to come in and co-operate, just as I have appealed to the European community. If they choose not to come in, I beg of them to stand aside and not do anything that will impede the war effort. Let those who believe in fighting the enemy come to the front and my humble submission is that, no matter what others may do or may not do, there are at least four or five people in this country who can be safely trusted to give of their very best to awaken public opinion, in spite of all that may be said to the contrary, who will bring the Muslim masses and the Hindu masses, and the masses of this country to the battle-front. The names I want to mention are those either of the Maharajah of Bikaner or the Maharaja Jamsaheb of Nawanagar. The next name is that of Mr. V. D. Savarkar. Then I propose the names of Sir Sikandar Hayat Khan and Mr. M. N. Roy. To these four you may add the name of Mr. Fazl Huq if you like, I do not mind. I do not want too many. (Interruption.) I am sure Sir Sikandar Hayat Khan and Mr. Fazl Huq are as good Muslims as anybody else.

An Honourable Member: You club them together.

Mr. Jamnadas M. Mehta: Don't question. They are as good Muslims as you are. Politically you differ, you differ on small points, but they are your brethren in religion. And today Mr. Savarkar can claim the allegiance of the Hindu community as nobody else can. Even the Congress Hindus tell me many a time in private that Savarkar is right and Gandhi is wrong, as he has always been. Then Mr. M. N. Roy, who can command the allegiance of the working classes, being a communist by conviction, who has sacrificed everything today in order to put the last possible ounce of energy into the working classes so far as he could. Among the Princes, the Nawab of Bhopal may replace the Maharajah of Bikaner, or the Chancellor of the Princes Chamber may be taken. These gentlemen today will create unbounded enthusiasm if they are placed in complete charge of the war effort and in a position of authority and command. Let the politicians stay aside. Let the bickerer and the controversialist keep his peace. Let the hopes and safety of this country be no more jeopardised by idle controversies.

Sir F. E. James (Madras: European): Like most of the previous speakers I shall make little reference to the Finance Bill. It is a severe but just measure and its reception in the country should, I think, encourage the Honourable the Finance Member in his task. I would only say that the Finance Bill is possible today because of the foundations which have been well and truly laid by his predecessors in the years past.

To my mind, on the home front, the four most important points are production, transport, food and civil defence. I make no apology for returning to this question of production, as, unfortunately, on the debate on the Demands for Grants one's time was greatly restricted and there was no opportunity of replying to the points which were made so effectively by Mr. Jenkins. He recognised the arguments that we advanced, but he thought that the creation of a new Department, as he called it, would lead to administrative chaos. I will not quarrel with him or any one else on the administrative arrangements that should be made to ensure the pre-eminence in all fields of the demands of production, for that is what I am aiming at. The particular suggestion that I made was only a suggestion as to the way in which that aim might be realised.

I mentioned in my speech, the other day, that there were certain impediments in the way of flat-out production, and I feel strongly that production is of such vital importance that those impediments should be removed and that production should have precedence over everything else. No inter-departmental rivalry should stand in the way. The Department of Supply or Production if you like to call it,—the Department of Production, the needs of that Department should come absolutely first and those needs should be satisfied without the intervention of any other Department or without the impediments which are placed in the way by other considerations. I would refer, particularly, to two points on which I can see there may be a danger of impediments being placed in the way of production and the transport of the things that are produced to the places where they are required.

Let me say a word about import control. I am aware of its necessity, and I should like here to pay a tribute to those who have been

concerned in an exceedingly difficult task. The delays, which were inordinate to begin with, have been reduced to the minimum. But I would draw the attention of the Honourable Member in charge of Supply and the Honourable Member in charge of Commerce, to the paramount importance of ensuring that the necessity of obtaining an import license, and in addition to that, of obtaining a priority certificate in regard to essential machines or equipment for production in this country, should not hinder the speed with which those articles are obtained. I could quote to my Honourable friends, if they were here, illustrations of the delays which have taken place owing to this dual responsibility, or, shall I say, this dual procedure which has to be followed. I am not a little alarmed to hear that the Office of the Chief Controller of Imports is to move to Simla. Not that I grudge the move, but I am afraid that it will mean further delay. If that Department is responsible for the issue of import license and then another Department down in Delhi is responsible for the issue of priority certificate, I do apprehend there may be delays in obtaining release, either from the United Kingdom or from the United States, of materials which are absolutely essential for this country at the earliest possible moment. I hope that that point will be looked into by the two Departments principally concerned.

The Honourable Sir Jeremy Raisman: I have no doubt that my Honourable friend realises that if Departments are being sent to Simla, they are being sent there, not for the benefit of their health, but because they cannot be housed in Delhi.

Sir F. E. James: I fully appreciate that, I realise the position. At the same time, I do hope that if there is to be a physical separation between the Department responsible for the issue of import license and that responsible for the issue of priority certificate—I do hope that some arrangement will be made so as to obviate the delays which ordinarily would be caused by that physical separation.

May I also make one other observation on the question of production and some of the impediments which are in the way? One of the impediments is the India Office. That I know from experience. I know my Honourable friends on the Treasury Benches are not responsible for that. But if there is anything that can be done on this side to remove the impediments in that office, then I should be very glad if action could be taken. Here, again, I do not want to quote individual instances, but in recent months, there have come to my notice cases where the most unwarranted delays have been caused by obstruction in the India Office. In a war in which on the production side, every minute counts, it is astonishing that that kind of delay should be allowed still to exist.

I would now turn to the other matter, that is the question of transport which is intimately related to production and on which the distribution of the articles produced also depends. I may say that we have been, I think I may say that the whole of my Party have been rather disappointed during the course of the railway debates at the fragmentary way in which this matter of transport has been dealt with by my Honourable friend, the Governor Designate of Assam, on whose appointment, I am quite sure the whole House would wish to congratulate him. I should like to ask him if he would consider making a much more comprehensive statement than he has done before, on the

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whole question of the transport arrangements in this country which he is now considering. What is the precise function of the newly created Central Transport Department? Why are not the Departments of Commerce and Supply represented on that organisation? What relationship does that organisation bear to the Provincial Boards of Transport which were set up sometime ago. How is my Honourable friend going to avoid the danger which is already becoming apparent of the overlapping of authorities? What are the precise functions—and here I have given notice of a question, but if my Honourable friend would make a statement during the course of this discussion, I shall be glad not to ask that question because I am raising rather wider issues—what is the relationship of the newly appointed Priorities Officer to the railway administrations throughout the country and to the Officer who is charged, for example, with the distribution of priorities in regard to coal? In other words, the House would be grateful to my Honourable friend if he would give us a general statement of Government proposals, and as to how they are going to deal with the second vital problem of the home-front during time of war. One of the miracles of modern times is the way in which the Russians have grappled with this transport problem. No one in Russia, before the war, would imagine for one moment that that country could have grappled with greater transport problems than any other country has been faced with, and yet, it is a tribute to their organising, sometimes extremely unorthodox organising genius and their powers of adaptation at short notice, that they have been able to move munitions, armies, aye, factories in the most remarkable way. A friend of mine the other day suggested that before the successor to my Honourable friend takes office, he should be sent to Russia to see how things are done there.

Now, Sir, I want to say one brief word about civil defence. I use the word in its broader sense. But I would like to ask my Honourable friend, Mr. Symons, if he would take the opportunity of this debate to complete the speech which he was delivering with such telling effect the other day, which was interrupted because of the time factor. There are a number of points which my Honourable friend, Mr. Lawson, raised, which he was not able to deal with and we should appreciate very much his dealing with these points during this discussion. May I also ask him if he could make a statement on the general question of equipment for civil defence, which is so short in certain areas in this country? It is due to the House that a statement should be made as to the distribution of existing resources and as to the prospects of those resources being made more adequate. Under civil defence, I include all measures that are taken to stiffen public morale. On the whole, I believe that public morale is good, far better than it has been in some other countries which have been over-run and occupied by the enemy. That is why I use the word “stiffen”. I would plead for a more adequate use of our great broadcasting system in this country by those in authority in Government.

Now, Sir, I know that I am suggesting that those who are desperately hard worked should take upon themselves an additional burden. But let them believe me, when I say that the voice of the man in authority over the microphone at the present moment will have very great effect. It has always been to me a regret that His Excellency the Governor General has not been able to follow up the profound impression which his broadcast some weeks ago made upon the country, by a periodical survey on

the microphone about the war effort in this country. No man carries a greater burden in the Empire than the British Prime Minister. Yet he finds time to go to the microphone and talk to the people of the Empire. May I plead with His Excellency the Governor General, with that great gift he has for moving and simple statement, to find time to talk to the people of this country more often. May I also ask some one in authority precisely what is the relationship between the authorities in the Broadcasting Department and those in the Public Relations Department of Defence who are responsible for publishing frequently in the Press, notices, statements, and stories from the battlefield of war. There has developed in the course of this war, an egregious gentleman, who is sometimes called ‘a military observer’, and sometimes ‘a military spokesman’. His duty seems to be to tell amusing and interesting stories of individual courage, in order to cover the fact that our troops are fighting a rear-guard action. That kind of thing, surely, is now becoming a little out of date. I do believe that if there is anything to be told as to our military operations, the country should be told the truth. I believe it can take it.

I shall not say anything on the question of food supply, as that matter was dealt with in the recent debate on wheat by the Honourable the Commerce Member except to emphasise that there is a serious shortage in some districts, a shortage which is particularly felt by the poorer classes. I am glad to be assured by the Honourable the Commerce Member that supplies are coming to Delhi itself soon.

Now, Sir, my Honourable friend, Mr. Jamnadas Mehta, addressed some words to the European Group. I do not propose to answer his invitation to make a declaration; the days of declarations have passed. But I should like to support whole-heartedly the views of my Honourable friend, Mr. Griffiths. It has not perhaps escaped the notice of the House that his appeal came not from some of those who have been associated in the past with the gospel of reconciliation, but from one who has earned the nickname,—and justly so,—of “Tiger Griffiths”. That is a very significant fact. He certainly did voice the feeling of every one of us, whatever political opinion we might hold, that the voice of controversy should be hushed.

I should like to address one word, if I might, with the indulgence of the House, not to other Parties in this House but to my own Party and through them to my own community. I should like to remind them that we are living in a revolutionary period; that India is changing and will never be the same again. I should like to appeal to all leaders in my own community to use this present occasion to root out any remaining evidence of racial and social exclusiveness and arrogance. There are still in certain parts of this country ancient monuments of exclusiveness which are now completely out of tune with the modern developments, and which in any case were never worthy of perpetuation. Let them go. Let us decide to throw our lot in with the people of this country. If there are any barriers still remaining in the realm of social intercourse which are hindering the fullest comradeship between Indians and Europeans, let those barriers go. I have preached this for years and have suffered from time to time for espousing the doctrine of freedom from racial exclusiveness. But I do not believe that today, in his heart of hearts, there is a single member of my community who does not feel that these are things of the past. If that is so, let them go. Wherever they remain, let them be

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obliterated. Any section of the community which believes that it can live in complete isolation from the people of this country is living in a fool's paradise. Surely, today in the face of a common danger there is an opportunity to lay a foundation in common service on which can be built an edifice of lasting friendship not only between the people of this country,—my people and your people,—but between the two countries themselves.

Sir Abdul Halim Ghuznavi: Sir, the budgetary position shows that the expenditure is more than three times the pre-war budget. A deficit of 47 crores in the present budget is to be met by 12 crores of taxation and the rest by borrowing. That, Sir, reveals how intensely the sources of revenue have been tapped in the past by taxation. So the Government can now no longer raise any more by taxation but have to resort to borrowing.

The next point that I want to raise is this. A provision has been made in the budget for an expenditure of 34 crores for payment on account of goods which my Honourable friend thinks will be coming to India under the Lease and Lend Act. As I understand it, the Lease and Lend Act means that for such goods as may be delivered to us now we are to pay after the war. And that is clearly mentioned in the Honourable Member's statement which says:

"In order to ensure that India participated to the fullest possible extent in these Lease-Lend facilities an Indian Purchasing Mission was created in the U. S. A., and India has now been admitted to the benefits of Lease-Lend facilities on the same terms as the United Kingdom itself and other members of the British Commonwealth of Nations."

If that is so I fail to understand why 34 crores had to be budgeted for cash payment. Are we to understand that as soon as the goods are shipped to India His Majesty's Government will debit the Government of India and that His Majesty's Government will demand payment now which they will pay long after the war is over?

The Honourable Sir Jeremy Raisman: No.

Sir Abdul Halim Ghuznavi: Then why does the Honourable Member provide for a cash payment of 34 crores for these goods when the Act provides for payment after the war is over? I do not understand this provision of 34 crores and the 11 crores which the Honourable Member provided last year for cash purchases. I do not understand these cash purchases when India is to get goods under the Lease and Lend Act, unless it be that India will be called upon to pay cash immediately, whereas the United Kingdom will pay after the war is over. There would thus appear to be no meaning in the Lease and Lend Act to the provisions of which India has also been admitted as a beneficiary.

The Honourable Sir Jeremy Raisman: Surely, if in the course of the Honourable Member's business something is advanced to him for which he has not to pay at the moment, he will still make some entry in his books to show that some time he will have to pay for it.

Sir Abdul Halim Ghuznavi: Is that the meaning of the Lease and Lend Act? As I understand it

Sir Cowasji Jehangir: Sir, as there is a good deal of misunderstanding on this point, may I ask the Honourable Member one question to make the matter more clear? Government have made a book entry. Does that mean that if they had not made that book entry but had set the amount aside or if they had had to pay it, they would have had to borrow 34 crores more?

The Honourable Sir Jeremy Raisman: That is correct.

Sir Cowasji Jehangir: Then, does it mean that it is merely a book entry, and they have not borrowed any more due to that book entry? If they had provided it, as some believe they have, then Government would not have had to borrow 34 crores more?

The Honourable Sir Jeremy Raisman: The Honourable Member is right in thinking that I have not provided for the actual raising of the ways and means in order to make this payment. It is true that I have provided for the debiting of certain revenue accounts with the value of these goods, but I have not provided anything since for the actual payment.

Sir Abdul Halim Ghuznavi: Do I understand that this amount of 47 crores which is to be met does not include these 34 crores?

The Honourable Sir Jeremy Raisman: No, not as such; not as 34 crores.

Sir Abdul Halim Ghuznavi: Does this deficit of 47 crores represent also this 34 crores in it?

The Honourable Sir Jeremy Raisman: It is possible that a certain part of this 34 crores might enter into the deficit. In my opinion it would be a comparatively small fraction of 34 crores.

Sir Cowasji Jehangir: You might explain that later on and make it more clear.

Sir Abdul Halim Ghuznavi: It is difficult for us laymen to understand the Honourable Member's point. Then, Sir, I come to the Excess Profits Tax. My Honourable friend recognized that at present the Excess Profits Tax of 66½ per cent. militates at certain stages against the incentive to the most economic and efficient administration of the business. He admits that it militates and he wants to give an incentive to the businessmen. Naturally, when a businessman makes one hundred rupees and if he is asked to pay 66½ out of that hundred, there is no incentive for him to make any money. Therefore, my Honourable friend has suggested an incentive so that the businessman may go on making this money to pay him the 66½ per cent. What he has suggested is this: "Look here, I agree that you do not feel happy over taking away 66½ per cent., and, therefore, you don't do more work to earn more money". Now just see what a great incentive he is going to suggest in order that we should make more money to pay him! He says: "I will provide an incentive and it is this. If you pay ten per cent. of this 66½ per cent., say in the shape of war bonds, the Government will give you another ten per cent. of 66½ per cent."

The Honourable Sir Jeremy Raisman: What I said was this. If the assessee will pay anything up to 20 per cent. of the tax, then I will put in half of that amount.

Sir Abdul Halim Ghuznavi: I beg your pardon. It is not ten per cent., but 20 per cent. If I pay the Honourable Member 20, then he pays me back ten.

The Honourable Sir Jeremy Raisman: And your own 20.

Sir Abdul Halim Ghuznavi: Yes, I know.

The Honourable Sir Jeremy Raisman: It is very important.

Sir Abdul Halim Ghuznavi: My 20 will be returned one year after the war, but his ten, only goodness knows when he is going to return! That is the incentive that he is giving for making us work more and put the benefit of it in his pocket.

Then, Sir, is the question of defence. It has been pointed out year in and year out in this House that the defence budget of India is the highest in the world. At least during the last 17 years that I have been a Member of this House I have heard year in and year out that the defence figure of India is more than the defence figure of any other country in the world and that the Government have to reduce that. But we have always been told that the amount is required for the defence of India and to protect us from any outside aggression. Now I ask the Honourable the Finance Member, what he has done so far to protect India from aggression. Burma, which was a part of India, was only separated the other day, and we have had to provide from our general budget for the defence of Burma. For one hundred and fifty years we have been exploited in the name of defence and the standing army. What is the position today, I ask? It is just a stroke of luck that these Japanese have not yet come. But if they do, how are we to defend this country?

The Honourable Sir Jeremy Raisman: By talking like this.

Sir Abdul Halim Ghuznavi: And by the actions of the Honourable Member—by what the Honourable Member has done. Why did the Government not arm the forty crores of people of India? What prevented the Government from arming this nation of forty crores? If they had, we would have defended not only India, but the Honourable Member's own country against the Nazi hordes.

Mr. N. V. H. Symons (Government of India: Nominated Official): May I presume on a very long friendship with the Honourable Member to remind him of the first words which Mr. Churchill spoke when he succeeded Mr. Chamberlain, which were:

"Let the present not quarrel with the past because if we do that, all we shall do is to jeopardize the future."

Sir Abdul Halim Ghuznavi: Thank you, Sir. The Honourable Member is my old friend. Can he tell me what he has done in 1939, and in 1940 and in 1941? Are these present or past years? And the Government will carry on in the same way till the war is over.

The Honourable Sir Jeremy Raisman: 1940 is not 1942.

Sir Abdul Halim Ghuznavi: What has my Honourable friend done in 1942? Is there anything that he did in 1942 to improve on what existed in 1940 or 1941? Let us have some consolation that there will be something to defend us. No, we have been left in the lurch. Goodness knows how we are to defend ourselves. We do want to defend. It is our country. We do not want to be bombed. Give us the necessary material and we will fight, and the Honourable Member will see how we can fight.

Sir, in March, 1939, I remarked in this House while speaking on the Finance Bill:

"The British prestige was no more."

The Honourable Members in the European Group were indignant. Sir Fredrick James said:

"The British prestige was far better today than it was before."

I retorted: "You have lost everywhere", and added "Just wait and see. Your action in not taking any action in Abyssinia has destroyed your British prestige."

The Honourable Sir Jeremy Raisman: That proves you are a false prophet anyhow.

Sir Abdul Halim Ghuznavi: Sir, I am presently coming to that.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Physical prestige or moral prestige?

The Honourable Sir Jeremy Raisman: Abyssinia is a good example.

Sir Abdul Halim Ghuznavi: My Honourable friend says 'Abyssinia is a good example', because they have reconquered it and given it to the Emperor of Abyssinia. Is that the idea? I am coming to that point.

The Honourable Sir Jeremy Raisman: It is a very good example of how the prophets of disaster are prepared to raise their voices at the worst moment.

Sir Abdul Halim Ghuznavi: The reason why I have raised this voice at this critical moment is to make the Government work, to make the Government feel that they have a duty towards us, to prepare us and give us the tools which they have not given us. Give us the tools, give us the materials and we will fight. We will face the enemy even now.

As late as the 7th August, 1941, in the House of Commons, Mr. Anthony Eden, the Foreign Secretary, issued a grave warning to Japan that any action calculated to threaten the independence of Thailand would inevitably give rise to a grave situation between Britain and Japan. That was in August, 1941. In December, 1941, we found that Thailand had taken arms against us. Something is wrong with the intelligence department of His Majesty's Government, and perhaps of the Government of India. Thailand's geographical position is such that she cannot defend herself alone. Either Japan or the British must come to her rescue; otherwise she cannot defend herself. That is perfectly clear; and if I may say so, all the trouble that has arisen now in Burma is due to the mistake, which let Thailand go over to the enemy's side. There was a

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goodwill mission from Thailand which came here and we were asked in Calcutta to give them a warm welcome and reception. They came here, they saw all our works and went back with full knowledge of what we do and where we do it. If the Allies had done in Thailand, what they did in Iran and Iraq, and gone straight to Thailand, Thailand would have been by the side of the Allies today, but they waited till it was too late; and now Thailand has gone over to the other side and the whole picture is changed.

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It is all very well to say now, as Mr. Hore Belisha said last month, that after two and a half years of war they have discovered that the cause of the British failure in the Far East was the British colonial policy of not carrying the indigenous peoples' support for the prosecution of the war. A very significant statement!

Well, Sir, let me give you this story of how they lost Malaya. First of all there was the complaint of the lack of man power in Malaya and in Singapore. It was found to be one to seven—seven Japanese against one of us. Soon after the declaration of war by Germany, the Indian population in Malaya, numbering about eight lakhs, offered to form a volunteer corps. The High Commissioner rejected the offer with thanks. Mr. Mallal, a barrister evacuee from Singapore, told the Bombay Rotarians the other day that the offer was repeated when Japan declared war, and was turned down again. Malaysians, Javanese, Chinese, Eurasians and the Europeans had their volunteer corps, but not the Indians—you cannot trust them; that is the feeling in their minds. These eight lakhs of Indians, available as a fighting force in Malaya, were not allowed to arm themselves and form a volunteer corps. There was discrimination in every form. Being the Chairman of the Evacuation Muslim Committee in Calcutta, I meet the steamers when I am in Calcutta; the evacuees tell us stories of how non-Indians, all along, got preference for evacuation to Indians. There are hundreds of thousands of Indians who are left behind; but all white men have been cleared out of Malaya, Singapore and Burma.

In the Round Table Conference we opposed the separation of Burma. I was in the Burma sub-committee. Burma was part of India then; British interests again came in and Burma was separated, in spite of the large number of Burmans who were against the separation. Fifth columnists had to be engaged to make them agree to the separation. Had Burma not been separated today, their defence would not have collapsed like a pack of cards as we see today.

It was Marshal Chiang Kai Shek's parting message that roused our friends in London. What was the parting message that the Generalissimo gave? He said that he sincerely hoped and confidently believed that Great Britain would, without waiting for any demand from the Indian people, give them real political power so that they may be in a position to further their spiritual and material strength and thus realise that their participation in the war is not merely an aid to the anti-aggression nations. They have not up to now offered us anything. All along, continuously, we have been told—"Settle amongst yourselves, come with a joint proposal to us before we can do anything. Without that we will consider nothing".

†Portions in asterisks were deleted by order of the Assembly.—Ed. of D.

That is what you say knowing full well that we cannot settle among ourselves. Now, this great man the Generalissimo had to tell his British colleagues that, without further delay, they should offer us something definite, and I believe the impending visit of Sir Stafford Cripps is the result of that. I know that India welcomes him, and I hope and trust that his visit to India will give us all that we ask for unanimously. He has to find out a formula that will please us all, and not any particular section of India. Sir, it is no use pointing out that the Muslim League, the Congress and the Hindu Sabha do not agree; it is no use pointing out the differences that exist among these three bodies. That is how the monkey dispensed justice to the cats when they were fighting over a piece of cheese. It is no use waiting for statements like—"I am India", "I represent the whole of the Muslim community in India", "I represent the Hindus and no one else" and such like things. Domestic quarrels of ours will be settled when we know what we are to get. They cannot be settled until we know what we are to get.

Now, Sir, another important point that I want to raise here is with regard to what is called the Scorched Earth Policy. I want the Government to make a definite statement as soon as possible

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We find, this policy of Scorched Earth was followed by Russia. But conditions are absolutely different in India. In Russia, all industries, heavy industries, or whatever industries they have, are all State-owned, but that is not the case here. In the case of State-owned industries the State constructs everything, and the State, at its will and pleasure, destroys what it wants to destroy. But even in Russia, when they re-occupied their lost territory, they were hampered by their own policy. It is, Sir, at best a double-edged weapon. So far as our industries are concerned, they cater to civilian needs, and they are not of military value. What has happened, Sir, in Burma, in Malaya?

Mr. President (The Honourable Sir Abdur Rahim): Today being Friday, the House will now adjourn and meet again at 2-15 P.M.

The Assembly then adjourned till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Sir Abdul Halim Ghuznavi: Speaking about Scorched Earth Policy, see what has happened in Bombay yesterday. There has been a rumour that the scorched earth policy would be introduced, and as the Japanese are in need of cotton, the holders of cotton stock wanted to sell those stocks for whatever price they could get; and the market has collapsed as a result. Somehow, the rumour went round in Bombay. The result is that from 184 for Broach cotton, April-May, for fear that it will be burnt before the Japanese could take hold of the cotton, the price has gone down to 169. A statement is necessary, Sir, in the interests of India, declaring once for all that the Government are not going to introduce this scorched earth policy. As I have stated, the industries which we have in India are not State industries, or national investments. We cannot be compared with Russia, and the sooner Government made a statement in order to allay the present panic, that there is no such thing as scorched

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earth policy in contemplation, the better for all of us. I appeal to my Honourable friend to make that statement and allay the panic. Perhaps, if I may say so, it is not possible in India, unless a complete evacuation of India is contemplated, which again is not possible. Therefore, demolition of the potential resources should not be done.

Speaking about the Supply Department, Dr. Sir Ziauddin Ahmed yesterday put some uncomfortable questions to my Honourable friend, Mr. Jenkins, who was present here at that time. The position in the Supply Department is in itself an indication of the distrust in Indian ability. The Secretaries, Directors General, Deputy Directors General, Directors and Deputy Directors in Calcutta are all Britishers. In Delhi, except for a very recent appointment of an Indian as a third Deputy Director General and the promotion of an officer to be Director of Co-ordination dealing almost wholly with official routine, the entire senior personnel of the planning organisation in the Supply Department is in the hands of the Britishers. This is an admission of the lack of confidence in Indian ability, and the British Officers in the Department are obsessed by the bogey of competition against British trade in the post-war days. Then the expected arrival of the American Mission—what more cogent argument need there be to show the distrust of the vested interests in the development of industries by Indians? They will allow Americans any special privileges, but not to Indians themselves. The Americans are establishing an automobile assembling plant in India, but no Indians can. Then the transfer of the cotton textiles section from Delhi to Bombay is only meant to take away supervision from Indian hands. The transfer of tentage section to Bombay—I asked a question last November in this very House on this. The question was:

“What was the idea in transferring the tentage department to Bombay, and what is the reason for this transfer? Will there be any hardship for the northern Indian fabricators in its transfer to Bombay?”

The question was:

“Yes. It has been transferred, and the reason is that tentage is relatively a small part of the Supply Department requirements of cotton textiles, and when it was found expedient to transfer the cotton textile directorate to Bombay, it was thought unwise to dissociate the tentage section from it.”

Sir, tentage has nothing to do with the textile section inasmuch as it is a Department in itself. The textile section consists of all kinds of textiles that are manufactured in India, but for tentage, only *dosuti* cloth is required and one has to see if that *dosuti* cloth is manufactured in the mills near about the tentage fabricators. According to my Honourable friend's admission, in reply to my question, out of 57 tentage contractors, 43 carry on their business in Northern India, and there are cotton mills in Northern India which would supply the whole requirement of *dosuti* cloth required by these tentage fabricators. The Honourable Member said that it is distributed in Delhi, but I am afraid that is not the procedure. The whole thing is done in Bombay, and all the tentage fabricators have to go to Bombay. They are all near about Delhi. They have to open an office in Bombay. They have to make tenders in Bombay. The tenders are accepted in Bombay, and, thereafter, they are distributed in Delhi. For every inquiry they have to make, they have got to go to Bombay. What earthly use is there, when all the manufactures are in Northern India and located near about Delhi, in transferring the tentage section to Bombay. Sir, the tendency is to cut out Indian fabricators and confine the orders to the British and a few Indian cotton mills. At the beginning of the war, only three or four British and three or four Indian firms used to manufac-

ture tents. The wise policy of one Indian Officer helped to increase the number of Indian fabricators which rose to 56, and that resulted in 200 per cent. reduction of cost, which otherwise would have gone to six or eight tentage manufacturers. And the reward is made to them in that their quotas have now been reduced and given over to those who wanted high prices. Furthermore, they have been put to as much trouble as possible so that they may dwindle away. According to the Supply Department, the Indian sepoy will not digest his food unless wheat and other cereals are bought by Mr. Owen Roberts. Mr. Owen Roberts alone is the purchaser of wheat and cereals, because if any Indian purchases, the Indian sepoys will not be able to digest that wheat. Crores of rupees worth of orders are placed with one man, Mr. Owen Roberts and not with any Indian.

Sir Cowasji Jehangir: Where is his headquarters?

Sir Abdul Halim Ghuznavi: Somewhere in Calcutta.

An Honourable Member: In Lahore.

Sir Abdul Halim Ghuznavi: I am certain that he has an office in Calcutta. He may have a branch in Lahore. The hide and leather orders go to British businessmen, thanks to Mr. Inskip. They will not get an Indian adviser in the place of Mr. Inskip. Mr. Watts of the New Egerton Mills is the Wool Adviser.

Mr. J. Ramsay Scott (United Provinces: European): Cawnpore Woollen Mills. He is a Director of both Mills.

Sir Abdul Halim Ghuznavi: He is a Director of both Mills?

Mr. J. Ramsay Scott: He is a Director of the British India Corporation.

Sir Abdul Halim Ghuznavi: He is the adviser on wool, and only that wool which is supplied by a British firm will be warm! No Indian can be found to counsel the Government with expert advice on jute textiles, and so Mr. Walker is the adviser on jute fabrics. Only one Indian there is, and that for the supply of *ghee*. He has got the hereditary right. That is one Alopri Pershad. After he is dead, his son will get it, and then his grandson.

Maulana Zafar Ali Khan: Why have they given a monopoly to him?

Sir Abdul Halim Ghuznavi: It is a hereditary right. It goes from father to son and grandson, and so on. That is the position.

The Honourable Sir Jeremy Raisman: Sir Abdul Halim Ghuznavi has a finger in every pie.

Sir Abdul Halim Ghuznavi: I have no finger in any of your pies I have mentioned here.

The Honourable Sir Jeremy Raisman: That is bad luck.

Sir Abdul Halim Ghuznavi: Then, I will deal with one matter relating to Malaya and the Far East. The Central Board of Revenue has conceded the principle that as the Indian assesseees with Far Eastern investments have suffered heavy losses they are entitled to sympathetic consideration. So, they have issued a circular to the Income-tax Officers that in deserving cases payment in easy instalments may be taken or collection of taxes may be suspended for a reasonable period if the circumstances warrant the grant of such relief. That is what they say, but what is required is postponement of collection of assessment proceedings universally in all cases of foreign investments in view of the colossal losses that the merchants have sustained. I hope and trust that the Honourable the Finance Member will look into this matter.

There is only one other matter and then I have done. I will not tax my Honourable friend, the Finance Member and the Government, with the whole of the Income-tax Resolution that I moved in this House. I would only take two points. The first point is the creation of the Central Department. Mark the words of Sir James Grigg. He said: "the object of the alteration in the clause by the Select Committee was to enable a certain amount of co-ordination work to be done at headquarters and not in relation to any territorial jurisdiction of the existing Commissioners".

I think the sentence is very clear. There is no muddling about that sentence. He went on to explain in clear terms that these Central Commissioners would deal with three classes of cases, namely, penalty, insurance and fraud. My Honourable friend, Sir Cowasji Jehangir, testified as to the report of the Select Committee of which he was a member. The whole trouble about the appointment of the Central Commissioners in the provinces arose after Mr. Sitla Pershad's roving inquiry throughout India. His appointment has no sanction in law.

An Honourable Member: Why not?

Sir Abdul Halim Ghuznavi: Under what provision of the Income-tax Act was he appointed? I should like to know that. Now, let us see what Mr. Mullan says about this great man,—Sitla Pershad. Mr. Mullan characterised him as "the Board's eyes". And then, in the course of a reply by my Honourable friend, the Finance Member, the other day to the Resolution I moved, he said:

"I am equally sure that until the point was raised in Calcutta recently nobody else thought that Government had violated their assurances as regards those Central Commissioners."

That is what he said in reply. I will point out. I think very clearly, that that is not so. Dayaldas Khushiram, an assessee in Bombay, contested the legality of the appointment of the Central Commissioner in Bombay when he refused to produce books before him. He was legally advised that the Central Commissioner had no jurisdiction in Bombay and the matter was taken to the High Court, who found against the Government. I will not take up the time of the House by reading that portion of the judgment. The judgment is known to the Honourable Member. The Court definitely said that the Central Commissioner in Bombay cannot be appointed under any provision of the Act when the Commissioner of Bombay was already there. What happened then? My Honourable friend had to resort to the Governor General's statutory powers to legalise that appointment. The Governor General, by an Ordinance No. 13 of 1939 legalised the appointment of the Central Commissioner.

The Honourable Sir Jeremy Raisman: The Act was subsequently amended. An Ordinance was passed in order to prevent administrative chaos resulting from that. At the earliest possible moment the matter was brought before this House and the Act was amended.

Sir Cowasji Jehangir: The matter was never brought before this House.

The Honourable Sir Jeremy Raisman: I beg the Honourable Member's pardon. The matter was brought before this House in the form of a Bill to amend the Act.

Sir Abdul Halim Ghuznavi: When this Ordinance was issued, the Federation of the Indian Chambers of Commerce protested in the following words:

"The Central Board of Revenue assigned to a special department styled the Commissioner (Central) and Income-tax officers (Central) the assessment of certain parties in Bombay without the necessary legal sanction behind such proceedings; by an application under Section 45 of the Special Relief Act, some of the aggrieved parties sought relief at the hands of the highest Judicature in the province from these activities of the Commissioner (Central) and Income-tax officers (Central), and the Honourable the Chief Justice and the Honourable Mr. Justice Kania of the Bombay High Court held that the Income-tax officers (Central) who purported to deal with the assessments had no jurisdiction in the matter of the petitioners' assessment and ordered the Government authorities to forbear from proceeding with the assessment"

The Honourable Sir Jeremy Raisman: That is correct. It was the Income-tax officer's jurisdiction that was questioned and not the Commissioner's.

Sir Abdul Halim Ghuznavi: They questioned both. The judgment is referring to both the Central Commissioner and his subordinates. To continue the remarks of the Federation:

"The Committee of the Federation are surprised to find that His Excellency should lend statutory support of an emergency nature, under powers vested in him under Clause 72 of the Ninth Schedule to the Government of India, Act of 1935, to validate arbitrary and illegal proceedings undertaken by one of the Departments of his Government."

Now, Sir, another point that my Honourable friend made on the 19th February was this. He said: "I am prepared to admit that the first cases the Central Commissioners took up were the cases of Indian assesseees."

The Honourable the Finance Member continued:

"... and not one European. It is a perfectly simple matter and it has since been rectified."

That is what my Honourable friend said on the 19th of February. Even on the 19th February it was not rectified. It was rectified long after that date. I shall now read the Circular which was issued long after the 19th February. The Circular is dated the 20th February, 1942. It says:

"In exercise of the powers conferred by Sub-section (5) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), and in continuation of his Memo. dated the 16th June, 1941 the Commissioner of Income-tax (Central), Calcutta, is pleased to direct that a fifth Central Income-tax Circle, styled Central Income-tax Circle V, shall be created"

[Sir Abdul Halim Ghuznavi.]

Up to the date I was in Calcutta, before I left for this place, nothing had been done under this Circular.

The Honourable Sir Jeremy Raisman: Surely, my Honourable friend does not expect me to go down to Calcutta and do things with my own hands? When I said the thing was done, I meant that the instructions had been issued. I am satisfied that when instructions are issued from the headquarters they are carried out.

Sir Abdul Halim Ghuznavi: Thank you; I accept the Honourable Member's explanation, excepting this much, that the Circular may have been issued from here on the 19th February, but it never had reached Calcutta on that day.

Mr. J. F. Sheehy (Government of India: Nominated Official): The New Fifth Circle has nothing to do with the question of European and Indian cases. If there is an extra Circle, it does not mean that it has to deal with European cases. It only means that the work is expanding.

Sir Abdul Halim Ghuznavi: I have to further deal with this Circular. After the issue of this Circular, I saw a list of European names to be included in the Central Commissioner's Circle

The Honourable Sir Jeremy Raisman: But the point is that the decision of that change had been taken when I spoke in this House. When I made that statement in this House, it had already been decided and discussed on the spot by the Member of the Central Board of Revenue with the Commissioner of Income-tax, Bengal.

Mr. J. F. Sheehy: Is the Honourable Member suggesting that these cases will not be transferred to the Central Commissioner?

Sir Abdul Halim Ghuznavi: No. I suggested that after this Circular was issued, these cases were to be transferred, but they were not actually transferred.

Sir, we are under two Income-tax Commissioners in Bengal. One is Mr. C. S. Mullan and the other is Mr. N. Dandekar. Mr. Dandekar is the Central Commissioner and Mr. Mullan is the Commissioner of Income-tax, Bengal. Now, let us take up Mr. Mullan first. He was in the United Provinces. In regard to Sir Iqbal Ahmad's appeal the Allahabad High Court passed the following remarks about him, May I read that remark which the High Court made about him?

The Honourable Sir Jeremy Raisman: Sir, I suggest that the Honourable Member had already had ample opportunities of attacking the officers of the Department. Those officers are not here and it is not possible for me to defend them in detail. I do appeal to the Honourable Member to abstain from personal attacks on permanent officials.

Sir Abdul Halim Ghuznavi: Is it a personal attack? It is not a personal attack. I am referring to what they have done in their capacity as officials. I never made any personal attack at all. He is a first class gentleman. Why should I make any personal attack? If my Honourable friend does not want me to pursue this matter, I shall drop it.

The Honourable Sir Jeremy Raisman: It is an attack on an official by name.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): The House is anxious to hear it.

Sir Abdul Halim Ghuznavi: But the Honourable Member is angry and so I have to disappoint the House.

The Honourable Sir Jeremy Raisman: There is no question of anybody being angry. I suggest that it is a sound parliamentary principle that permanent officials who are not able to defend themselves in the Legislature should not be subject to attack in this way.

Mr. Muhammad Nauman: On a point of order, Sir. May I ask whether Honourable Members are not expected to give the House the exact position in certain Departments as represented here, whether a certain official of a particular Department has done a certain thing or not. It is for the Honourable Member who represents that Department in this House to reply on his behalf.

The Honourable Sir Jeremy Raisman: The point is that the Honourable Member is picking up the name of an individual officer in Calcutta. He now says: "I will give you the history of this officer. He was here, he was there, he did this and he did that". I submit that is a personal attack on the official in question.

Mr. Deputy President (Mr. Akhil Chandra Datta): The point of order raised by Mr. Muhammad Nauman does not arise now. As a matter of fact, even the Honourable Sir Jeremy Raisman did not raise any point of order. He simply made an appeal to the Honourable Member, Sir Abdul Halim Ghuznavi and Sir Abdul Halim Ghuznavi has promised not to pursue this point. Therefore, the point of order does not arise.

Sir Abdul Halim Ghuznavi: May I be permitted to read a decision of the Criminal Court in Calcutta?

The Honourable Sir Jeremy Raisman: That is a matter which is *subjudice*.

Sir Abdul Halim Ghuznavi: But the decision is finished.

The Honourable Sir Jeremy Raisman: The matter is under appeal to the Calcutta High Court.

Sir Abdul Halim Ghuznavi: Very well. I will wait till the decision on the appeal is known. The matter is with the Calcutta High Court.

Dr. Sir Ziauddin Ahmad: The officer has been in the United Provinces. I should like to know something about him.

Sir Abdul Halim Ghuznavi: But I have been asked not to pursue the matter. I have got the judgment here. I shall pass it on to my Honourable friend. He can read it himself.

[Sir Abdul Halim Ghuznavi.]

Well, Sir, regarding the appellate machinery, my Honourable friend replied the other day:

"I am not prepared to concede the demand that Appellate Assistant Commissioners should be put under some other Department of the Government of India. There are obvious complications about such a proposal which I do not propose to go into now."

He added:

"As regards the other point made by my Honourable friend, Sir Abdul Halim Ghuznavi, regarding the lower emoluments of certain Appellate Assistant Commissioners as compared with Inspecting Assistant Commissioners, I am having this examined with a view to putting it right, but that matter affects only a few officers."

As regards the Appellate Tribunal, my Honourable friend agreed that he shall be happy to discuss that with his Honourable Colleague, Sir Sultan Ahmad. Sir, a statement was made that all these troubles arose after an assessee who was trying to evade his payments was caught and after that matter was taken up by the Board of Revenue. In reply to that, I want to make an appeal. If my Honourable friend will read the debate of the 20th March 1929, in this House on the Finance Bill, he will find that I said exactly the same thing which I am placing now before the House in regard to the transfer of Appellate Commissioners to the control of somebody other than the Board of Revenue. This is not a new thing. We have been agitating since 1929. We had a conference with Mr. Mullan and Mr. Dandekar. Both Chambers in Calcutta had a conference long before this assessee came into the picture. That was in June. This particular assessee who wanted to evade payment came into the picture long after—that was in August. In June we made all these representations which I brought forward the other day in the course of my speech.

Then, Sir, a lot has been said about Indian assesseees. I shall only say something about our friends, the European assesseees. I should like my Honourable friend, Mr. Chapman-Mortimer, to listen to this. I see he is sitting in his seat. He is the only Honourable Member who opposed my Resolution. I shall make a present of these facts to him. I am now referring to companies belonging to the European community. I shall not give names:

(a) the case of a company to whom brokers have paid large sums of money, but the payments fail to appear in the disclosed books of the company, and, subsequently, the existence of a different set of books has been discovered.

Sir Cowasji Jehangir: Where do you get this information? Where are you reading from?

Sir Abdul Halim Ghuznavi: I ask the Honourable Member to deny.

The Honourable Sir Jeremy Raisman: This is a marvellous method of argument. I cannot deny.

Sir Abdul Halim Ghuznavi: It is known to the Government. Therefore, they cannot deny.

The Honourable Sir Jeremy Raisman: You found it out yourself.

Sir Abdul Halim Ghuznavi: It is the duty of the Chambers of Commerce to find that out. It is not my duty. What are the Chambers for, if not to find out these things?

The Honourable Sir Jeremy Raisman: The information is being given to the Income-tax Department.

Sir Abdul Halim Ghuznavi: The Income-tax Department have got the information and they are taking steps. We, poor Indian assesseees are the only persons on whom they look with suspicious eyes; they should show the same strictness with regard to my Honourable friends on the right. Why show differentiation between Indians and Europeans? That is all I wanted to say. Now, I shall mention a few more cases of European companies:

(b) the case of two sister companies in whose books are found duplicated, a number of times, debits amounting to lakhs of rupees for the same expenses.

(c) the case of a company having close connection with foreign countries and whose audited accounts do not clearly disclose that all the profits taxable in British India have been properly or adequately shown.

(d) the case of a company which has from year to year objected to filing its balance sheet in the Income-tax office.

I now appeal to my Honourable friend to consider the transference of the Appellate Assistant Commissioners to the Law Department of his colleague. That will allay the panic that is prevailing in Calcutta.

The Honourable Sir Jeremy Raisman: It would allay the panic more if I could transfer the Japanese to my Honourable colleague.

Sir Abdul Halim Ghuznavi: He has agreed to the second case; I want him to consider whether he should agree to the first case also.

Sir, before I sit down, I may mention here that we Indians, from one end of the country to the other, stand solidly behind Great Britain and her Allies in the fight against Nazi fascists hordes and this Japanese menace which now threaten freedom and civilization. I cannot end my speech without paying a tribute to the leader who steers the ship today for the freedom loving nations.

"Sir, Mr. Churchill is one of the greatest Prime Ministers that the world has seen. If any man is admired in the whole world it is Mr. Churchill. I remember in 1931 and 1932 when we were in London, we often met him and in the House of Commons Library he used to address us. One point that he always insisted on was this, that he knew these Nazis, and always asked, "Why do you feed the snake?" And that has come to pass. I can assure my Honourable friend that it had never been in my mind to attack that great man for whom we Indians have the greatest admiration.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, it was with some pleasure that I heard the speech of Mr. Jinnah. I remember in 1931 and 1932 when we were in London, we often met him and in the House of Commons Library he used to address us. One point that he always insisted on was this, that he knew these Nazis, and always asked, "Why do you feed the snake?" And that has come to pass. I can assure my Honourable friend that it had never been in my mind to attack that great man for whom we Indians have the greatest admiration.

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Jinnahdas Mehta and, particularly, the appeal he made to the European Party, namely, 'A statement should be made here and now that they will cease to exploit this country and that they should give up all their privileges and special claims'. But the speech had no effect on the European Party here, however well it may read on paper.

(Interruption by an Honourable Member).

All these special privileges are embodied in the Government of India Act. They assert their superiority and carry on their exploitation whether they are in India or Africa, or Australia or Kenya. All wars originate in the exploitation of one nation by another, one race by another and the present war started because of the assertion of the superiority of one race,

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viz., the Nazi race, and the culture known as Hitler's culture. It is this superiority complex of one particular race, the desire to exploit other races whom they consider to be intellectually inferior and backward and races which according to them have no right to exist and which will, according to them, benefit by their superior civilization being carried to them that is, the so-called backward races that causes wars. They are not prepared to admit the equality of other races. Let me give one instance. It is painful to say it but I cannot help saying it. Advice has been given to forgive and forget; but at what stage? Not when you were free from worries and anxieties and enjoying benefits and privileges. If the advice had come then there would have been some grace in it. But there is no grace in it now when the interests of those who give advice are in danger. It is all right to ask us to forgive and forget, but one cannot forget the past. As a matter of fact past experience is the only light which can guide our footsteps in the future; and we cannot, therefore, forget the past. Let me say one thing. And when I am saying this, I am not supporting the claims of Japan to dominate any other race or nation but it was Japan which in 1919 at Versailles pleaded for racial equality. I will read a passage from a book by Harold Nicholson called 'Peace Making in 1919':

"On February, 13, the Japanese had suggested that in the clause providing for religious equality, the words 'and racial' should be inserted between the word 'religious' and the word 'equality'. They were persuaded to drop this painful amendment for the moment but they again revised it on April, 11. Mr. Wilson then found himself in a grave difficulty. On the one hand the equality of Man, as enshrined in the Covenant, implies the equality of the yellow man with the white man, might even imply the terrific theory of the equality of the white man with the black. On the other hand no American Senate would ever dream of ratifying any Covenant which enshrined so dangerous a principle. On that occasion the President had, by the skin of his teeth, been rescued by Mr. Hughes of Australia. The latter insisted that no such nonsensical theory as the equality of races should figure in the Covenant. Lord Cecil was instructed by the British Empire Delegation to support Mr. Hughes' contention in the League Committee. The Japanese, however, were not prepared to allow Mr. Wilson this providential *alibi*. They put the matter to the vote. They gained their point by eleven votes to six. Mr. Wilson, as Chairman, was faced with the unpleasant necessity of having to decree that the Japanese amendment had 'not been adopted' since it had failed to secure 'unanimous approval'. That incident had left even him with an uneasy feeling inside."

I do not say that we should welcome the Japanese with open arms but we cannot forget the past. We insist in a declaration about our status—political as well as social—being made before the end of the war. We are called upon to make all sacrifices. If no declaration is made here and now you cannot expect whole-hearted co-operation from the people, whose hearts are lacerated in so many ways. Look at the treatment the Indians receive in various parts of the world. Look how they are treated in South Africa. Look how they are treated in Australia. Look how they are treated in Kenya—not a self-governing colony.

Mr. J. Ramsay Scott: How are they treated in Australia?

Mr. Govind V. Deshmukh: I will tell you how they are treated in Australia. I will read out the very words spoken by the Prime Minister of Australia. Indians cannot even land there.

Mr. J. Ramsay Scott: Every Indian in Australia has full rights.

Mr. Govind V. Deshmukh: Now, let me, in connection with this, read out what Mr. Curtin said:

"That Australia's voice should not be only effective but also heard in its proper place. Australian affairs should be conducted only after Australia has had a full say."

India cannot have its say. Britain will have its say and India's affairs will be conducted accordingly.

"After Australia has had a full say in what is after all the shaping of our destiny," *not like India who cannot shape her destiny* "Australia is for the Australians".

Has any black man or a brown man any rights there? Australia is for the Australians.

"It is a White Australia. With God's blessing we shall keep it so."

Then, Sir, I will give you a very recent instance. When Singapore had gone, when Malaya had gone and the Indian evacuees had to take refuge somewhere, how did Australia behave? They were not allowed to land there. Australians and Indians were fighting side by side, but Indians had no right to land on the Australian soil! Sir, I was not present but, I understand, Maulana Sahib gave an instance of a technician who could be of use wherever he may be, but who was refused shelter in Australia. As regards evacuees, let me tell you what Mr. Curtin said:

"We will welcome some Asiatic women and children."

Not men. No. Men must be left to the Japanese to be treated in any way they liked. Sir, I have not heard how many Indian men, women and children were allowed to land in Australia, and how they are being treated. Will anybody enlighten me? This is the story of one race dominating over the other. It is a record of so many years. It is desirable that everybody should have his policy guided in future by this past experience,—experience which cannot be forgotten, and which should be kept in mind.

Now, Sir, having said this, let me come to another point. At the very outset, I may say that I may have to say something very strong about the army. I would like to make a few statements first so that I may not be misunderstood. In 1940, I carried out a campaign for three months regularly, through newspapers, local as well as in other provinces, for the enlistment of our men as King's Commissioned Officers and as ordinary officers. I found a great difficulty in this work, and I was not alone to take advantage of this opportunity of war and to start an agitation for the enlistment of men from this province and other provinces from which there was not a single man—or perhaps there was one man—recruited. As I have said, I was not the only one in the field. The Governor of Madras was feeling the same difficulty. He had to try hard and the Bengal Government—which was a popular Government met with the same difficulty. I put questions on the floor of the House and I used to receive replies that it is true a Resolution has been passed unanimously by the Bengal Council that men should be recruited. But our efforts in respect of recruitment to the Army were not heeded to. This Defence Department is a Department with which not only a poor man like me found difficulty but even the Governor of Madras found difficulty. God only knows what sort of heart they possess. I do not know whether it is an armoured heart or whether it is a heart which has no

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feeling. It does not respond, whether it is the Governor's suggestion or a publicman's speech. Sir, I have made genuine efforts to get the ban lifted from certain provinces and from certain castes and I went to extreme limits. I approached the Chief Commissioner of my Province.

The Honourable Mr. M. S. Aney (Leader of the House): There is no Chief Commissioner in your Province now.

Mr. Govind V. Deshmukh: Sorry, I mean the Chief Secretary, and the matter was referred to the Government of India and I was glad that our request was conceded after all. I had said in explicit words how can the Government appeal for funds, for loans, for anything if they are not going to take men in the Army? At that time Japan was far off. They could very well say no. They slept over the matter for some time. But when it came so near as actual knocking of the door, then only they said; "Oh! Come on, one and all".

Now, Sir, having said this much that I made genuine efforts at recruitment, I say that I do not want an army which has no character. I want an army which should be admired for its character here and feared abroad for its might.

I want to say something against the British soldiers. I will be very brief, Sir. I had tabled an Adjournment Motion to discuss the misconduct of the British soldiers in Poona Cantonment and other places. This misconduct on the part of British soldiers which resulted in a Resolution being passed by the Bombay Corporation expressing great apprehension and praying for immediate relief is causing great concern. These are not the only instances. I read only today in the *Bombay Chronicle* referring to Resolution passed by the Women's Association, Bombay referring to the misconduct of these British soldiers and the fear they apprehend. It is unsafe to walk in the evening or after 7 o'clock in Poona—you can go and read the *Kesari* and you will find the sort of trouble they are having in Poona. People are advising their sisters and mothers not to walk unaccompanied by anybody after 6 or 7 in the evening. If the Army creates this sort of feeling, what sympathy can you expect from the public to prosecute the war? I also find that other organisations have passed resolutions asking the Government to put a stop to this sort of misconduct on the part of the soldiers and to give an immediate relief. If anybody makes a complaint, the question put is: "Have you reported this matter to the police?" It is a singular question to put to me that any woman who is molested should go to the police station and make a complaint. And mind you, if she does that, she or somebody who accompanies her will be told this is not a cognisable offence. If she has been molested; she has her remedies open; file a complaint in court. If things like this happen, what security is there? What safety is there for this civil population; and this want of security and safety arises long before the Japs knock at your doors. What co-operation can there be if things like this are allowed to happen? If you want the co-operation of the people to carry on this war, you must seek their sympathy. It is no use getting up in your place and saying "Please come along and join the army and fight".

Expansion of the army means not merely expansion in the infantry; but there are officers who are wanted. There are doctors who are

wanted, there are nurses who are wanted. Can you expect all these to come when their sisters are ill-treated like this and when we are told we cannot discuss it for want of the support of 25 Members in this House! With that sort of conduct, can you expect us to support you? Can you expect support from such ladies who are organised, may be not militantly, but still organised and can give a start to this agitation against the army? If people say: "We cannot help you in your war efforts for an army which has no respect for our women", is there any wonder? What necessity is there for us to make all these sacrifices? People are told: "Look at what happens in Hong Kong". Their hearts are bleeding for those in Hong Kong, but not for persons here. We are told: "Look how the women were ill-treated and molested in Hong Kong." But here, no. Unless regular Hong Kongs happen everywhere in every province in India, I suppose no notice will be taken of such molestation. In Poona the desire to enlist in the army was so strong that one gentleman, a lieutenant in the air force had appealed to the ladies to join the air force and learn how to fly planes; but with this treatment what response can you expect? What response can you expect from anybody?

Having said this, I will now come to the other subject, which is agriculture. I suppose I have said so much about raw cotton and short staple cotton that I have a sort of feeling that I ought not to speak any more because it seems to me that it has jarred on the nerves of people. But now I speak about the agriculturists in general. In this year I find a very short amount—in 1941-42—Rs. 25 lakhs, if I am not wrong, for the benefit of the cotton growers. I am speaking now for all cotton growers. How will this money be spent? There is no indication. As a matter of fact I should have liked very much an indication and I hope the matter will be explained to me, because I am not going to worry the Government Benches on too many points or hop from one subject to the other. My subjects are army and agriculturists. I hope the matter will be explained to me as to how this amount of Rs. 25 lakhs is meant to relieve the cotton growers all over India, how this petty amount in these days of distress going to give them relief—it may all be very well for the Finance Member to say that the level of prices has gone up—I say the prices of cotton have gone down and has been going down since 1931. Now they have gone down considerably. Then, how is this amount of 25 lakhs going to benefit the population of agriculturists, which is 75 per cent. of the whole population? How is it going to benefit them?

The Honourable Sir Jeremy Raisman: Which is this figure of Rs. 25 lakhs? On what page is it?

Mr. Govind V. Deshmukh: It is given in the Demands under the Heading Agriculture; 25 lakhs in 1941-42, for the benefit of cotton growers, and two crores for 1942-43.

The Honourable Sir Jeremy Raisman: This is a distribution of the sum between two years; could you refer me to the page?

Mr. Govind V. Deshmukh: I have not brought the demand book—I did not know that I would get this opportunity; but you can find it under the head Agriculture; it is mentioned as 25 lakhs in 1941-42 and two

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crores in 1942-43, and there is no explanation in any of them as to how this 25 lakhs will benefit the agriculturist, in what way, and on whom the money will be spent, and in respect of what things the agriculturist will benefit. Then as regards the two crores, there is no scheme disclosed here. People are waiting and will be waiting. The responsibility on the Government is very heavy, after having made this declaration on the floor of this House that we will look to the interests of the cotton growers. It is not only once or twice you said: "Do not get panicky; reserve your stock; we will purchase it." That was the promise given on the floor of this House, and it is a miserable thing, a pitiable thing, to find that after those promises were made so much time is taken. If you wish to save the agriculturist, something should be done before the end of March, before the new financial year sets in and government starts collecting, at least in my province, the second list of the rent or revenue. That will be a time when the agriculturist will be hard pressed. They will be compelled to sell everything that they have, and there will be nothing left for them to cultivate their fields . . .

The Honourable Mr. M. S. Aney: According to you, how much cotton have the cotton growers actually have in their stock now?

Mr. Govind V. Deshmukh: I had given this information in a former statement to the House. I have not brought the information today, I am speaking generally about all parts of India. Do you think this will benefit 75 per cent. of the population?

An Honourable Member: A duty on cotton has been imposed.

Mr. Govind V. Deshmukh: What is the sense in your saying that you have imposed a duty. Is it any satisfaction to me if you merely say that you have imposed a duty on cotton? If that is all that you are going to spend, then what are you giving them. It is better that such things should not be stated. If my friend is affected by income-tax, he uses all possible means to start an agitation, he has the powerful press at his command, but what can the poor agriculturist do? Do you think that by merely imposing this duty, from which you hope to get two crores, the Government are doing any material good to the poor agriculturist? What is the sense in saying that this duty has been imposed and consoling me with it? Surely, if my friend thinks that this sum of two crores will solve the problem, then it is a hopeless problem indeed. . .

The Honourable Sir Jeremy Raisman: If this sum of two crores is going to make no impression on this problem, then it is a hopeless problem for anybody to tackle.

Mr. Govind V. Deshmukh: If that is all that the agriculturists will get, it may be a hopeless problem from your point of view, but merely saying hopeless will not save the agriculturist. It may be a hopeless problem. War is a hopeless problem. When you wish to collect money to fight the war, you are resourceful, you tax everything, and you won't say it is hopeless. Hopelessness, Sir, is not in my dictionary.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I am making it hopeful to get more funds. . . .

The Honourable Sir Jeremy Raisman: He thought that the use of two crores was of no avail.

Mr. Govind V. Deshmukh: It was not a question of hopelessness. I want you to exert yourself. I merely said that these two crores was not going to help the agriculturists sufficiently. To say that this is not going to help them sufficiently is not tantamount to my showing helplessness. I merely say that it is the despair of the Government that they cannot raise sufficient money. They should have the courage, they should show enough resourcefulness to collect more funds. . . .

Sir Cowasji Jehangir: I don't want to repeat, but how is it going to make anybody uncomfortable in his chair? Are you now pleading for growers of short staple cotton or for anybody else?

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member should address the Chair.

Sir Cowasji Jehangir: Do you suggest that these two crores which will be obtained very soon will give no relief?

Mr. Govind V. Deshmukh: I did not say that it would not give any relief—I said it would practically mean no relief. . . .

Sir Cowasji Jehangir: What I want to know. . . .

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better not be interrupted.

Mr. Govind V. Deshmukh: If a person is hungry, if he requires ten loaves, and if you give him only a crumb, is that going to satisfy his hunger? It will mean nothing to him. I am pleading here not merely for short staple cotton growers but also for growers of medium staple cotton also. Now, the main difficulty in the way of cotton growers is the transport difficulty. If the agriculturist is not in a position to transport his goods to the place where the cotton can be sold. . . .

(Interruption.)

I am myself an agriculturist. I come from a province which is mostly agricultural. I have forwarded complaints, not personally, but through other agencies, to the Communications Department about all these matters, but no satisfactory reply has been given so far. I have had several letters. I shall not take up the time of the House by reading all those long letters. But here is a letter sent to me by a congressman M. L. A. who has gone all over the province, and he complains against the Government which is now functioning in our province. As a matter of fact I have said not once, but twice or thrice that no greater blunder could have been committed by the members of the Congress Party at this critical hour when the interests of the agriculturists were adversely affected, than they should have resigned from the office and left the agriculturists who had sent them to the polls in the lurch and continued the ban on this Assembly too. Sir, everybody has benefited by the war except the agriculturists. Everybody has benefited, the unemployed have got

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fat jobs, those who wanted allowances have got them, the millowners have got plenty of work and they have made good profits, but what is the position of the poor agriculturists? Nothing.

An Honourable Member: The price of wheat has gone up.

Mr. Govind V. Deshmukh: But what are the causes for it? Wheat has gone underground. You yourself said so. The price of wheat has gone up not because of any natural causes, but because the wheat has gone underground. Now, Sir, I shall merely read portions of the letter I referred to, because the writer has made complaints about lack of transport facilities for transporting cotton. This is what he says:

"It is necessary to point out that the present arrangement does not lead to any fair distribution of wagons to the cotton and cotton seed growers or dealers, which is most essential. On the contrary, there is a wide scope for individuals to secure wagons through unfair means. Competition in obtaining wagons encourages the inclination to bribe the railway authorities for the purpose, and the result is that a number of petty dealers or simple folks fall out of the picture to the detriment of their legitimate interests in the transport of their goods. It would be most proper for the Government to take the local cotton committees into their confidence as these committees can very well arrange the distribution of wagons according to the proportion of the stock owned by individual dealers and recorded in their registers. This will eliminate the unfair competition going on in the market for securing wagons and will also stop individuals from taking undue advantage at the expense of their fellow dealers by arranging the transport of goods from two or more railway stations which is possible under the present arrangement."

The writer of this letter then makes a suggestion, and I hope note will be taken of this—that the local cotton committee should be taken into confidence and consulted, because those committees can very well arrange the distribution of wagons.

"This will eliminate the unfair competition going on in the market for securing wagons and will also stop individuals from taking undue advantage at the expense of their fellow dealers by arranging the transport of goods from two or more railway stations which is possible under the present arrangement. Government should, therefore, arrange the supply of wagons in the name of individual dealers as recommended by the . . ."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot read such long extracts.

Mr. Govind V. Deshmukh: No, Sir. A very short extract. I have finished. This is a complaint about the transport of cotton. As I said, the subject matter is the help that is to be extended to the agriculturist, I do not merely confine myself to short staple cotton.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has talked about it several times.

Mr. Govind V. Deshmukh: I have wound up the short staple cotton business, I was saying something about the medium staple cotton, the difficulty they have in transporting this staple or any other staple cotton. Even this medium staple, or it may be it is very nearly bordering on the long staple—it cannot be transported; it does not fetch any price on the spot because of this. On the spot there is nobody to buy, and there are no wagons to transport these things, and the result is prices must go down. Therefore, whether it is a question of short staple or

medium staple or long staple, the question of transport is there and has to be faced if the Government will keep its promise of relieving the agriculturist.

Having disposed of short staple and long staple cotton, I will come to *til* and linseed transportation and the very low prices which they are now therefore fetching. After detailing the various circumstances which have led to the miserable and pitiable condition of the agriculturist, the same Congress M.L.A. writes to me:

"It is a matter of common knowledge that the output of *til* and linseeds in this province is considerable and it is gratifying to note that the produce of *til*seed has been larger this year as compared to previous years. Agriculturists should have reaped a substantial fortune out of the sale of this produce and should have helped themselves in facing the hardships caused due to war conditions. It would have added a few coins in their almost empty purse. But that is not to be. *Til* and linseeds have a market outside this province and unless they are exported to marketing centres in other provinces they will pay a little to their growers in this province. This can only happen if transport facilities are available even as they have been made available in the case of cotton and cotton seed. The difficulties confronting the railway authorities in the matter are understandable and it is also our earnest desire that the public should not make a great demand on the authorities for transport facilities. It is, however, most reasonable for the public to ask what sort of facilities for the transport of . . ."

Mr. President (The Honourable Sir Abdur Rahim): What is the Honourable Member reading from?

Mr. Govind V. Deshmukh: Now I was reading from a newspaper.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot do that. He must make his own speech.

Mr. Govind V. Deshmukh: I am supplementing. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot supplement it by reading out what is written in a newspaper.

Mr. Govind V. Deshmukh: It appears to me that in my province the transport difficulties are such that the Central

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that very often.

Mr. Govind V. Deshmukh: I have not specifically mentioned about *til* and linseed. I am speaking about transport difficulties regarding *til* and linseed, when, as a matter of fact, I find there is a market for the same. When I find that the Central Government is intending to purchase or thinking of purchasing *til* and linseed, these people in my province naturally think that Government will so arrange the transport that there will be relief conveyed to them and that they will not be left to their own fate and that things will not be allowed to take their own course. If the transport department cannot act in co-operation with the agricultural department or the Commerce Department, there is very little hope for the agriculturist in my province, or, for that matter, in any province in India. These two Departments have to co-operate with each other and render such help and assistance as is possible for them to do. I do think they have ample resources to extend this help.

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I wished to deal mainly with the army and the agriculturist, and I have dealt with them. I shall say a few words on other topics. We have been told that the deficit in the budget is due to the expenditure on the army. I do not grudge it. I support it. I had urged for years past that a long range policy should be adopted with regard to the army. As a matter of fact, I was not the only person who started it since 1939. The congressmen who were coming and speaking from those empty benches in the year 1937-38 urged the same, and reminded the Government of the danger from the East, from Japan. But the Government said, no air force shall be expanded, no expansion so far as Indian Officers were concerned. We asked them questions or dealt with the matter in our speeches. We got very little help. If we did not find a ready response, we did not have the same response as we ought to have had, it is due to the policy of the Government. May I make a suggestion for reducing the expenditure on the army and for ensuring a proper response for the army that you want in large numbers, as officers, as doctors and so on? If you want to save expenditure,—when I say that you are spending money in paying persons who are serving in the army as Indian soldiers or Indian officers—and here let me say I do not appreciate the remarks of such persons who say that these are mercenaries. I fling back the remark in the face of those who utter that those Indians who are serving in the army are merely mercenaries. They must take into consideration that countries which have to fight for their own safety, for their own life,—those countries pay their soldiers, their officers. When in such countries where there is a patriotic impulse to defend their own country, the men receive salaries, men receive all sorts of temptations, not only that, but there is conscription,—then it is very wrong to say that Indians who have joined the army and are serving as officers are mercenaries. Today the difficulty of getting the necessary officers for the various Departments and activities of the army is because very likely there are no amenities granted which the Indian officers or soldiers consider as proper and particularly so when compared with British officers.

Without stopping to enquire into that thing, I will say this much that, if you were to democratise this army, if you were to appeal to the people, if you were to say to them, this is what we are going to do, we will elevate India to that self-governing status which Great Britain enjoys today, or any self-governing Dominion enjoys today,—if you were to say that, there would be such a response that the Defence Department will not have to spend so much money as they are doing today and no temptations and no more amenities would be required. Remember this. There are men not only in the Congress but also outside the Congress who have made sacrifices and they are capable of making more sacrifices, at the cost of amenities and comforts. They can join the army. They can come forward and bring their own men to join the army. If as I said in the very beginning, Government make such a declaration and follow the policy which is embodied in that declaration, namely, that today we are going to elevate India to the status of Australia and other Dominions, where the Ministers decide their own destiny, then I have not the least doubt, that there will be a very quick response. If Sir Stafford Cripps is merely conferring with certain persons and goes back without disclosing what is going to happen, it is not likely to have any effect. If the declaration I have indicated is made, I can entertain

the same belief that the Honourable the Finance Member entertains. It would have been good for him if he had started with this belief when he assumed office but the circumstances were such that he could not express then the belief that he has expressed now. These are his words:

"It is also my belief that, come what may, India will again be seen to possess vast reserves of faith and fortitude, that her people will prove themselves worthy members of that great brotherhood which includes, besides the British Commonwealth of Nations and the mighty American Confederation, the undaunted millions of China and of Russia, and that hand in hand with them she will move forward to the victorious dawn of a new world."

As I said in the very beginning we have very bitter experiences of the past, as to how we were treated in this brotherhood of nations—particularly the British Commonwealth of Nations. Fortunately, circumstances have so changed that India is now side by side with the American Confederation and the undaunted millions of China and Russia. The undaunted millions of China belong to the coloured races. The undaunted millions of China were exploited before this war began and Russia was contemptuously treated till it became an ally. All these allies will now move to the victorious dawn of a new world. This is a great belief but the Government must show by their action that there are indications which will lead us to this victorious dawn of a new world. My friend, Mr. Jammadas Mehta, has made an appeal to Government to improve matters. Let us have solid actions from which we can draw the conclusion that the Government intend to take us to that victorious dawn. Then we will move hand in hand with the millions of China and Russia in that glorious path which will lead us to that victorious dawn. We must be sure that all men will be treated as equals, irrespective of differences of colour, or caste, or creed. There should be no betrayal of our cause when we sit round a table again to frame the new order of things as there was in 1919.

Mr. Muhammad Nauman: The discussion on the Finance Bill provides an opportunity to representatives of the people to ventilate their grievances in general and this has been the practice in all the legislatures which have got a democratic constitution. This has been the convention in this House also, with this difference that we only represent things, just with a pious wish that the Government may take into consideration the opinions of the representatives of the people so expressed. In other parts of the world, where they have their own responsible government, the representatives of the people can compel those in charge of the Government to care for the representations which they make and the grievances which they put forward on behalf of the people as the sovereignty lies in the people but here the irresponsible executive would not take into consideration whatever we may say here. Government members have not built up even a convention or tradition that the grievances that we put forward would carry any great weight with the Government on matters which require their decisions. This being the background of the representations that I am going to make, I would just like to make a few remarks as to how we look at the Finance Bill and the proposals that have been put forward, without of course expecting from Government to get that modification or alteration of figures and that change in the method of taxation which we should have liked to see if we had any real power. Unfortunately, when my friend, Sir Abdul Halim Ghaznavi, was speaking only an hour before he made certain references to certain individual officers and their

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deeds and mis-deeds which was resented to by the Government on the ground that those officers were not present here to reply to the charges alleged. We believe that when we represent cases of atrocities or hardships in some Department the Government members, who sit here as the responsible representatives of that Department, should give a reply and say that they will make an inquiry into those facts and find out whether the Honourable Members are indulging in stories or there is any truth in the statement that is being made before this House. If we do not give specific cases, then the Government says that we are making vague statements and they do not know whether they should inquire into the matter or not. But when we mention a definite case by name, the Government comes forward and says: "Well, the Honourable Member is making personal remarks against individuals who are not in the House to defend themselves." I do not know what we can do then.

I now come, Sir, to the Finance Bill itself and the proposals contained therein. We have grievances against the Government but I can not enumerate them. I made it clear in my speech at the time of the general discussion of the budget that the incidence of taxation is going to fall on the shoulders of the weaker and poorer section. The Honourable Sir Jeremy Raisman made a point at that time of his reply by saying that the incidence of taxation by reducing the limit from Rs. 2,000 to Rs. 1,000 will not be a hardship on the middle class people. He thinks that he has already exhausted the resources of taxing the higher and the rich class of people. I want to say only one word about this. This budget is prepared under war conditions. May I ask who stands to lose the most? Certainly those persons stand to lose the most who have the highest stake in the country either in the shape of capital or property, the richer he is the worse he feels in this crisis. Speaking individually, my anxiety to see that the British win the war is certainly greater than of that person who is below me and who has nothing much to lose or who only has his life at stake and nothing else. It was with this object that I said that the incidence of taxation has to fall on the shoulders of those who belong to the section of the capitalists. Then, there is another fact which I would like to place before the House. If there is any profitable business which is being done, it is being done by these capitalists either through the Supply Department or by hoarding the stocks of silver, wheat or gold or whatever else it may be. It is they only who can take advantage of the present position and who want that Allies should win this war at any cost. They have far more to lose than the labourer whose stake is only his own life and nothing else. An Urdu poet has nicely described the position of a poor man in these words:

"Raha khalka na chori ka, dua deta hun rahzan ko."

Translation is: A poor can well say that he has nothing to fear of the thief (because he has nothing left to be stolen) and he thanks the robber (for having reduced him to this state).

Sir, I spoke with full sympathy on the budget. I did say that I did not mean that money has not got to be found. Money has got to be found. Even 133 crores is not enough. We may be asked to give away our half of the assets. What I still maintain is that you should try to make your budget in a way which should touch the smaller people only as a last resort.

Then, there is another proposal which I resented. It is about the kerosene oil. Now, kerosene oil is not a conventional necessity but it is

an absolute necessity and it cannot be avoided even by the poorest villager or the tiller of the soil. I am not trying to impress on the House that you have wrongly taxed petrol. I am not even trying to object to your proposal to increase the price of the envelope from five pice to six pice but I would certainly say that if there was a possibility of reducing the price of the postcard, you ought to have done that. What I do say is this that in a country like India where poverty is writ large everywhere, you have got to take into serious consideration the fact that you do not tax the poor man, the labourer and even that section of the middle class people who are some how managing just to exist. Nowadays, prices of all commodities have gone up. As I explained the other day when I was speaking on wheat, the price of this staple food has gone up by 300 per cent. within about three years. Before the war, wheat was being sold at the rate of 15 seers to a rupee and it cannot be had now even at the rate of five seers to a rupee. We know what is the position of wheat in Bihar and in other parts of the country. Even in Delhi, wheat is not available in any appreciable quantity. With these conditions raging in the country, I certainly feel that the incidence of taxation will be a great hardship on those people whose income is about Rs. 100 to Rs. 150 a month. My friend, the Honourable the Finance Member, may not agree with me and we on this side of the House have got no power to make him agree to this. But I would still stress the point that the matter has not received that much attention that it deserved. Now, Sir, I do not want to say anything more on the budgetary side of the proposals.

I now come to a few of the grievances. Neither have I the time nor the desire to enumerate each one of them. I would like to mention only one grievance about which we have a very strong feeling. It is the question of the recognition of the Muslim labour unions. We have been stressing this point in this House for the last six or seven years and nothing has been done so far. Deaf ears are turned on it and the plea that is always put forward is that the conditions of services will be worsened. The Government of India have accepted the position that Muslims are a separate nation by giving us separate electorates and separate existence in every Legislature, and in every elected House and in various organisations, like those of the District Boards and Municipalities. I do not know why they are shy of recognising Muslim labour unions which are based on the very same principle that the Muslims stand in all other activities of life. Why do you not accept that principle here? I do not know why Government should think that bitterness will be increased or the conditions of their services will deteriorate. If they agree that they are all the servants of the State, whether they belong to the Railways or the Secretariat or any other organisation, then they have got to give them the same terms of employment and the privileges of common interest. Are we not in this House voting together irrespective of our caste or creed? Are we not here deciding matters on one and the same line? So, why should you refuse the recognition of certain unions? Besides, what do you lose by recognising them? Have you got a limit that so many in number only can be recognised and that you would not recognise any more?

Supposing in every railway line, say a particular line like the East Indian Railway, you have already got established two Unions, do you mean to tell us that you will not have a third Union or do you mean to suggest that you will not have it for your own fancy's sake? That is one of the grievances which has been represented on behalf of representatives

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of 100 million Muslims of India and we have not been able to make you budge an inch. Even in such innocent matters which do not entail any constitutional difficulty and which do not entail constitutional sanction from the Secretary of State for India, the Government say, "nothing doing, we will go our own way." Government members only say that we have decided that we will not do so, so you will have to accept the position as it is. This is one of the long standing grievances and I would ask the Government to give serious consideration to this question at this stage at least and feel that we are very strong in our demands and unless the Government concede this today, probably things will not go on as nicely as Government would like to have.

Now, Sir, I want to say a few words about the discrimination policy of Europeans. My Honourable friend, Mr. Deshmukh, made a reference with regard to European superiority complex and particularly about the Australians not treating us even as human beings. My Honourable friend, Mr. Ramsay Scott, interrupted him and said that that was not correct. I am sorry my Honourable friend, Mr. Scott, is not in his seat, probably he is not in the know of things himself. I know it that Australians would rather like to have lands vacant, uncultivated and barren than allow any Indian to settle down there. Not only that, Sir. Even in business they have been showing discrimination as much as is in their power to do. I have been doing some business with some Australian firms, Scarlet Brothers of Melbourne and some other firms. They made it a condition precedent with me that I should have a European manager to look after my business and only then they were prepared to negotiate business with me. I have got hundreds of telegrams in my file in which they said, "native mills barred," we cannot ship corn sack or other kind of Jute bags made by an Indian mill or bought through Indian Merchants. That is the limit of prejudice. That is the position which has really been responsible for the discontent in this land. My Honourable friend, Mr. Chapman-Mortimer, may not like my plain speaking, but truth remains. They are responsible for all the commercial exploitation which has been carried on in this country for a long time past. We feel that the advantages which they get from this country are far more than we can secure. If an Indian merchant goes to a Bank like the Chartered Bank and if at the same time a European goes to the same Bank, and if certain facilities of the same type are asked for by each of them, the Indian in spite of possessing a hundred times more assets than the European, and even hundred times more prestige in this country, whereas the European may have only a hand bag of leather and just a suit that he may be wearing, the European will get better facilities from this Bank than the Indian merchant can ever think of.

Mr. T. Chapman-Mortimer (Bengal: European): How do you know?

Mr. Muhammad Nauman: I can give you many instances, I am associated with the Calcutta Chambers of Commerce for the past 20 years; I am the President of a few Commercial organisations. I know how the Europeans behave with Members of Indian mercantile community. I have personally not much grouse, but I know how they have been dealing with all others. That is the sort of discrimination they show.

I was very much amused at the remark of Mr. Griffiths yesterday about Sir Stafford Cripps' visit to India. I have myself seen the quotation from the *Evening Standard* of London which says that it is "a dramatic stroke which Mr. Churchill has taken." Mr. Griffiths was trying to tell us that we should trust in them and that the mistrust should go out. He has not probably realised that confidence begets confidence. It is for the Government first to create confidence in us and it is not for us, slaves as we are, to take the initiative. The Government are the best judge. This is how they have taken us into confidence in the administration of the country. Even in this difficult times when we are facing a crisis in the war, the Government do not want to take us into confidence. We have never tried to say for one moment that we are not quite prepared to do all we can for the successful prosecution of the war. But all the same we have not been associated with war efforts as yet with any real power. Of course, my Leader, Mr. Jinnah and the Muslim League Working Committee, have made our demand clear which I do not want to reiterate at all. You will see, Sir, that our demands have been absolutely modest. We never asked the Government to create any constitutional change immediately. Therefore, it will be seen that it is not we who are responsible for any mistrust, but it is the Government who are responsible and it is for the Government to create that confidence and I assure the Government that our efforts will be with the Government.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): Sir, I was not in the House when the Honourable the Finance Member made his budget speech, and I cannot, therefore, have any genuine regret that he is not in his seat when I make my speech. But following the precedent of most of the Honourable Members who have spoken already, I shall try to steer clear of the budget proposals so that he will not miss anything very much in which he may be interested.

Sir, I read the Honourable Member's budget speech while sojourning in a village in my part of the country, and when I read some of the expressions, some of the sentiments expressed by him, I simply rubbed my eyes. For instance, he referred to the expansion of the national income due to the war—growing incomes and increased opportunities—for employment. Then, again, he said, large numbers in India today find themselves in possession of an enhanced spending power. Coupled with all these was his proposal to restrict some amount of the enhanced volume of purchasing power from these fortunate people. But although I moved from place to place visiting a few cities and villages, I could not, with the utmost effort, find out the class of people to whom he was referring in these expressions. Then, I came to the conclusion that perhaps the Honourable Member considers that New Delhi is real India, because I concede that when you go about the streets of New Delhi and you visit the purlieus of the Honourable the Supply Member's Department, you may come across opulent people, you do see signs of prosperity all round. Even in this Chamber, you sit on very comfortable benches with a whole array of glittering *chaprasis* in the background, meant perhaps to enliven the atmosphere. All this really helps to create an illusion that there is a general growing prosperity in the country which justifies further and further taxation. Sir, it is not my intention to challenge the budget proposals in their entirety, nor is it my intention to be very meticulous in the examination of the various taxation proposals. We do recognise that these are extraordinary times and that this is a war budget. We are going to have an

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opportunity, at a later stage, of the discussion of this Bill, to put forward our suggestions regarding certain modifications of the taxation proposals; and I reserve my observations for that occasion in regard to the details of the measure.

As I said, I had occasion, very recently, to visit a few places in my part of the country, and I can give my Honourable friend the assurance that there is a general determination to support Government in the war effort provided, of course, that people are assured that all the steps that are necessary to be taken for the purpose of winning the war are being or will be taken. I am not going to deliver a political speech on this occasion, because I cannot add much to what has already been said by some of my Honourable friends on the subject with most of which I agree. But I will take up a few vital problems of the "home front" to which reference was made this morning by my Honourable friend, Sir Frederick James. He enumerated the following as vital problems of the home front: production, transport, food and civil defence. And it seemed to me from the observations that he made that he is not quite satisfied with all that is being done with regard to any of these matters. He placed food as the third item in the list; to my mind that deserves to be given the first place, because unless the people in general are fed, the less you think about winning the war the better. Even production of war materials should come next. My Honourable friend, Sir Frederick James, did not deal with this point at length, because he said that it had already been discussed in connection with a Motion of Adjournment the other day when the Commerce Member made a statement explaining the situation and the action which Government had been taking to grapple with it. Now it seems to me that Government are of opinion that a judicious administration of the Defence of India Act may serve to feed the people because the Government case, as far as I could judge it, was that you have merely to get the hoarded stocks of wheat out from the clutches of designing capitalists to be able to feed your population. From the little study that I have made of the subject it seems to me that the evil is very much more deep-rooted, because I maintain that the food crops that this country produces are not sufficient for feeding her teeming millions. It is a very unfortunate fact that no systematic survey has yet been made to find out what are the minimum human requirements by way of supply of food materials for this country. We take certain things for granted; certain crops are being grown; some stocks of food grains are being exported and we are importing some food grains ourselves from outside. And nobody seems to worry as to the exact position in regard to the sufficiency or otherwise of the food that is produced in the country.

Just after the last great war, due to the maintenance of a ruinous export policy, a very serious situation arose and there was a very severe shortage of food grains in the country. Those were days when India was made to undertake large commitments of supply of food-grains for the benefit of Europe and other countries. But I do not desire to go into the details of the transactions of that period. That occasion was taken by some non-official economists to study the question as to whether or not the food-grains produced in the country were adequate for meeting the minimum human needs of India's population. I took some amount of interest in the study of this question, and as a matter of fact I had to give evidence on behalf of a public Association before a committee that was

appointed by the Government of Bengal to examine the high prices of food-grains that then prevailed. And in the course of my studies I came to know that a comprehensive survey was actually ordered during the Viceroyalty of Lord Curzon with the object of finding out how India stood with regard to her supply of foodstuffs. I came to learn that the result of the inquiry was so disappointing to his Lordship that under his personal orders the entire report had to be shelved. The matter has been left there; it has not been taken up for further investigation, although we have had numerous committees and various expert bodies to deal with questions of agriculture, marketing and so forth. We are yet continuing in that complacent frame of mind that nothing perhaps is essentially wrong in this matter. I took the trouble of examining some of the statistical publications that are available to us and I came to the conclusion, which was the conclusion at which I arrived in 1920, in agreement with certain students of economics, that the food-grains normally produced in India, are not sufficient to cope with the demand of her domestic consumption. The official theory has all along been that of the total quantity of food-grains produced in this country part goes into current consumption and part is kept in stock for the purpose of seed and as reserve. These two parts between them, according to the official estimate, constitute the internal requirements, and the surplus that remains is exported. In times of scarcity, continues this official statement, the country falls back on its reserve stock and on the safety margin afforded by the surplus ordinarily exported. This theory proceeds on the assumption that normally the food-grains produced in the country are not merely sufficient to meet the annual demands of the people but that there is actually a reserve stock which comes in very handy for the purpose of meeting the demands of the people in any emergency. But, Sir, if you study the statistics of production and of export and import of the different food-grains for a sufficiently long period you at once realize that the theory has absolutely no foundation of any substance. According to an estimate that was made in 1920 in a Journal of Economics, 50 million tons of food-grains constitute India's minimum requirements for human consumption alone and 15 million tons more are required for purposes of seed and cattle feed. Now, a reference to the statistical publications would show that we seldom even produce this aggregate amount of 65 million tons between rice, wheat, barley, jowar, maize and gram. But I gave this figure of 65 million tons for the period 1920, and when we come to consider the progress, if any, that has been made in this matter ever since during the last 20 years and also take into account the progress in population during these twenty years we find that, if anything, the situation has deteriorated.

Now, I should like to take rice and wheat, being the principal among the food grains, for purposes of our examination. We find that total acreage of these two cereals averaged at about 99 million during the quinquennial period 1920-21 to 1924-25 and the average annual yield during this period totalled about 35½ million tons. During the next quinquennial period, namely, that ending with 1930-31, the acreage increased to a little more than 104 millions between these two grains—rice and wheat—whereas the yield stood at 36 million tons. In the next succeeding quinquennial period the acreage was 107 millions with a yield of 36 million tons between rice and wheat. If we take the census figures for the last three decades we find that there was an increase of 10·6 per cent in population between 1921 and 1931 and 15 per cent between 1931 and 1941, but the increase in respect of the outturn of rice and wheat, to which I have

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already referred, represents an increase of 2.33 per cent, in 1931 over 1921 in point of yield and hardly one per cent between 1931 and 1941. The increase in acreage between 1921 and 1931 has been 5.2 per cent and between 1931 and 1941 only 2.9 per cent. If the corresponding figures for the other food grains which occupy a minor position were examined, no great improvement in the situation would be seen. If we will now compare the yield per acre of these two food-grains, it would be seen that there again there has been no appreciable improvement ever since 1910 in spite of the activities of the various scientific bodies that have been established for the purpose of improving the outturn of these products. The shortage which was noticed on the basis of figures available in 1920 may be said not merely to continue but to have been aggravated by reason of the steady increase in population which has not at all been accompanied by anything like equally progressive increase in the production of the food grains.

Now, Sir, rice is by far the largest single crop grown in India and represents about 36 per cent of the entire acreage under food crops in this country. It is significant, however, that India is obliged to import rice on a large scale to supplement her domestic supplies even in a year of bumper harvest. It is, for instance, not unusual for India to import 1½ million tons in a year on an average while in certain years the import figure has exceeded even 2½ millions. As observed in the Marketing Survey Report on rice, our annual imports of rice are valued at Rs. 14 crores, whereas our exports are valued at about 2½ crores which leaves a net import valued at over 12 crores annually. Now, Sir, most of these imports of rice used to come from Burma and the loss of this source of supply will affect the food position of India very seriously. Imports of Burmese rice increased from 12,67,000 tons in 1937-38 to 14,75,000 tons in 1938-39 against an average of 7,00,000 tons in the period following the last great war. Sir, the partial dependence of Ceylon on India for her rice supplies has made the situation worse and although our sympathies go out to Ceylon in her present difficulty, I, for myself, do not see how any rice can safely be exported to Ceylon from India. I do not know what assurance the representative of Ceylon Government got from the hands of the Government of India in this matter.

While dealing with rice, I think it is necessary to refer to the fact that jute as a commercial crop partly competes with rice for acreage in the rice producing provinces of Bengal, Bihar, Orissa and Assam. The total acreage of jute in these four provinces stood at 56,69,000 in 1940-41. It has shrunk to 31,20,000 acres in 1941-42 representing virtually 49 per cent of the acreage in 1940-41, about 51 per cent having been knocked out. It may be presumed that the decrease in the acreage of jute has taken place mostly in Bengal due to Government action in the restriction of jute cultivation. A report is prevalent in Bengal that for the next year a substantially increased acreage is going to be fixed. Indeed, a definite statement to that effect appeared a few days ago in a Bengal Journal, and I find that as late as the 10th of March this question came up for discussion in the Bengal Legislative Assembly, and I do not make any apology to the House for reading out just a few extracts from the statement which the Chief Minister of Bengal made on that occasion. He said:

"Many of us have been of the opinion that the acreage should be shortened."

That shows that he is alive to the public opinion that we had better devote greater attention to rice than to jute. Of course, the problem of jute prices is also rather an important factor. But I do not want to go into that question, because it is not relevant to the present discussion. Now, what follows is really very important, because it refers to certain opinion held by the Government of India in regard to this matter. The Chief Minister after stating that "many of us have been of the opinion that the acreage should be shortened", stated:

"It so happened that the Commerce Member of the Government of India paid a visit to Calcutta. We were in conference with him, and he assured us that from information received he was quite satisfied that the demand for raw jute would be of a considerable character and that the United States had given assurances that they would be able to absorb raw jute even if the whole acreage was utilised. Now, the Government of India have assured us that so far the demand is concerned there will be no shortage at all. The only matter for apprehension was whether there would be transport facilities."

Then, the Chief Minister continued:

"At the same time they (the Government of India) have assured us that if for any reason the price fell beyond a certain limit they will come to our rescue and help us to the utmost possible limit. Of course, we can on our own responsibility now shorten the acreage."

That shows it is not his own independent inclination.

"But if, having done that, in spite of the advice of the Government of India, prices fell we will not be able to ask the Government of India to help us."

So he says, when the Government of India advise us to increase the acreage of jute it is coupled with the assurance that if prices fell they would compensate the growers; if therefore we were to go in for a shrinkage in the acreage and if even then the prices fell, we would have no claim on the Government of India for compensation. Therefore, although we are of the opinion that the acreage of jute should be reduced, in view of the Government of India's promise of help in the event of prices falling, the Government of Bengal evidently is prepared to reconsider the matter. Now, we know that a campaign has just been started under the auspices of the Department of Education, Health and Lands for increasing the cultivation of food crops. Produce More Food campaign they call it, and it has been started as a result of certain discussions of the Advisory Committee attached to the Imperial Council of Agricultural Research. I really wonder whether two departments of the Government of India are not working at cross purposes. Here we find the Honourable the Commerce Member trying to influence the decision of the Government of Bengal in favour of an increase of acreage under jute, which would necessarily affect the acreage under rice. We have on the other hand the Education, Health and Lands Department going in for a strong campaign in favour of larger production of food grains

The Honourable Sir Jeremy Raisman: Has the Honourable Member taken into account the difference of time—the time interval between those two and the events which have happened in the interval?

Mr. K. C. Neogy: I have no idea of the time when this happened; but I read out the proceedings of the Bengal Council dated the 10 March.

The Honourable Sir Jeremy Raisman: The discussions of the Government to which these relate were before the attack on Burma, before the rice problem became anything like as acute as it is now.

Mr. K. C. Neogy: I am very glad that my Honourable friend has put the Government point of view in this matter, because I take it that the Government view in regard to the question of jute acreage has been reconsidered in the light of more recent events. I apologise to the House for taking up so much time and introducing rather a humdrum subject after the exciting speeches that have been made already.

Let us turn to wheat. We find that between 1928-29 and 1931-32 India was a net importer of wheat, showing that during this period her wheat supplies were not sufficient for meeting the demands of her internal consumption. The position, however, improved in later years; but if we take rice and wheat together, India is still a deficit country in point of production which might satisfy the minimum requirements of her people; and although India has been exporting wheat for some years, the export figures are more or less dwindling due to different factors. I will take another test from the statistical survey. If we take the figures of the value of the imports and exports for the years 1938, 1939 and 1940, in respect of grain pulses and flour—because all these are lumped up in the Government publication—we see there were imports exceeding the exports to the extent of Rs. 2½ crores in 1938, Rs. 17 crores in 1939 and Rs. 11-1/5 crores in 1940. That also goes to confirm the proposition with which I started that India is a deficit country in point of production of food-grains. As I have already stated, a campaign has very recently been started for the purpose of speeding up the production of food crops, and my grievance is that in spite of the experience which we had during the last war, and in spite of the fact that this particular defect in our domestic economy was brought to light in connection with the inquiries that were undertaken by certain Provincial governments and also by way of discussions in the technical journals, nothing tangible has been done during the last 20 years to remedy this unsatisfactory state of affairs; and now, at the very last moment when our sources of supply across the seas have been cut off, we have awakened to the necessity of going in for an accelerated process of production of food. I would express the hope that the Government will not rest content till the production has been increased to the necessary extent so as to enable the demands of domestic consumption to be met from the production within the borders of India. There is no time to be lost now; and if the Government are really in earnest about the new policy we on our part could give them the assurance that they will have the most whole-hearted support from this side of the House in regard to this matter.

Now, coming to the problem of transport, my Honourable friend, Sir Frederick James, has generally dealt with the deficiencies in regard to this matter. I had occasion to deal with the question, particularly of the supply of railway wagons for coal when I spoke on the railway budget in the last week of February. From the reports that are to hand it does not seem to me that the situation has improved to any considerable extent, so far as the public supplies are concerned. The shortage of wagons and the mismanagement of the wagon position assumed such serious proportions that the Calcutta Corporation was about to go without the necessary coal supplies and there were angry discussions in the Calcutta Corporation a few days ago. The matter came up before the Legislative Assembly of Bengal on the 3rd of March, 1942, when in the course of the discussions the Honourable the Minister in charge of the subject dealing with this question expressed the helplessness of that Government in regard to any remedial measures that might be taken, and in the course of his speech,

I find that he made the following statement which requires some explanation from the Honourable the Member in charge of the Railways. This is what I am quoting from the press report of a speech:

"The position at present was (stated the Minister in Bengal) that it was not the price of coal that counted (dealing with the high price of coal) but it was the price of the price of the wagon. Whoever succeeded in unrestricted competition to pay for the wagon secured the coal."

I cannot understand what this really means. There is evidently . . .

Some Honourable Members: Palm oil.

Mr. K. C. Neogy: . . . a sort of auctioning taking place. However, I am very sorry that my friend, the Honourable the Member in charge of Railways, is not present on this occasion, but then if possible I should like an elucidation of this . . .

The Honourable Sir Jeremy Raisman: By whom was that statement made?

Mr. K. C. Neogy: It was made by the Honourable Minister, the Honourable Khan Bahadur Abdul Karim, who is the Minister in charge of the Department in Bengal, and I am quoting from a newspaper report of his speech. I do not take it upon myself to suggest that this necessarily implies any corruption on the part of the Railway Department. Nothing of the kind, but what I do say is that this does require an explanation.

Now, Sir, we humble householders who have to use coke as domestic fuel, know to our cost to what heights the price of coke shot up as a result of this shrinkage. I understand the position in regard to coke has ceased to a certain extent since this discussion took place. I do recognise that the question of distribution of wagons, according to the importance of the supply, is a very complicated one. We have a reduced supply of wagons at the present moment, and at the same time we have to satisfy the over-riding requirements of the Supply Department. But then I want to draw the attention of the Honourable Member in charge to one fact that on the day, that is the 3rd March, 1942, when this discussion was taking place in the Bengal Legislative Assembly, there were not less than 600 wagons standing idle between the East Indian Railway and Bengal Nagpur Railway, and I will at once give the House my authority for this statement,—I had this information from the Indian Mining Federation of Calcutta, and I should like my friend, the Honourable Member in charge of Railways, to investigate this matter. How is it that in the face of repeated complaints in this House, a complaint which was voiced by me and others, and in the face of complaints that have appeared in the press everywhere, it was possible for as many as 600 wagons to stand idle on a single day?

Now, Sir, I do hope that the Honourable Member in charge of the Supply Department realises what it means even in regard to the supply for the manufacturing concerns which are turning out war materials. I daresay that my friend has been informed that 30 mills in Ahmedabad—I am reading out a newspaper report dated the 7th March, 1942—I am

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giving the purport of a Resolution passed by the Ahmedabad Municipality in which this fact appears:

"30 mills had already closed down night-shifts, and if the situation in regard to the coal supply did not improve, even dayshifts would have to be closed down."

This is what the Ahmedabad Municipality thought, and I daresay there are mills in Ahmedabad engaged in war work. But I will give my friend a specific case in which a firm engaged in the manufacture of war materials complains about this matter. I have been supplied with copies of correspondence that has passed between a firm called the Scientific Indian Glass Company, Ltd.,—the only concern in India that manufactures or has succeeded in manufacturing neutral glass, which is in great demand from the Medical Stores Department of the Government of India. Now, Sir, I am reading out an extract from a letter dated the 17th February from this firm addressed to the Director, Indian Medical Service, regarding coal and fuel oil:

"Dear Sir, Yesterday we have been compelled to send you a telegram reading as follows: 'Regret no coal and shortage of oil closing one furnace. We regret very much to trouble you in this matter, but, unfortunately, our supplies of coal are not coming in as per request, and at present we have absolutely no coal whatever.'"

This letter is dated the 17th February. The other letter that I am reading out is dated the 5th March, addressed to the Director of Production, Office of the D. I. G., Indian Medical Service. Referring to a letter in which it was evidently stated that the Chief Mining Engineer of the Railway Board had been addressed in this matter,—the firm goes on to say:

"We know that the Chief Mining Engineer has allotted one wagon on the 11th February, but during the whole of January, we received no supplies whatever, and we had to close down one furnace. As regards the wagon allotted on the 11th February, we would like to point out to you that in spite of the priority given uptodate."

—that is to say they enjoy this priority certificate,—

"We have not received this wagon of coal. You will, therefore, see that merely issuing of a priority does not satisfy our requirements of coal. We understand that a further wagon has been allotted."

The wagon that was allotted on the 11th February had not reached them up to the 9th March when they made over the copy of this letter to me, and they are merely being informed about a further wagon

An Honourable Member: I could give you a dozen letters like that.

Mr. K. C. Neogy: Even with regard to war production.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): What do they make?

Mr. K. C. Neogy: The firm produces neutral glass for laboratory equipment, ampules and other things. This is the only firm which manufactures this type of glass in India, and this is their experience. It is not as if the general consumer alone is suffering,—the trade and industry in

general are also suffering, and even war production is suffering. Therefore, I say that this is a case which requires to be closely looked into by the Honourable Member in charge of the Railways.

Now, Sir, may I say just a few words in connection with the question of production of war supplies to which reference was made by my friend, Sir Frederick James, and by several other speakers. I am very sorry I was not here in the House when Mr. Jenkins made a statement in regard to this question the other day, but I understand from the reports that have appeared that as many as 27 or so manufactories have been started as a result of the recommendations of what is known as the Roger Mission. What I attempted to find out, in the course of a few questions which I put a few days ago, was to what extent the recommendations made by the Roger Mission had been actually given effect to. I am prepared to admit that quite a lot of their recommendations are now being given effect to, but the points that really matter are whether, in regard to the recommendations that have been made and are being given effect to, there has been any material whittling down of the recommendations as a result of any decision or suggestion made by His Majesty's Government or otherwise. I should further like to know whether any of the important recommendations of the Roger Mission have been totally rejected, and, if so, I should like to know more about that matter. I daresay my Honourable friend, the Member in charge, has seen in the newspapers certain comments that have very recently appeared in the *Daily Herald* of London in regard to the question of munitions production in India. It is an article from its foreign Editor, Mr. Towler, and, with your permission, I will read out a very small extract from this article. Mr. Towler maintains that observers who are keenly interested in India's possibilities are not satisfied that the development of the industry there is going ahead with the speed necessary to make it a vital factor in the war in the East. This was the gist of some of his observations, but I shall give the actual words which he used, which are as follows:

"Machine tools may be needed for new British factories. This may be used as an excuse for not sending them to India but in the present circumstances they might be much more useful for producing munitions in India than here. They would produce goods on the spot which otherwise would have to be shipped from Britain."

This is really the point. We do know that we are very deficient in the supply of machine tools which are really a condition precedent to the manufacture of important articles required for the war. But then the position seems to be this, that in regard to those very articles England expects to send us the manufactured things to India rather than allow India to have the machine tools for the purpose of enabling these manufactures being undertaken in India itself. Of course, it is rather a delicate matter, I realise, for my Honourable friend in charge, because he is not expected to tell us as to whether the Government of India have made any representations in regard to this matter, but here, I take it, is a case where the clash between the manufacturing interests of Great Britain and those of India is virtually depriving India of a very valued opportunity to become self-sufficient and self-supporting in regard to the more important war materials. We do not know how long it may be possible for us to obtain essential articles from England or elsewhere, because there is no knowing how long communications will continue uninterrupted. In view of these circumstances, it is to be hoped that Government will press upon His Majesty's Government the extreme necessity of giving the

[Mr. K. C. Neogy.]

machine tools referred to in this article of the *Daily Herald* to India, rather than expect to continue to supply India with these manufactured goods from England.

Mr. President (The Honourable Sir Abdur Rahim): I do not know whether the Honourable Member wishes to continue his speech
5 P.M. on the next day.

Mr. K. C. Neogy: I should like to take a few minutes more, not very long. About 15 or 20 minutes.

Mr. President (The Honourable Sir Abdur Rahim): He can continue his speech on Monday next.

The Assembly then adjourned till Eleven of the Clock on Monday, the 16th March, 1942.

LEGISLATIVE ASSEMBLY

Monday, 16th March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

TRANSFER OF TENTAGE SECTION FROM DELHI TO BOMBAY.

186. *Mr. M. Ghiasuddin: Will the Honourable Member for Supply be pleased to state:

- (a) the reasons why the Tentage Section has been transferred from Delhi to Bombay;
- (b) whether it is a fact that the majority of tentage manufacturers are within easy reach of Delhi;
- (c) whether having to go to Bombay causes a great deal of hardship to the tentage manufacturers; and
- (d) whether Government are considering the question of bringing back the Tentage Section to Delhi?

The Honourable Sir Homi Mody: (a) and (c). The Honourable Member's attention is invited to my answers to parts (a) and (b) respectively of Sir Abdul Halim Ghaznavi's starred question No. 191, answered on the 18th November, 1941.

(b) It is so at present, but under existing arrangements large quantities of Dcsutie cloth have to be transported from manufacturing centres in Western and Central India to the Punjab, Delhi and United Provinces for fabrication and, subsequently, substantial parts thereof have to be railed back to Ordnance Depots near the original manufacturing area in the form of completed tents. In view of the additional expenditure on this account and the serious railway transportation position, the fabricating contractors in the Punjab, Delhi and United Provinces have been asked to take steps to move a substantial portion of their business to the neighbourhood of Bombay, Ahmedabad or Central India. These arrangements, it is hoped, may be completed shortly.

(d) No.

SUPPLY DEPARTMENT ORDERS FOR MANUFACTURE OF TENTS.

187. *Mr. M. Ghiasuddin: Will the Honourable Member for Supply be pleased to lay on the table of the House a complete up-to-date statement giving the names of firms, quantities ordered, and prices paid for the manufacture of tents from the date the first order was given?

The Honourable Sir Homi Mody: A statement showing the names of tent contractors, date of first war order and total value of orders for

tent components placed with each contractor, is placed on the table of the House. Information about the quantities ordered and the prices paid for various categories of tents is not readily available. Orders are placed separately for the various components which make up a complete tent and the collection of details with regard to their values which aggregate about eighteen crores of rupees, would involve an expenditure of time and labour incommensurate with the result.

Statement showing the names of Tent Contractors, Date of First Order and Total Value of Orders for components of Tents placed with each contractor.

Serial No.	Name of Firm and Location.	Date of First Order placed in connection with the war.	Total Value of Orders placed up to 31st January, 1942 (in lakhs of Rupees).
1	2	3	4
DELHI.			
1	Messrs. Delhi Cloth and General Mills, Delhi, Lyallpur and Cawnpore.	27-1-40	169.90
2	Messrs. R. B. S. Narain Singh	10-1-40	97.20
3	Messrs. R. B. Bootasingh	27-1-40	25.40
4	Messrs. R. B. Melaram & Sons. . . .	13-4-40	34.20
5	Messrs. K. B. Raja Akbarali	7-6-40	33.90
6	Messrs. Padamchand & Co.	7-6-40	50.00
7	Messrs. D. M. Malik & Co.	8-6-40	40.00
8	Messrs. Birla Cotton Mills	7-6-40	50.80
9	Messrs. Delhi Tent & General Mfg. Co. . . .	7-6-40	25.00
10	Messrs. Bootasingh Mukerjee & Co. . . .	26-10-40	15.30
11	Messrs. Basheshar Nath & Co., Delhi and Cawnpore.	15-9-39	51.50
MEERUT.			
12	Messrs. S. Surjit Singh & Co.	8-6-40	21.80
13	Messrs. K. S. Malik & Sons.	9-10-40	12.70
CAWNPORE.			
14	Messrs. Muir Mills Co., Ltd.	4-9-39	130.00
15	Messrs. Cawnpore Dyeing & Ptg. Co. . . .	4-9-39	95.10
16	Messrs. Elgin Mills, Ltd.	15-9-39	95.20
17	Messrs. India Supplies, Ltd.	17-7-40	60.00
18	Messrs. H. Bevis & Co.	4-9-39	43.30

Serial No.	Name of Firm and Location.	Date of First Order placed in connection with the war.	Total Value of Orders placed up to 31st January, 1942 (in lakhs of Rupees).
1	2	3	4
AGRA.			
19	Messrs. Jawahar Tent Factory	21-3-40	37.00
20	Messrs. Pooran Chand & Co.	7-6-40	30.80
21	Messrs. Shiamlal Chimanlal	7-6-40	28.90
22	Messrs. Kedarnath Shubkaran	17-7-40	22.50
23	Messrs. Lakshmi Chand & Co.	3-5-40	16.10
OTHER PLACES IN U. P.			
24	Messrs. Equipment Supply Syndicate, Lucknow	18-9-40	9.70
25	Messrs. R. G. Cotton Mills, Lucknow . . .	7-6-40	15.70
26	Messrs. Madhoparsad Manmohan Dass, Allahabad.	16-7-40	15.20
27	Central Jail, Fatehgarh	12-3-40	4.90
28	Messrs. R. B. Anand Swaroop & Sons, Muzaffarnagar.	4-9-40	8.30
29	Messrs. Grant Chowdhri Bharat Singh, Muttra	27-1-41	7.10
30	Messrs. Indian Suppliers, Ltd., Tundla . .	4-9-40	19.00
LAHORE.			
31	Messrs. Chiragdin Mohd. Din.	25-10-39	17.80
32	Messrs. H. Nizamdin & Sons.	17-7-40	9.20
33	Messrs. Rooldoo Mohd. Din	25-10-39	11.30
34	Messrs. Gulam Mohiuddin	27-1-40	10.20
35	Messrs. Udham Singh Gulam Mohd. . . .	24-9-40	9.70
OTHER PLACES IN PUNJAB.			
36	Messrs. Syed A. and M. Wazirali, Ferozepur and Delhi.	8-6-40	57.30
37	Messrs. Dalchand & Sons, Ferozepur . . .	4-9-40	10.10
38	Messrs. K. D. Bootasingh, Rawalpindi . .	7-6-40	25.60
39	Messrs. Jamal Uddin & Sons, Jullundur. .	12-9-40	8.20

Serial No.	Name of Firm and Location.	Date of First Order placed in connection with the war.	Total Value of Orders placed up to 31st January, 1942 (in lakhs of Rupees).
1	2	3	4
BOMBAY AREA.			
40	Messrs. Malakram Daulatram, Bombay .	7-8-40	21-70
41	Messrs. M. Allabux & Co., Bombay .	24-9-40	6-80
42	Messrs. Bombay Tent Co., Bhopal .	4-9-40	12-30
43	Messrs. Husainbhoy A. Laljee, Poona .	5-4-40	27-10
44	Messrs. K. M. D. Thackersey, Poona .	12-9-40	18-80
45	Messrs. Ladhasingh Bedi & Sons, Poona .	7-8-40	20-80
46	Messrs. Sholapur Spg. & Wvg. Mills, Sholapur	27-1-40	19-00
CALCUTTA AND PATNA.			
47	Messrs. Bengal Tent Factory, Calcutta (now Patna).	11-10-40	14-80
48	Messrs. Karamchand Thaper, Calcutta .	27-1-41	7-60
49	Messrs. N. Hasan & Sons, Patna .	24-9-40	13-90
INDORE.			
50	Messrs. Kalyanmal Mills, Ltd.	8-6-40	39-00
51	Messrs. Rajkumar Mills, Ltd.	7-6-40	36-00
INDIAN STATES.			
52	Messrs. South India Corp., Cochin	19-6-40	17-80
53	Messrs. Rampu Tent & Army Equipment & Co., Rampur (State).	16-7-40	38-00
54	Messrs. Gwalior Tent Factory, Morar Road (Gwalior).	8-6-40	27-80
55	Modern Tent Factory, Alwar	23-9-40	10-60
56	Messrs. K. B. Ahmed Alladin, Secunderabad (Deccan).	19-10-40	8-80
57	Messrs. Aspinwall & Co., Alleppey	18-12-40	5-90

CONTROLLER OF RAILWAY PRIORITIES.

188. *Sir F. E. James: (a) Will the Honourable the Communications Member be pleased to state what are the precise functions of the Controller of Railway Priorities?

(b) Will he also please state the procedure to be followed with regard to securing priority for the transport of commodities and the conditions on which such priority will ordinarily be given?

The Honourable Sir Andrew Clow: (a) The functions of the Railway Priorities Officer may broadly be defined as the determination of the order of priority of despatch of commodities by rail with a view to make the best use of the railway capacity.

(b) The procedure to be followed is now engaging the earnest attention of the Priority Authority. Meanwhile existing procedure will continue, namely priority of despatch is secured for traffic required for the essential prosecution of the war by the issue of priority certificates by competent authority and for the essential needs of the civil population at the request of Provincial Governments and Provincial Boards of Transport. Other traffic is despatched in order of registration at stations.

Sir F. E. James: May I ask who are these competent authorities for this purpose?

The Honourable Sir Andrew Clow: I would require notice of that, but I think for supply purpose it is the officers of the Supply Department.

Sir F. E. James: May I ask if any general statement on the procedure that at present exists has been published in any press communiqué because there is a great deal of confusion about it?

The Honourable Sir Andrew Clow: I do not think there has. The procedure itself is rather in a state of flux.

Sir F. E. James: When the procedure has become more static, will my Honourable friend arrange for some press note to be issued for the benefit of those who have to apply for these priorities?

The Honourable Sir Andrew Clow: I shall certainly bear that suggestion in mind.

RECRUITMENT TO CERTAIN POSTS IN HOWRAH DIVISION, EAST INDIAN RAILWAY.

189. *Mr. Muhammad Nauman (on behalf of Shaikh Rafiuddin Ahmad Siddiquee): (a) Will the Honourable Member for Railways be pleased to state the circumstances which prevented the Divisional Superintendent, Howrah Division, East Indian Railway, from advertising the posts of Fireman (European Grade), Coal Checkers, Fitters, and Examining Fitters during the period from 1st August, 1934 to 1st September, 1940, and making recruitment through examination cum selection method according to communal allotment?

(b) Will the Honourable Member be pleased to state the number of Muslims, who were examined or considered suitable for the posts mentioned in part (a) above during the period from 1st August, 1934 to 1st September, 1940?

The Honourable Sir Andrew Clow: (a) I would refer the Honourable Member to the information laid on the table of the House on 27th October, 1941, in connection with unstarred question No. 77 asked by Khan Bahadur Shaikh Fazl-i-Haq Piracha on 28th February, 1941.

(b) I would refer the Honourable Member to my reply to Khan Bahadur Shaikh Fazl-i-Haq Piracha's unstarred question No. 78 asked on 28th February, 1941.

RECRUITMENTS TO CERTAIN SELECTION POSTS ON EAST INDIAN AND EASTERN BENGAL RAILWAYS.

190. *Mr. Muhammad Nauman (on behalf of Shaikh Rafiuddin Ahmad Siddiquee): (a) Will the Honourable Member for Railways be pleased to state the posts with grades in the Transportation, Commercial, Loco., Rolling Stock and Establishment Departments on the East Indian Railway and the Eastern Bengal Railway which have been classified as selection posts for the purpose of paragraph 2 VI of the Rules for the recruitment and training of non-gazetted staff on State-managed Railways by the General Managers of the East Indian Railway and the Eastern Bengal Railway?

(b) How many Divisional, District, and Head office Selection Boards were held on both these Railways for the examination of candidates for the selection posts during the years 1936, 1937, 1938, 1939 and 1940?

(c) Which of those Selection Boards, contained at least one Muslim officer?

(d) How many Muslim candidates were examined by each Selection Board held during the years 1936—40 on both these Railways?

(e) How many were declared suitable and given appointments or promotions?

(f) Was the paucity of Muslim candidates due to the absence of recommendations from their immediate officers? If not, what stood in their way from appearing before those Selection Boards?

(g) What are the requisite qualifications which a candidate should possess to render himself eligible for a selection post?

The Honourable Sir Andrew Clow: I would refer the Honourable Member to Mr. H. M. Abdullah's starred question No. 251 on 25th November, 1940. The information in respect of parts (b) to (f) was laid on the table of the House on 11th February, 1941.

Mr. President (The Honourable Sir Abdur Rahim): I must point out that the authority given to the Honourable Member is for the rest of the Session. That sort of authority is not valid. This authority, however, is good enough for today only, but not for future days.

AGREEMENTS EXECUTED BY RAILWAY EMPLOYEES ON FIRST APPOINTMENT.

191. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Railway Member please state if it is a fact that on first appointments of Railway employees managed by the State, employees are obliged to execute a bond or agreement embodying the terms and conditions of service?

(b) Is such execution of agreement required in any other department of Government services, such as Posts and Telegraphs, Excise, or in the various departments of the Secretariat in the Centre? If not, why such agreement should be required to be executed in the Railway Department?

(c) Is it one of the terms in such agreement that a Railway employee of any standing may be discharged, dismissed or have his services dispensed

with by Heads of the Department without any charge made against such employees in writing or by words, on a month's notice or on payment of a month's salary?

(d) Is it not a fact that no such discharges, dismissals or services may be dispensed with, at the sweet will and pleasure of the Head of the Department in any other branch of services of Government or in the Secretariat without guilt to such employee being proved or except in case of retrenchment sanctioned on the grounds of economy?

(e) Is it not a fact that the present rule as pointed out in parts (a) and (c) above has rendered the Railway Services insecure? Is the Honourable Member prepared to see that the services under State Railways are made secure as all services under Government are made?

(f) Is the Honourable Member aware of the fact that in cases of such dismissals or discharges by Departmental Head the appeal lies only with the General Manager or Agent whose decision becomes final? If so, will the Honourable Member be pleased to state what remedy lies against the decision of the General Manager or Agent if the aggrieved feels that the injustice done had not been redressed by the General Manager? If there be no remedy is the Honourable Member prepared to consider that some other appellate jurisdiction should be established?

(g) Does the Honourable Member know that subordinate employees on the State Railways having unspotted service records of 25 and 28 years have been discharged without being informed about their offences, by departmental heads and such discharges upheld by the superior authority although all Provident Funds and Gratuities have been paid to such discharged employees? If not, is he prepared to accept their petitions to remedy such wrongs? If not, why not?

The Honourable Sir Andrew Clow: (a) Yes

(b) As far as I can ascertain, the answer to the first part is in the negative, at any rate so far as non-gazetted staff is concerned. As regards the second part, conditions on the railways are not identical with those in other Departments.

(c) Service agreements of non-gazetted staff provide for action being taken against the employee in accordance with the rules.

(d) Neither in the Railway Department nor in other Departments are employees discharged without adequate cause.

(e) No; the security provided in railway service appears to be ample.

(f) The answer to the first part is in the affirmative. As regards the second part, there is no further right of redress, unless the action taken is illegal. As regards the third part, the answer is in the negative.

(g) I have no knowledge of any such cases and am not prepared to go beyond the provisions of the rules prescribed by Government.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member state what he means by the expression "adequate cause"?

The Honourable Sir Andrew Clow: It is not a phrase for which a complete and precise definition can be given. It only means adequate cause for discharging the employee.

Lieut.-Colonel Sir Henry Gidney: Does that expression "adequate cause" convey an idea of an inquiry of any kind? The employee should have adequate means of defence.

The Honourable Sir Andrew Clow: In the normal case, yes.

Lieut.-Colonel Sir Henry Gidney: And in the abnormal case?

The Honourable Sir Andrew Clow: Not always. The man may have absconded, for example.

Lieut.-Colonel Sir Henry Gidney: If he has absconded, what will you do?

Mr. President (The Honourable Sir Abdur Rahim): These are hypothetical questions.

BAN ON ASSISTANCE BY CERTAIN RAILWAY ASSOCIATIONS TO AN AGGRIEVED RAILWAY EMPLOYEE.

192. *Mr. Amarendra Nath Chattopadhyaya: Is the Honourable Member for Railways aware of the fact that the Railway Employees Associations and the All-India Railwaymen's Federation are not entitled to assist individual employees when aggrieved?

The Honourable Sir Andrew Clow: No. They are not entitled to act on behalf of individual employees in dealing with Government but there is no objection to their assisting any employee in the preparation of his case.

MOTION FOR ADJOURNMENT.

ALLEGED UNMANNERLY AND RUDE TREATMENT BY A BRITISH OFFICER OF THE INFORMATION DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice from Mr. Kazmi of his intention to move that the House do now adjourn to discuss a definite matter of urgent public importance, namely, the unmannerly and rude treatment of a British officer of the Information Department of the Government of India to an Indian I.C.S. officer of the United Provinces in connection with a seat in a first class compartment at Allahabad as reported in the *Hindustan Times*, dated the 15th of March, 1942.

Have any heads been broken?

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): It is not known, Sir.

Mr. President (The Honourable Sir Abdur Rahim): What has happened? Why should I consider the matter of public importance?

Qazi Muhammad Ahmad Kazmi: It is a matter of public importance especially these days when the treatment of British officers towards Indians ought to be on an equal basis.

Mr. President (The Honourable Sir Abdur Rahim): Does this gentleman represent the behaviour of all the other officers?

Qazi Muhammad Ahmad Kazmi: Sir, it is a general complaint in India that British officers

Mr. President (The Honourable Sir Abdur Rahim): That is not the point. The motion is not of public importance.

Qazi Muhammad Ahmad Kazmi: Sir, the train had to be detained for 45 minutes.

Mr. President (The Honourable Sir Abdur Rahim): That is another matter. It is not a matter for adjourning the business of the Assembly. I rule it out of order.

THE INDUSTRIAL STATISTICS BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): Sir, with your permission, I beg to move:

"That the report of the Select Committee on the Industrial Statistics Bill, which was due to be presented today, may be permitted to be presented on Thursday, the 19th instant."

Mr. President (The Honourable Sir Abdur Rahim): Will that suit the convenience of the Honourable Members? (Voices of "Yes", "yes".) Very well; the time is extended as asked for.

THE AGRICULTURAL PRODUCE (GRADING AND MARKING) AMENDMENT BILL.

The Honourable Mr. N. R. Sarker (Member for Education, Health and Lands): Sir, I move for leave to introduce a Bill to amend the Agricultural Produce (Grading and Marking) Act, 1937.

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

"That leave be granted to introduce a Bill to amend the Agricultural Produce (Grading and Marking) Act, 1937."

The motion was adopted.

The Honourable Mr. N. R. Sarker: Sir, I introduce the Bill.

THE INDIAN TOLLS (ARMY) AMENDMENT BILL.

Sir Gurunath Bewoor (Government of India: Nominated official): Sir, I move for leave to introduce a Bill further to amend the Indian Tolls (Army) Act, 1901.

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

"That leave be granted to introduce a Bill further to amend the Indian Tolls (Army) Act, 1901."

The motion was adopted.

Sir Gurunath Bewoor: Sir, I introduce the Bill.

THE INDIAN FINANCE BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Indian Finance Bill.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): Sir, when the House adjourned on Friday last, I was dealing with the question of the development of essential war industries in India, and the particular point with which I was dealing at that moment was that the plant and the necessary equipment for the manufacture of certain essential war materials might as well be transferred from Great Britain to India in order that our needs might be supplied on the spot, and the dangers and risks involved in the transport of such materials across the seas might be avoided and incidentally the industrial resources of this country might be developed.

Sir, a few days ago, Major Attlee made a kind of complaint that the policy of making India a great arsenal in the East was a long term policy on which more ought to have been done in the past years. If this has at last been realised, I should like to know what steps have been taken by the Government in Great Britain as well as in India to remedy the defects of the past policy in this matter. What long term projects have since been undertaken in India for the purpose of making her the arsenal of the East? Very recently, Sir Padamji Ginwala, who has every authority to speak on the subject of steel, mentioned a curious fact that even at the present day thousands of tons of pig iron are being exported from India to England, some of which is coming back to India again in the form of steel or fabricated articles made out of steel. Sir Padamji maintains that the potentiality in India of the expansion of steel manufacture is great; and this absolutely mad policy, as I should call it, of running the gauntlet of the enemy U boats for the purpose of reaching our raw materials to England and then again getting the raw material back in the shape of manufactured goods, this insensate policy should no longer be pursued. My Honourable friend, the Supply Member, has got special knowledge of the steel industry and perhaps the House would like to hear from him what the possibilities are of the expansion of the steel industry in India and the utilisation of the manufactured steel for the greater output of steel articles, particularly heavier machinery of war.

Sir, we have recently had an announcement that the United States of America are sending out a Technical Commission to India for the purpose of exploring the possibilities of speeding up the manufacture of war materials in India. This announcement has led to some amount of speculation among the Indian businessmen. The deputation of a technical personnel of this character would be perfectly welcome if the

object is to help the Indian industrialist to manufacture articles which might be immediately of use during the war with the help of Indian raw materials, but if this visit leads to the creation of a vested interest in the industrial field, well, Sir, Indian opinion is certainly not going to tolerate it. I should like, in this connection, to make a suggestion, that in order that all such suspicions may be laid at rest and also that the work of this Commission might be properly helped, Indian non-official businessmen should be associated as Advisers to this mission. In this connection, I cannot help referring to the fact that although certain non-official Advisers were associated with the Government of India Delegation to the Eastern Group Council, the general impression is that these Indian Advisers were neither wholly taken into confidence in regard to the more important questions that came up for consideration in the Council, nor were their services properly utilised. My Honourable friend should give an assurance to the House, firstly, that non-official Indian businessmen would be associated with this Commission and secondly, that they would be taken fully into confidence by the Government and the mission in all its activities.

Now, Sir, I should like to come to the question of civil defence. I should observe at the very outset that effective civil defence is possible only with the fullest and most wholehearted co-operation of the people, and in order that the people might offer their wholehearted co-operation, the leaders of the people should be vested with the necessary constitutional authority for the purpose of assisting the Government and the public in this matter. Sir, a good deal has been said as regards the morale of the civil population and it would be idle to pretend that the morale stands very high at the present moment. I am speaking from experience of the part of the country from which I come where the threat of invasion is imminent. I would not pretend that there is no panic among the people, nor that the morale of the civil population stands very high, in the area with which I am familiar. But, Sir, morale cannot be created by any amount of fulminations from the Treasury Benches. Morale depends upon very complex factors which we might as well take into account. First of all, we must remember that the present day Government does not rest on the willing support of the people but on the prestige of the British Government which has been considerably lowered due to repeated reverses in the war. Another factor that has also to be counted in this connection is the persistent emasculation of the people that has gone on as a matter of policy; and now we cannot complain that there is so much of demoralisation in the land. The third factor that I should like to mention is the apprehended collapse of the civil administration of the country and the presumed incapacity of the Government to maintain the essential amenities of the civil life of the population.

We had prolonged discussions regarding the difficulties of transport due to the mismanagement of the railway wagon question as also the curtailment of the supply of petrol. We have also had prolonged discussions regarding the shortage of food grains. As a matter of fact it is very difficult to open a newspaper any morning and not be struck with the seriousness of the situation which seems to have arisen due to acute shortage of food supply in the country. This very morning I came across a press report to the effect that the supply of filtered water in

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Calcutta had to be curtailed due to the reduction in the supply of coal occasioned by the wagon situation. And I should like my Honourable friends in the Treasury Benches to realise whether these facts are likely to help the people in keeping up their morale. Another fact which has got to be remembered is that the army has been a closed door to many of the communities and sections of the people of this country, and it is no wonder that there is a complete estrangement between the fighting forces of the country and the generality of the people, so much so that the very appearance of the troops in the midst of the civil population leads to some amount of panic. Reference has already been made to individual instances of molestation, particularly of women folk, by the soldiers. I have received similar complaints from certain areas in Bengal, particularly one from Kanchrapara which is a very important railway centre on the Eastern Bengal Railway. And it was only yesterday that a very well-known *ex*-Member of this House made over to me a personal letter which he had received from his nephew, requesting me to give the House an idea of what depredations are now being committed by the troops when they pass through any particular area. This letter is dated Mozufferpur, 5th March, 1942, and deals with the troops' special trains that are now passing over the Bengal and North Western Railway. I will read a few passages from this letter; it was not intended either to be published or to be read out in the House:

"The troops' specials",—says this young man,—“are running these days over the Bengal and North Western Railway. The soldiers are very rude, impertinent and mischievous. They damage articles and loot foodstuffs on stations. On 23-2-42 some of them entered the refreshment room at Thana Bihpur, but did not do any mischief there. But outside, on the platform, they chased hawkers and broke the glass of almirah and trolley of sweetmeat, took away sweets and damaged utensils. Pratap Babu informed the Captain, but he did not take any steps. On 26-2-42 another batch in the train looted sweets in Tahsil Deoria station and damaged utensils and trays. Satnarain Bhai wired D. T. S. and T. M. as Pratap Babu had phoned the D. T. S. from Thana Bihpur. But no action was taken. On 27-2-42 another batch looted stuffs at Chupra station and broke trays. The Station Master was reported to but he expressed powerlessness. Similar incidents have happened at Gorakhpur, Savan, Bhatni, Sonapur and Barauni and I hear even at Benares Cantonment. The railway officers are proving helpless. The military officers attached with troops also don't interfere nor the railway police.”

This gives a graphic description of the mischief committed by the soldiers, and I should like my Honourable friend to bear in mind that these incidents certainly do not help to maintain the civilian morale at a high level. Sir, I have already stated that in order to enable civil defence to be effective the leaders of the people should be clothed with the necessary constitutional authority. It is a most regrettable circumstance of the present day that in the majority of the provinces the Government of the country should be carried on without the support of the people. I do not want to enter into the circumstances that have led to this unfortunate fact but there it is; and in the few provinces where the Government is being carried on by the representatives of the people, it is not as if in every instance the position of the Ministry is very happy. I know, Sir, that under the rules of this House certain high dignitaries are beyond the scope of our criticism, and I should be very chary of treading upon forbidden ground. But from what knowledge we possess of the circumstances prevailing, at least in one province, it seems to me that

the high officials have not been able to reconcile themselves to the reformation of the ministry. They have been trying their best to undermine its authority.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member is actually discussing Provincial affairs.

Mr. K. C. Neogy: I will not discuss it, but it is really regrettable that the best of relations should not prevail between the different sections that constitute the Government of a province at the present moment. Petty-mindedness and political intrigue should now be replaced by true statesmanship. Mutual distrust and suspicion must now give place to complete co-operation.

Sir, I will now sum up and summarise the points that I have sought to make in the course of my speech. I would call upon Government to ensure the fulfilment of the essential human needs of the civil population, make India self-supporting in the matter of all important war industries including the manufacture of important armaments, maintain the communications as best as possible, trust the people and earn their willing co-operation in the titanic struggle for our national existence, banish all ideas of racial domination in the field of administration as well as of commerce and industry, enable every Indian to feel proud of laying down his life, if need be, in the defence of his hearth and home. If even one of these conditions be not fulfilled, it might be idle for us to think of winning the war and saving India from the hands of the aggressor.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadian Rural): Sir, it is our privilege to discuss important problems of the day in the discussion of the Finance Bill. With you, Sir, in the Chair this House has discussed about eight or nine Finance Bills. In the course of these discussions many important questions and many important problems of varying degrees of importance have been discussed, but I feel that the present occasion is an exceptionally important one. Never before in the history of the Central Legislature of this country has India been confronted with so many vast problems of overwhelming importance. It is our sacred duty on these occasions to discuss those problems and, if I may say so, Sir, without any disrespect, it is also your privilege to guide the deliberations of the Legislature on an occasion like this. As I have said, there are many problems with which we are now confronted in India. We are in a national crisis. There is, however, one subject which is of such overwhelming importance that that should engage our attention before anything else—I mean, Sir, the political future of the country and the resolving of the constitutional deadlock. Now, Sir, something very important, it is hoped, is going to happen very soon. Sir Stafford Cripps is coming here and on the result of his mission will depend the relations between these two countries—Great Britain and India. I welcome him, Sir, from my place in this House on my own behalf and if I may do so, also on behalf of all the Members of this House.

I welcome him. I shall give my reasons as to why I welcome him. Of course, we do not know what the proposals are which he is carrying.

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In fact, if those proposals can be called a Bill, a measure, or an Act, we do not know the text of that Bill or of that Measure, and, therefore, it is rather premature for me to extend that welcome. But, Sir, though we do not know the text of the scheme which he is carrying, we know the preamble, we know the statement of object and reasons of that scheme. We find from the official announcement made in the House of Commons that the object underlying that scheme is this:

"That crisis in the affairs of India arising out of the Japanese advance has made Britain wish to rally all the forces of Indian life to guard their land from the menace of the invader."

Now, Sir, the object is that Indians should guard their own land and should defend their own native soil. So, Sir, this is an invitation for war effort, though to a limited extent, to guard our motherland from the menace of the invader; no reference is made here to the war on all fronts, i.e., to the war as a whole. Our efforts are invited with particular reference to the defence of India. That is the object of the proposed scheme. I should think that this is a new page in the history of British India—a revolutionary change of attitude towards India and Indians.

But in order to enable us to appreciate the full implications of the new announcement and of the new scheme, it will be necessary, Sir, to examine the background of the whole thing—the history of what has happened during the last two and a half years. War was declared in September, 1939. We in India were declared a party to the war without our consent. Allow me to say this it was sin unto man and God to involve forty crores of people in a deadly war without their consent and without making any preparations for the defence of their country. It is only proper that before dragging India into the war Government should have placed India on a proper footing, otherwise India would be a consequential target of attack by Britain's enemies. If you are at war you must be made fit to be at war, but this was not our position. Without being enemies ourselves we find ourselves at war, but at the same time without any effective defence. That was how the war was declared. It was said to be a war for freedom, for democracy, but, so far as India is concerned, the aim of the war was never declared.

There was a general declaration, namely, that the war was being fought for freedom and democracy. India asked repeatedly what was the aim of the war, so far as India herself was concerned, but that was not stated; and the result was that India never felt that it was her war. We in this House threw out the Finance Bill on more than one occasion. Congress withheld its support, so did the Muslim League. Congress offered active opposition. Congress ministries gave up office and courted jail. You may or may not agree with that policy of the Congress in resigning office; I for one am free to confess that I have never appreciated this, never understood it. But all the same we must appreciate the stupendous sacrifice of the Congress ministries in giving up office out of respect for their own principles and convictions. The Muslims also opposed the war effort. You remember the story of the resignation of Messrs. Fazlul Huq and Sir Sikandar Hayat Khan and Mr. Saadullah of Assam from the War Council. It was in fact a battle royal between the Government and the Muslim League, and the Muslim League got the

better of the Government. I refer to this only to show that it conclusively proves that the Muslims did not give their blessings to the war efforts. In fact Government failed to obtain the people's goodwill for one full year from September, 1939, to August, 1940.

The first attempt that they made for obtaining the good-will of India was in August, 1940, in what is known as the August offer. That was a political strategy for obtaining the support of India. The August offer, however, was not acceptable to the people; the sincerity of that offer was doubted, it was considered to be too vague, it was considered to be a charter not for freedom but for perpetual slavery, with the inevitable result that it failed to achieve the purpose which it had in view. India remained still apathetic, indifferent towards the war, in spite of the August offer. Things drifted on for another twelve months from August, 1940 to August, 1941. The next stage came when there was the Atlantic Charter in August, 1941. Unfortunately, it was repudiated by the Prime Minister himself, the Deputy Prime Minister's interpretation notwithstanding. That was how our doubt about the *bona fides* and sincerity of the August offer was confirmed. India was convinced that all talk of democracy and freedom was a camouflage, so far as India was concerned.

Then came Japan on the scene, and challenged Britain and America. It now transpires—in fact it is now admitted that neither Britain nor America was at all prepared for this challenge of Japan. Hong Kong, Malaya, Singapore, Rangoon and Burma fell—fell in quick succession; fell like a house of cards. In fact Japan came, and saw and conquered. That was the whole story. As a member of Parliament said some time ago, before our very eyes the British Empire is breaking up. So we find Japan at the door of India. We have no quarrel with Japan. Japan has got no grievance against India; but there is still that menace, because we are linked with Britain. Whether there is cause or no cause, there is Japan threatening at our door. The question is, who will defend India? We are unarmed and disarmed, our industries undeveloped—war industries as well as key industries. We are divided, thanks to the British policy of divide and rule. Our man power,—40 crores,—is unexplored and unutilised, our immense resources equally unexplored. Our potentiality, our resources are immense, but the actual power is nil as the inevitable result of the distrust of Indians by the British. But this is a total war, this is a war of peoples, not merely of armies; and this war cannot be won without the whole-hearted co-operation and support of the people at large. But the people are lacking in enthusiasm; they have no heart, there is a deadlock. The controversy went on for a long time as to whose responsibility it is to take the initiative to end the deadlock. It was insisted that the Government had nothing more to do and it is for the Indian leaders to solve the deadlock. It was Mr. Amery's policy of "nothing doing". At last Japan came to the gate of India and our British master realised the brutal fact that India could be defended by Indians alone.

With this background, if you examine the announcement of Mr. Churchill, you will at once understand why, after 150 years, the truth has dawned on the British people that all the forces of Indian life must be rallied in order to guard and defend the soil of India. The angle of vision is absolutely new. I do not know whether the advice and warning of the Chinese Leader had anything to do with this sudden change of policy, but there it is. The question before the Britisher is, how is the object of rallying all the forces of Indian life to guard their land to be achieved. That is the problem—the problem of making Indians feel that

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the war is their own war. Let us now examine the announcements from this point of view. In the first place, the initiative has come from the Government. The formula that the initiative should come from the people has now been discarded. Secondly, there is the growing realisation on the part of the Government that it is impossible to defend India without the co-operation of Indians.

Then again, Sir, there is another thing which is very important, and which makes me welcome the anticipated proposals, because in this announcement there is a clear admission that India is one united whole, one entire united nation; India's claim to nationhood has been admitted; in other words, all ideas and all schemes for the partitioning of India have been knocked on the head once for all. There is a further consideration as to why we should all welcome this announcement. We find that, after referring to the August offer, the announcement proceeds to say that it was not sufficient and, therefore, some advance has to be made. Two very substantial improvements are promised. The August offer was considered to be vague and illusive and, therefore, it is now proposed to make it precise and definite. Another improvement, which is equally important, is that seeks to convince all classes and races of India that the resolve of the British Government is sincere, their readiness to part with power. That sincerity was always doubted. That doubt was not removed by the August offer, and, therefore, this is a fresh approach made by this announcement to convince all classes of Indians about the sincerity of the British Government to part with power.

Then, Sir, there is another important thing relating to this scheme. It seeks to avoid two alternative dangers. One danger is the power of veto on behalf of any minority. That was implicit in the August offer, but that veto of the minority is taken away clearly by this announcement. At the same time there are provisions against the tyranny of the majority. These are the two alternative dangers which are sought to be avoided by this new scheme. It is also significant that the scheme is described as "a constructive contribution to aid India in the realisation of full self-Government", as distinguished from the destructive attitude of Mr. Amery calculated not to settle but accentuate the differences between the different classes and communities. The scheme proposes not merely to solve the immediate difficulties of the war time but also the larger question of the future constitution of India. It will lay down "present and future action". It is claimed that the solution is a "just" one. I would not have placed too much importance on these two words "just solution" but we have to remember that Sir Stafford Cripps is a party to that decision, he is a determined friend of Indian independence, his love for India was not engineered by any opportunism or by necessity or by the exigencies of the situation. He has been a well-known friend of India and Indian independence for very many years. He has the courage, in view of his past record, to tell the Government what he thinks must be done even if it goes beyond or against the decision of the War Cabinet. We therefore welcome him and his mission. We believe, Sir, that "this attempt"—as distinguished from the August attempt—is sincere and *bona fide*. It may be a virtue by necessity,—but we are not concerned with the motive,—whether virtue by necessity or spontaneous, it is a virtue, and therefore, we welcome it. But, Sir, we have not yet been told what the exact proposals are. Therefore, we reserve our final judgment until the sealed cover is opened by the great ambassador.

Then, Sir, while we welcome Sir Stafford Cripps, we have to remember the warning given by the *Evening News* in an editorial:

"Mr. Churchill's announcement is a dramatic stroke. Both Sir Stafford and Indians themselves may be working against time. Japanese will not wait on the conferences and prolonged bargaining. Unless Britain is reorganised as India's true friend, India may go the way of Singapore, Java and Burma. . . ."

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Why?

Mr. Akhil Chandra Datta: These are not my words,—I am quoting . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not read long newspaper comments.

Mr. Akhil Chandra Datta:

"Indians standing together with the free peoples can be a bulwark against the tide of savagery from the East. The fate of Hong Kong will be the fate of India if we fail or falter."

I, for myself, fully endorse this view. But, Sir, although I am rather optimistic, I am afraid the British conscience has been roused a bit too late. The great physician, Sir Stafford Cripps, is coming with his prescription, but the patient is already in his last gasp. The final settlement between these two countries may possibly be announced at a time when it will be too late, when England may have nothing to give and when India may have nothing to take.

Now, Sir, this will be a settlement between two countries, and that 12 Noon. great ambassador is coming with the case of the British Government, India will have to present her own case also. What is the case of India? Of the case of Britain we have got an inkling from the announcement that I have read out to the House, although we do not know the full text. What is our case? We should prepare and present our case before Sir Stafford. Our case is this. Our aim is complete independence. We shall fight certainly, but we shall fight for our freedom. We shall fight Japan, we shall fight Germany, but we shall fight as free people of free India. We refuse to fight as helots and mercenaries. We shall fight against foreign domination. We refuse to fight for the perpetuation of any imperialism, either British or German or Japanese. India must no longer be the hunting ground of any imperialism, must be purged of British imperialism and British exploitation. We must be the arbiter of our own destiny. We must manage our own affairs. The days of trusteeship and guardianship must end. Even as trustees and guardians the Britishers have been found wanting. The doctrine of trusteeship is fundamentally a vicious doctrine. We shall bear our own burden. We do not want any outside person to carry our burden, whether that man is a white man or a yellow man. We shall certainly fight for victory. We shall certainly shed our blood for victory. But what sort of victory shall that be? The victory must be one which will make us free, not a victory which will give a fresh lease of slavery to India. The blood of Indian soldiers has been mingled in various theatres of war with the blood of the Englishmen. We, therefore, claim that we must be as free as the Englishmen. We must be paid the same price for our blood as the Britisher receives his price for his blood. We shall fight so that India may emerge as a free country. India will give cent. per cent. support to the war effort, but at the same time

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Britam must be prepared to part with her power. This is the case which we want to place before the Cripps Mission. We wish godspeed to the mission. I have always been a pessimist in these matters. During my public life of half a century, bitter personal experience has made me a confirmed pessimist, but let me confess that on this occasion I feel that there is some hope, some light. I have almost the feeling of an optimist, and I would, therefore, ask my countrymen not to throw any obstacle in the way of the mission but to help it in all possible ways consistently with our goal of independence.

I shall not be unfair to other Members of the House who may want to speak and, therefore, I shall not amplify any other point. I shall only enumerate my points.

On the problem of food front, I shall say this, that production of food and fodder is as necessary even for war effort as the production of armaments. Before we use our armaments we must live, and to live we must have food. Sir, the production of food in this country is not enough even for consumption in ordinary times. We find one crore acres of cultivable land still remaining uncultivated. We find that along with the increase in population, far from there being an increase in the area under rice, there has been a marked decrease in the area under rice in 1941-42, as compared with 1940-41, in several provinces, for instance, Madras, Bombay, the Central Provinces, the United Provinces, Berar and Bihar. Our object should be to increase the area under crop, and, secondly, to increase the production capacity; we should be able to grow two blades where only one blade is grown now. Then, there is another thing. In view of the present situation, in view of transport difficulties, there must be ensured regional self-sufficiency. This is a problem which demands immediate solution and immediate action. In fact, in order to avoid disaster, there must be an immediate increase in the production of food and fodder in the very next season. I am very glad to find from a communiqué that a conference has been called by the Honourable the Education Member on the 6th April next—a conference of representatives of the provinces and the States to chalk out a plan. I shall only suggest, as has been suggested by the Federation of Indian Chambers of Commerce, that, in order to give effect to that plan, there must be a production executive, and there should be a production council to carry on propaganda.

There is one other matter to which I should like to refer. I have been specially requested by my Madras friends this morning to place it before the House. As a result of the fall of Burma and Malaya, the Chettiar community in Madras has been very hard hit. They have lost not only all their income, but they have lost all their property. But they are being saddled with income-tax all the same. They pray that collection and assessment of income-tax and super-tax may be suspended for the present. The Honourable the Finance Member knows the whole case, and I shall not waste his time or the time of the House by going through it. I shall make over the representations that have been made over to me to him.

There are one or two other small matters to which I think I must refer. One is the scorched earth policy. Government must declare their policy in regard to it, because it is doing havoc to the morale of the people in Calcutta and other places. The Government know the position

better. Speaking as a layman I do not understand why objects of non-military importance, such as private residences, houses and property which have no military complexion should be destroyed. To punish whom?

Mr. N. V. H. Symons (Government of India: Nominated Official): May I ask the Honourable Member if he is talking of civil defence? I cannot hear a word of what he is saying.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better speak up.

Mr. Akhil Chandra Datta: I shall speak up. But I hope my suggestions will not go in vain. I was suggesting that this scorched earth policy should not be applied to properties which have no military importance. There is a regular panic in Calcutta that in the event of an emergency that policy will be followed with the result that the civil population will lose all their property, houses and so on. It is necessary to remove that apprehension so that the morale of the people may not be affected. This exasperates the people. They become demoralised and therefore it is necessary that there should be some declaration made by responsible authorities on this question.

As regards evacuees from Rangoon, I want to bring one fact to the notice of the Honourable Member in charge. There is one fact which has come to my notice which I am anxious to place before him and that is that in the matter of evacuation discrimination is made between Europeans and Indians. I have been told that there is one road for Europeans and another road for Indians. I shall give the precise name of the place. There are two roads from Sittang to Tamar and one was kept for the Europeans and another was for the Indians. The Europeans were provided with elephants, and provided with food free of charge. On the contrary there was no provision made for Indians for the conveyance of their luggages, nor was any provision made for their food. I have heard the story from one of the evacuees himself. He said there was no provision for water and that he has come all the way by the Manipur Assam Road with the greatest difficulty. He was a leading citizen of Rangoon. He says that if a provision of Rs. 50,000 or a lakh of rupees had been made, the miseries of these people would have been very much reduced.

As regards the conduct of troops, my friend, Mr. Neogy, has mentioned the facts and I should not like to repeat them. I should like to make mention of one small story. I asked a certain young lady in Calcutta, about two months ago, whether she would like to go away from Calcutta on account of the apprehension of bombing. Her answer was: 'No, I am not afraid of bombing, not a bit, but what I am afraid of is the goondaism of the soldiers'.

Now, Sir, the other matters to which I wanted to refer are matters which have been dealt with by other speakers. So I need not repeat them. There is only one matter which I should like to bring to the notice of the Honourable the Finance Member. It is about the position of Banks in India under present conditions. I am sure he realises that the Japan menace is working havoc with the Banks. I am not making any concrete suggestion now. I do not know what should be done. I only feel that some steps should be taken by the Government and by the Reserve Bank in order to help the Banks in this time of difficulty created for the Banks on account of the Japan menace. I shall not take up any more the time of the House.

Dr. Sir Ziauddin Ahmad (United Provinces: Southern Divisions: Muhammadan Rural): Sir, I shall follow the advice or appeal of the Honourable the Finance Member and I shall refrain from discussing the financial or fiscal policy of peace times and I shall confine my attention to present day problems.

As regards the Finance Bill, there are two points to which I would like to draw attention. The first is the customs duty—raising the customs duty irrespective of the fact, whether it is protective or not, by 20 per cent., without sufficient examination, is a great mistake. I am told that this action has already led to increased confusion in the sugar trade, which I expected. The second thing, which I do not like, is the lowering of the income-tax level from 2,000 to 1,000. I think the unpleasantness which will be created in smaller people by this change will not be commensurate to the money which the Finance Member will obtain by this method. He could have raised two more crores by the lease-lend system. Free borrowing under lease-lend system for the development of our industries at the present moment should now be the recognised policy of the Government. I strongly advocate the loan of large sums of money under lease and lend system.

Before I come to the four points raised by Sir F. E. James, there are one or two minor points to which I should like to make reference. One is the question of Archæology. Unfortunately our discussions have been vitiated on account of the communal colour. We leave it alone. The point of efficiency is really a very important point in the consideration of the Archæological Department. In the first place I draw attention to the Wooley Report. It is said there that the blind cannot lead the blind. There cannot be a more damaging testimonial than this testimonial of Sir L. Wooley. The second thing that I wish to say is that they spend more money on gardening and various other things and very small amount on the protection of the monuments themselves. Archæology has taken over the protection from the Public Works Department. It has deteriorated the position. The third thing, to which I would like to refer, is that they waste their time on a thing which really does not come under their jurisdiction. For example, they spent large sums of money on the editing of a chapter of the *Qanun-i-Masudi* dealing with geography. At one-tenth of the cost I myself could have edited with translation and notes. We have got the whole manuscript with us and there was no need for them to go to Constantinople and other places for this purpose. In fact, it does not really come within the jurisdiction of the Archæological Department. It is not a branch of the Royal Asiatic Society.

The other point that I would like to mention is about the Muslim education in Baluchistan. I drew the attention of the House to this subject last year also and I am sorry to say that the position today remains the same as it was last year. So, whatever I said last year may be assumed to have been said again this time also, because the circumstances have not changed. In this connection, I must point out that education is really a war problem and, therefore, we must help educational institutions. They are really the factories which produce men who will really do the war work for you. If you starve those factories and if you do not help them to be in a flourishing condition, I think your war effort will proportionately diminish. Therefore, I request the Honourable Member, not because I am the Vice-Chancellor of a University, but because it is

a general problem that we should help these educational institutions especially those which are helping in war efforts. They should come under war expenditure.

Now, Sir, the four problems which were referred to by Sir Frederick James were the production, the transport, self-defence and foodstuffs. I would add the fifth one to these, and that is the tendency to hoard silver, silver coins and foodstuffs and other articles. My friend, Sir Frederick James, brought a cut motion suggesting that we should establish a separate Department for Production and Mr. Jenkins replied that production cannot be separated from supply but ought to be correlated with the Supply Department. Of course, he was right to a certain extent, in principle, as we know that research cannot be separated from teaching altogether. But sometimes research is hindered by teaching. In this connection, I would like to mention the story of Hakim Nabbu, because it is applicable to the present case. There was a very famous Hakim Nabbu in Rohilkhand some years ago. On account of the atmosphere in which he lived he developed the tendency that he could not write a good prescription unless his palm was greased. One day his mother fell ill and she wanted to have a prescription from her son. But Hakim Nabbu could not write a prescription without receiving some money. So he went to his mother, and paid Rs. 4 and asked her to give him that money as his fee when he came to examine her. The mother did as she was told and then he wrote a very good prescription. He was also appointed by the Governor to deliver lectures to the would-be Hakims. In this case also it was noticed that unless he was paid in advance, his lectures were of no value. If he was not paid in advance, he would only waste his time and the time of students because his brain refused to think unless he got the money beforehand. Unfortunately, every person in the Supply Department is Hakim Nabbu. That being the case, it is very difficult to expect any production work from them in the real sense of the word. I can understand that in many cases it ought to be combined but it is very difficult to get this thing done from the class of people that we have at present who really come in the category of Hakim Nabbu. If you entrust Production work to Supply Department, put large sums of money at the disposal of the Secretary which should not be audited.

It is the duty of the Finance Member not only to check the arithmetic but to see that the money spent by the taxpayer is properly utilised because he is the head of the Hakims. Now, the other day this is what happened at Cawnpore the constituency of my friend, Mr. Scott. I will give the full details of the case to my friend who is custodian of these Hakim Nabbus. The Government wanted certain articles and the man who planned the whole thing thought that Rs. 1/6 was the right price of that article. He gave an order of 60,000 of that particular article and then invited tenders for the remaining 40,000. One person offered a tender of Rs. 1/2 per article and two persons offered tenders of one anna and three pies. Then, something occurred in the famous town of my Honourable friend, Mr. Ramsay Scott, and then these two tenders were withdrawn and the thing was set right. If things of this kind come within the knowledge of the Honourable the Supply Member or Honourable the Finance Member, then it is their duty to stop them if they are really serious that this kind of corruption ought to disappear altogether from the Supply Department. Toleration is perpetration of corruption and scandal.

[Dr. Sir Ziauddin Ahmad.]

Sir, before I pass to another subject, I would like to draw your attention to three points about this Supply Department. One is the specification. I do not want to say anything more about this and I have already said enough on this subject. These specifications are expressed in the language of the Oracle of Delphi whose statement could be interpreted in any way he liked. But I do suggest that a Committee consisting of some non-official Members and some businessmen should be appointed to go through these specifications and it should see that the articles which are accepted by their Inspectors are according to the specifications. The other day, they mentioned certain articles in their specifications which are not produced in this country. In fact, that particular material is not available in this country. What is the use of putting such a material in these specifications? Therefore, it is very desirable that attention should be paid to the fact whether the component parts of a particular specification can be produced in this country.

My other remark is about the inspection. I have already said that I do not like the system of daily workers to do this responsible work. They say that they have got a right of appeal to the higher officers, but in actual practice this does not work. If a sergeant who is getting Rs. 2 a day has rejected a particular article, then higher officers under military discipline stick to his decision. They ask the contractor to take away the articles but they do not mind if the same articles come back to them in different arrangement to the same place. This sort of thing can only be done if the Inspector's hands are greased. I would very much like that we should have a small tribunal and all the difficulties may be referred to it. This tribunal may act in panels and should consist of officials as well as businessmen, especially those who are contractors. The tribunal should also include representatives of the public opinion. The persons who are appointed to inspect these articles must be highly responsible and well paid men, otherwise there will be corruption.

Now, the other difficulty to which I would like to refer is the difficulty of testing the models. Now, we find many a time that the advanced specimen, which is sent only as a specimen, is not accepted by their testing station, but the articles themselves in large blocks are accepted by another set of examiners and they pass all right whereas the original advanced specimen did not pass. Sir, we ought to have some kind of records just we have in the educational system, that they should note down very clearly on what date a particular article was sent for test, and they should fix time limit for examination and they should be taken to task if examiners do not send their results in time. If this is not done it would lead to corruption. In some cases, the reply comes within 24 hours, in other cases, the reply does not come at all. All these things indicate corruption and show that the Department badly requires reorganisation.

The next point to which I should like to refer is the tentage system. I do not know why the Department has adopted a new policy. I interpret it to mean that they want to abolish the cottage industries in tentage system altogether. To the tentage fabricators they say, they should shift all their labourers and the whole paraphernalia to Bombay, Ahmedabad and other places. It is impossible for the labourers to shift from Delhi to other places. The other difficulty is the transport difficulty. We know that these *dasutis* can be made in upper India as well. I, therefore, submit tent fabricators should remain where they are and not bodily transferred.

I also urge that you should give equal facilities to all. You give facilities in the case of millowners. You do not act on the same principle in the case of cottage industries, that is tentage fabricators. You give to mills the price on profit basis at a price called ceiling price. Now you invite tenders in case of tentage fabricators. If by chance they quote above the ceiling price which they have fixed for the millowners, then their quota is cut off by 15 per cent. first, then 20 per cent. and so on. Why not stick to the quota and give the tent fabricators the same opportunities as you give to millowners without any trouble. I am sure the tent fabricators would be willing to accept it. Why differentiation for your step-motherly treatment to cottage industries and generous treatment to mill industries? This is not at all desirable. The intention of the present Government seems to be to get rid of these people who were brought in by his predecessor. That is an unfortunate impression and I believe that it will be removed.

The next point to which I should like to refer is transport. I expected the Honourable Member for Communications to mention on the floor of the House the future programme he might have planned for transport. No programme was laid before the House. We know there are enormous wagon difficulties. It is very desirable that railways should store coal at different places, at the junction stations and other stations of importance for their own use and they may also allow the companies and private individuals to store coal to meet future transport difficulties. I think the Honourable Member for Communications should encourage this. But no encouragement of this kind has been given. He should work his Railway collieries with double and treble shifts so that he will produce large quantities of coal, this may be brought to different places and may be stored there. But nothing of the kind was done. I expected the Honourable Member for Communications to appoint a small committee to suggest the best possible use of the extra stock. I know there were a large number of rejected wagons at one time. I think it will be good if he appoints that Committee so that it may overhaul the whole stock and increase the number of wagons. But nothing of the kind has been undertaken. He may have taken some steps, but we should like to know what steps are being taken to increase the stock of collieries which are very badly needed.

The other question is about locomotives. We know that the life of locomotives is decreasing under the present arrangement. We cannot replace them, because we do not manufacture locomotives in this country. It is very desirable that we should take every step to prolong the life of our locomotives. In this connection, I should like to draw the attention of the House to the new scheme of Mr. Raper by means of which he runs one engine continuously for 300 miles. The scheme may be all right, during peace time, when you can easily replace engines from abroad. But in war time, when engines cannot be easily replaced I doubt very much whether a long run of 300 miles at one stretch would not diminish the life of the engine. That is a point which he should have examined by some one in authority, and I submit that his present system of running these engines for considerable time continuously should be stopped. We know that these machines tire as much as we do. Then their life is diminished. This question should be looked into.

As regards control of wagons, reference was made by some other speakers. Before the war came, we had to pay Rs. 10 for each wagon

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supplied to the public. After control had set in, corruption also had set in. The corruption reached the figure of Rs. 100, and now it is Rs. 200 and I am told that the fee for getting a wagon will be Rs. 300, and we have opened the gate of corruption by appointing Controllers. We do not look into the question immediately, I am afraid, the corruption might become still more serious. This is the result of your control. I wanted 50 wagons for war purposes only to make bricks for the Engineering College. I wrote to one authority, I wrote to a second authority, I wrote to a third authority and the result was, no wagons at all. I was told by some person who is in the know of things that I should apply to such and such a station master and that I would get what I want provided I pay Rs. 200 for each wagon. It will not be the income of Railway Member and it would be the income-tax free income of some employees. Is this the method of control you have instituted? These things require very careful consideration. You should look into them immediately.

The next question is about iron and steel. I speak from my own experience. I wanted some iron for some important work in the Medical College. I went to an officer in the Supply Department. He referred me to the Commerce Department. I went to the Commerce Member. One officer there told me that he was not the authority but directed me to Mr. Ramchandra, the Import Commissioner. I went to Mr. Ramchandra; he told me that he was not the authority and asked me to go to Labour Department. I went to an officer in the Labour Department, where I was told that I must apply to Mr. Jones. I went to Mr. Jones. He told me that I should go to the Provincial Government. What really happened was this. After all this knocking about, I got my work done by paying Rs. 2 per ton as extra price. This is truly scandalous state of affairs. This should be put an end to. The Department should be well regulated and priority should be given, irrespective of the fact a person gives money and irrespective of any back-door influence. There should be some responsible officer-in-charge of things who will see that no corruption takes place. If these so-called controls lead to corruption by back-door influence, I doubt very much whether in time of war, such corrupted organisations will lead to the successful prosecution of the war. I do beseech the Honourable the Member for Commerce and the Honourable the Member for Communications to look into the question of control of all the articles. A real scheme of control should be devised and it should be made known to the public. If we know the real order of priority, then everybody will be satisfied that his turn will come in the normal course whether he pays or not. No control each time will be better than partial corrupted controls.

Another point which I wish to refer to is this. Honourable Members must have seen in railway carriages that passengers are packed like sardines in third class carriages. In these days when traffic is so very heavy, is it right for railway officials to travel in saloons? Why not add one more third class bogey and allow some kind of relief to third class passengers. I think in these days to use saloons, except for very special circumstances, is not justifiable. These railway and other high officials who requisition saloons must contribute their quota of sacrifice by foregoing them. We have now reached the verge of war and it may be that the biggest battle of the Empire may be fought on Indian soil. We ought to be ready for any emergency, though I wish very much Indian soil may be spared all these horrors. We should regulate our transport and our

food supplies in such a manner as to be able to meet the situation that may possibly develop. I have just mentioned about transport which I do not want to repeat.

About food supply I should like to say one or two words. Take the case of wheat, which is the most important staple article of food. The normal consumption in this country is $9\frac{1}{2}$ million tons. We now produce about 11 million tons but I think we can plan out for a production of 12 million tons of wheat in this country. I should like to know whether the Department of Agriculture has done something to make out a plan for next year so that a larger area may come under cultivation to produce this amount of wheat, whether they are ready to help the cultivator by seeds and otherwise and see that this quantity of wheat is produced. I should like to know what arrangements they are making for producing this larger amount of wheat which we are sure to require if India become the scene of war.

The second thing is about the control of prices. Here, I think the situation has arisen on account of contrary actions taken by the Provincial Governments and the Central Government. I will mention one difficulty of my own. I purchased three wagons of wheat at Lyallpur and Sargodha but the Punjab Government permits cannot be obtained and the wagons are there. I wrote to various authorities and got no reply. So, if you fix the price of wheat and leave the Local Governments to make rules in their own way, you will lead the country to great confusion. And we have seen an example of that in the sugar industry when the Government of India made one set of rules, the Provincial Governments made a different set of rules, and the result was that we had enormous confusion in the sugar industry. I hope the lesson will not be repeated in case of wheat. The proper thing would be for the Government of India to take stock of the food-stuff in other provinces and see what would be their normal consumption and then regulate the transport of surplus stock to other province. Then after the stock has been taken an export arranged from one province to another where it is badly needed, the prices may then be fixed. If the price is fixed first and the supply arranged afterwards, there will be confusion and the wheat will go underground as has happened now. Then, the other trouble is that Government have fixed the price at Rs. 4/6/-. The dealers sell it at Rs. 6 or 7 per maund. They are arrested and brought before the District Magistrate, who takes about Rs. 1,000 for the war fund and lets them off. I call this corruption, even though the Magistrate takes it for a charitable purpose. It cannot be that if I myself take Rs. 1,000 it is corruption and if I take it for the Aligarh University it is not corruption. I think it is the worst type of corruption to get money in this manner for charitable purpose. I was offered one lakh of rupees for the University, on one particular amendment of the Insurance Bill, and some of my friends wanted me to take it but I refused it because I could not drag a charitable institution into a position of corruption. And I think the District Magistrate who takes Rs. 1,000 or Rs. 2,000 for the war fund and lets off these people is more guilty of corruption than the person who takes the money for himself.

The last point to which I shall refer is the question of hoarding which my Honourable friend, Sir Frederick James, did not touch upon. We know that in these days we must make the best possible use of every

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material available; and it is criminal to hoard anything in order that advantage may be gained when the war is over and better times come. And I think Government should step in. The Finance Member has stopped the hoarding of rupee coins by his wise administration in lessening the amount of silver in the coins; but what about the silver itself? Does he not know that silver is being hoarded as rupees were previously? He should devise some method by which the hoarding of silver bars may be stopped and the Reserve Bank should be the only authority to purchase silver and keep it as paper currency reserve.

About hoarding of food-stuffs I have said enough and will not repeat all that. But the hoarding of anything which you are likely to require for war purposes is criminal and should be stopped; and it is the duty of every Government to take energetic steps towards this end.

I will say a few words about the mission of Sir Stafford Cripps. I do not like to say anything about that because we know nothing about the details. But generally speaking, I should lay down three broad principles on which I lay very great stress. The first thing is that no question should be decided by simply counting brainless heads, but by the wisdom of the argument. This principle of deciding a thing by counting brainless heads is absolutely wrong and never leads to correct conclusions. I have had experience of this in several meetings where I was in a minority, and though I brought forward good arguments my opponents shouted loudly and said, "Let him talk, we will vote him down". If you create an atmosphere of that kind where arguments do not count and the brainless heads only count, it will lead to dissatisfaction and misrule.

The second thing is that we the Muslims have in the past never stood and will never stand in future against the progress of the country. But the progress should not be the monopoly of any class of people. Equal opportunities should be given to all and these equal opportunities should be of equivalent value. It is not enough for you to say that every one can apply for a post but you must see who the appointing authority is and whether one particular class of people has a chance of election.

The third and last point is that the majority community in the country under the slogan of nationalism should not be allowed to rule even in provinces where they are in a minority.

Mr. N. V. H. Symons: Sir, I am happy to have an opportunity to give the House more information about what is being done in civil defence matters than I was able to give in the restricted time at my disposal last week when I was replying to a cut motion. In that speech I also had to devote some time to placing before the House the attitude of this new Department to its duties. So many charges have been flung at these Benches in the last week of being peopled by bureaucrats indifferent to, and out of touch with, public opinion, and unwilling to trust the people and as a consequence bound to fail in their attempts to carry the people with them in a united all-out totalitarian effort to put an end to aggression that I was at some pains to try and inform the House of the real facts in the Civil Defence Department. How far these charges that have been so freely flung last week are really meant I do not know, but I always have a suspicion that Honourable Members who make them are

really cooing to their constituents. If I could have seen behind the rose-coloured spectacles through which my Honourable friend, Mr. Lalchand Navalrai, apparently views me, I think I should have seen a twinkle in his eye when he charged the Civil Defence Department with throwing all responsibility for civil defence on to the provinces and sitting back and doing nothing but draw princely salaries. The sordid facts are, Sir, that as far as I am concerned, and I am no exception, I am in my office by 9 in the morning and count myself fortunate on six days in the week if I have finished my day's work by 11-30 at night. Not only this, but my salary is the reverse of Princely and would make any Prince extremely angry by the time the Honourable the Finance Member and his Bravos of the Income-tax Department have committed their acts of legalized brigandage on it during its passage from the Treasury to my pocket, acts of brigandage, Sir, to which the Honourable Members of this House, who have just laughed, are parties, a misdemeanour which they propose to repeat in aggravated form before many hours have passed. Whatever Mr. Navalrai may think, those are the facts and possibly my Honourable friend may be equally at fault when he complains that his Provincial Government is doing nothing but thinking about certain Civil Defence problems.

In order to meet this kind of criticism, I told the House that in the Civil Defence Department we are warm-blooded human beings with human sympathies and human hearts, that we are anxious, really anxious, to find out, not paper solutions to problems, but solutions that will work in practice in Indian conditions, that our ears are open, our minds receptive and that we welcome advice, criticism and suggestions, and are most amenable to them and we do not consider ourselves a lot of *sab-janta-walas* who know better than anybody else. In order to try and find out what the people of India are thinking, I told the House the other day that we daily read a large number of Press cuttings—all we can get.—we have frequent periodical informal conferences with representatives of the press, which have turned out most useful to us, and we have officers who are constantly on tour maintaining close personal contact with realities. I need hardly add that we are only too anxious to submit our policy to this Assembly and to get from it advice and constructive criticism. More than any other Department, perhaps, our activities are bound up with the lives of every individual inhabitant of India and it is of the highest importance that we should carry them with us in all we do. The Honourable Members of this House, therefore, have a triple role: to bring to us the views, apprehensions and ideas of the people; secondly, to act as a touchstone on which the intrinsic value of our policy can be tested; and, thirdly, to carry throughout the length and breadth of the land assurances to the people and the message to stand firm and united so that for endless generations they will, in world opinion, be ranked with the heroic peoples of Russia and China.

Sir, of the points raised on the cut motion I dealt last week with the control exercised by the Government of India over Provincial Governments; with Civil Defence on Railways; with the lesson to be learnt from Rangoon; and with the question of what are commonly called parallel organizations.

My Honourable friend, Sir Frederick James, in his speech on this second reading of the Finance Bill requested me to deal with the remaining points and also to give the House information regarding the distribution of supplies and the supply question generally. I shall be very happy

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to do so if the House will bear with me, but before embarking on this I should like to make clear to the House what exactly is comprised in Civil Defence. One of the very early names for what is now called Civil Defence puts the whole thing in a nutshell—Passive Air Defence. There are two kinds of Air Defence Passive and Active. Active Air Defence is the concern of the Defence Department and it relates to such things as anti-aircraft guns, fighter aeroplanes, dealing with paratroops, and all matters where force has to be used. There is a good deal of confusion regarding the Civil Defence Department and Civic Guards. Civic Guards have nothing to do with us. They are a Home Department concern, because they are an extension of the Police Force and, therefore, their functions are police functions. The main criterion which will make things perfectly clear is this: If force has to be used it will not be a Civil Defence Department subject but either for Defence Department or Home Department.

The function of Civil Defence is to take steps to see that falling bombs do as little damage to life and property as possible and to clear up any damage they do cause as quickly as possible. My Honourable friend, Sir Henry Gidney, has been in some doubt over the functions of this Department and, as a medical man, he will understand me clearly if I say that our functions are much the same as those of the medical profession—partly preventive and prophylactic and partly curative.

Now, Sir, to come to the undisposed of points raised by Mr. Lawson in his cut motion. As I have already said, I dealt with the Government of India and Railways, but Mr. Lawson also raised the question of Ports and Factories and I think his main apprehension was whether in these matters, for which the Government of India takes direct responsibility for civil defence measures, there is proper co-ordination between those measures and the measures taken by the Provincial Governments. Well, Sir, I am in a position to speak with full information on this point because some of the most important Ports and Factories are situated in Bengal and for four months before I came to Delhi I was a Secretary to the Government of Bengal dealing solely with Civil Defence, and these matters were my immediate concern and there was, I assure you, the completest liaison, and arrangements for mutual help, between the Railways the Ports, the Government of India Factories and the Provincial Government. I do not think I need detain the House with a description of what we do ourselves as regards factories and ports, because that is not a point which has been raised in the debate.

The next point which Mr. Lawson raised is an extremely important one and that is how to instruct the illiterates. He raised it 1 P.M. twice. First of all he asked whether a large illiterate population does not alter the problem of civil defence to some extent. What do they know about civil defence? They have to rely on the spoken and often distorted word. Do they get simple and correct information? This is a provincial matter, but it is a problem which has caused the greatest concern to the provincial governments. There should be no problem whatsoever. The establishment of air raid wardens is 4 wardens for 500 of the population, that is to say, one warden for every 125. We generally reckon an average of 5 people in a household, which means that each warden only has 25 houses to deal with and so there is your perfect machine and one of the main duties of the warden, after he has been trained, is to visit every house in his sector, make himself personally

known to every inhabitant of every house, make lists of them so that, should the house be damaged he will know how many people there should be in the debris so that they can be rescued if they are still alive, and to give them full instruction on all A. R. P. matters; and for this purpose the Government of Bengal alone has printed something which runs into lakhs and crores of leaflets by now. I have some of them here with me and they give you almost on the palm of your hand everything you need know about what to do before, during and after an air raid. It may be asked, why are we in any difficulty? This is so simple; here you have got one warden who is trained to deal with a mere 25 houses. How can there be any problem. The answer is that we have not got the wardens. In spite of every effort which Government have made by means of propaganda, we have only got about 50 per cent. of the civil defence staff that we need. . .

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): What part of India are you talking of?

Mr. N. V. H. Symons: All over India. Speaking generally—I have the figures here and if you wish, I will give them province by province—but on the average it is in the neighbourhood of 50 per cent. and many of these have come up only recently and they will take some time to train. So, if Honourable Members will see to it, when they go back to their constituencies, that steps are taken to see that the people assume these burdens which nobody else can assume for them, then they will be doing a very great service to their countrymen. As it is, as we have not got the wardens to do this work, all kinds of expedients are being used by various governments. For at least nine months now, the Government of Bengal has been paying canvassers, particularly lady canvassers—to go round, particularly in the *bustee* areas where there are illiterates, from house to house, seeing the women folk and explaining what they must do in civil defence matters for themselves. That has been very much extended recently, and I am informed that the Government of Bengal have now employed no fewer than a thousand school masters who have been thrown out of employment because of the migration of population and the closing of schools in Calcutta, to do this propaganda work which should be done by the citizens themselves after they have been trained as air raid wardens. In Bombay, the Government have provided a lakh of rupees for a house to house survey, with the particular object of seeing that the people have a properly constructed room in which they are not likely to come to harm. There is no question that in the course of that survey a great deal will be done to disseminate civil defence information. But the answer is that we want the right number of wardens. If we get this, there is no difficulty in the matter at all . . .

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong: Non-Muhammadan): What about Assam?

Mr. N. V. H. Symons: To point my remarks, it may be of interest to the House if I read out a letter which the Director General of Civil Defence issued to all Provincial Governments which has a bearing on this point. He says:

"It is essential that there should be a house to house canvas by wardens in order that the people may be assisted in making up their minds where they will take cover during a raid. It will be useful if the warden can be accompanied by his wife or

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other woman worker so that the whole household may at the time of the canvass take up their positions and be inspected in them by her, without embarrassment to the women folk. A few days later the post warden might well hold in a small area a practice alarm done by whistles or other means and the people might be again inspected in their shelters. The whole area should be covered in this way."

There it is; that is the only sort of thing we can do in the Government of India. We can make a frame work and we can set up schools of instruction so as to train hundreds and hundreds of instructors and wardens but unless the frame work is filled by the people themselves, the whole thing is an empty shell.

Along with this, Mr. Lawson a little later raised the question of mob hysteria and panic. I think what I have already said about the functions of the civil defence disposes of that as far as I am concerned. It is quite clear that if you are dealing with a panic-stricken mob, you will have to use force—therefore it is not a civil defence subject, it is either police or military; I therefore do not propose to deal with this point

Mr. M. Ghiasuddin (Punjab: Landholders): In that case, your Department is absolutely a non-violent Department.

Mr. N. V. H. Symons: We are absolutely Gandhian in our non-violence; but I am afraid our soul force is not producing what we want in the way of response in the breasts of the people who should be coming up as wardens.

Then, Mr. Lawson also raised the question which has been raised by several other speakers, of public morale and the measures taken to check the spread of rumours. Rumours sometimes do destroy public morale. In the Civil Defence Department we are most interested in the subject, but dealing with rumours is the business of the Broadcasting and Information Department. We keep in the closest touch with them, and we are constantly asking them to do certain things that will help us in civil defence, particularly as regards keeping up the public morale. I do not know, Sir, if anybody will reply or whether any reply is really needed on behalf of the Broadcasting Department as to what they are doing, but I did ask Sir Frederick Puckle about this; I asked him to let me know what he was doing and he said that the business of contradicting rumours and keeping up public morale was principally a provincial responsibility. It is very largely provincial, because rumours are usually local things and they only need local treatment in order to deal with them. The actual machinery that has been set up is that all Provincial Governments have been asked to inform the Information and Broadcasting Department of any rumours of importance, and the Information and Broadcasting Department then takes the necessary counter measures. What these are I cannot exactly say,—they may take the form of radio propaganda or newspaper propaganda, they may take the form of suggestions for sending out with their literature and talking points to the innumerable local Civil Defence Committees and War Effort Committees. That is what is done from the Centre, and it is being extremely carefully watched.

Mr. Lawson seemed uneasy about the question of practical exercises. It is extremely easy not to realize what is going on in a city like Calcutta, and for anybody even of the acuteness of perception of Mr. Lawson to be completely ignorant of what is taking place. The fact that you don't

see things taking place does not mean that these are not taking place. The training that is given to all civil defence services is first of all a basic training in general A. R. P., secondly the basic training of individuals in their own subjects, thirdly team training, and fourthly and last, collective training which means exercises where you have things actually moving about on the ground. There is some difficulty about staging collective exercises in many places because of the unevenness of the response to recruitment. For instance, you cannot do very much in the way of practical exercises if you have twenty thousand Wardens with no ambulance or rescue parties, no trailer pump parties which can actually come out on the ground, and it is that which is hindering in some places the final stage of training which is the practical exercise; but it does not mean that the other three stages which are preliminary to it are not going on. There have been exercises on a large scale held in connection with military manœuvres in Northern India, and some most valuable lessons were learnt from those exercises, and further exercises are about to take place on a big scale. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may continue his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. N. V. H. Symons: When I broke off at the luncheon interval, I was dealing with Mr. Lawson's point which he made on the cut motion, about the apparent lack of exercises, and I trust that what I have said will set Mr. Lawson's mind at rest on that point. He also raised a point about practice incendiary bombs, and said, what a good thing it would be if there were large numbers of these practice incendiary bombs so that the civil defence services might actually have practical experience of dealing with those bombs. I will deal with that point a little later when I come to the point raised by my Honourable friend, Sir Frederick James, about supplies. Mr. Lawson next took this point. He asked whether it was wise to distribute wardens over wide areas without leadership. He asked whether it would not be more proper to localise them as well as other technical personnel in selected posts. Mr. Lawson's mind is undoubtedly working on the right lines, but on a matter of detail he is misinformed. The whole system of civil defence based on the practice in England is that you should combine your services in what we call depôts. Those depôts consist of barracks with paid personnel, and attached to those barracks are canteens and garages in which the ambulances, the vehicles for rescue parties, the trailer pumps and all the other various paraphernalia which will be called into action in the event of an air raid, are housed, and from where they can be summoned perfectly easily from the control room. We had some difficulty in persuading some of the Provincial Governments that this was a good system, and some of those Governments were inclined to reject our advice and the experience that had been gained in England and to say that they thought that it would be better to concentrate their vehicles in very much smaller groups than are contemplated in these depôts. But, Sir, since the lesson of Rangoon those Governments that were doing that have revised their ideas and they all now recognise that dispersion is to dissipate the strength and to slacken

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your control. It is obviously not possible to concentrate your air raid wardens. I may, first of all, explain that what we try to do when we recruit an air raid warden is to recruit a man to serve in a sector which will not be more than 400 yards away from his home. It is entirely local recruitment and the sole function of the air raid wardens is to be the eyes, the ears and the nerves of the whole machine and send messages to the brain of the machine which is the control room. You must therefore have your wardens scattered about all over the place, but we do to some extent concentrate because we have the wardens' post on which half a dozen or more wardens will be based. There will be say, three wardens for each sector, so that when they are not out actually patrolling, they gather at the wardens' post where they will have the comradeship and companionship which is so valuable for morale. But subject to that, you must have your wardens dotted about all over the area so that they will be on the spot when an incident occurs and can instantly carry news back to the brain so that the limbs of the organisation can start moving.

Then Mr. Lawson wanted to know—and it was a very pertinent question—what hold we have got over doctors. The answer to that is quite simple. In many cases we have had to pay doctors full time pay in order to secure their services for the emergency hospitals. That being so, they, being paid from general revenues, at once become servants of the Crown and under the Essential Services Ordinance they are automatically bound to their duty under very severe penalties. As regards honorary doctors, it is open to a Provincial Government to classify them as being the kind of persons to whom this ordinance will apply, so that the hold is very simple.

Sir F. E. James (Madras: European): May I interrupt my Honourable friend? The honorary medical men to whom the ordinance would apply—are they bound by the same discipline as the others who are appointed and are, in fact, officers of the Crown?

Mr. N. V. H. Symons: That is my reading of the ordinance.

The last point that Mr. Lawson raised was the question of blood banks; that was also mentioned subsequently by one speaker. The position about blood banks is that if you merely store human blood in a blood bank, the blood has got to be used within one week and will not keep longer than that. But there is a very simple process which needs no special apparatus, by which the blood may be separated into certain component parts leaving what is called plasma, which has the advantage of lasting for several months. You can go a stage further than that, and if you have rather a complicated apparatus,—two of which are on their way to India—you can dry the plasma and it will keep indefinitely, and not only will it keep indefinitely, but quite obviously it is very much easier to transport than liquid plasma.

Sir F. E. James: How many of the former machines are at present in India and how many of the latter are at work in India?

Mr. N. V. H. Symons: The former machines, I am informed, are so simple that every hospital has one. There is no difficulty about this. As to the Desivac, I do not think any of them have arrived. Two are on their way and it is therefore not possible at the moment to produce

the dried plasma in India. Doctors have been sent from every province to receive the necessary training in turning whole blood into plasma. It takes only three days to give that training and the result is that plasma can be produced anywhere in India in any quantities, limited only by the willingness of people to volunteer their blood and that, as is the case with other forms of volunteering, is our great difficulty. People are not volunteering and various expedients have been tried.

An Honourable Member: Is there any age limit?

Mr. N. V. H. Symons: I do not think there is any age limit but I am not a medical man. Various expedients have been resorted to such as to get blood from prisoners in jails by giving various concessions and remission of sentences. This hardly seems to be a creditable thing and here again the Honourable Members of this House can be doing a great service to their country if when they go back to their constituencies they can do something to rouse public opinion on this question of the voluntary giving of blood which not merely is a perfectly painless process but actually in most cases is a very healthy process for the person who gives it. He is a better man for doing so. That is the position about blood banks.

Now, Sir, that finishes Mr. Lawson and I come to the question of supplies which Sir F. E. James asked me to speak about. The position about supplies is that large quantities of supplies are purchased by the provinces locally. Unless the House wishes it, I will not give them a list but if that would be of interest to the House, I should be very pleased to give it. There are other things which the Government of India deals with centrally and, apart from a fairly large number of technical items which would be of such interest to the enemy that I will ask the House to excuse me from going into details of what those are, apart from quite a large number of those technical items of supply, the main things which the Central Government arranges to supply to all provinces are trailer pumps, fire hose, fire fighting shields, stirrup pumps, steel helmets, water bottles, stretchers, sirens, certain items of equipment for rescue parties and equipment for camouflage. Our method of supply of these things is through the Supply Department, so that Mr. Jenkins' remarks the other day about the lag that there has been in supply applies to our A. R. P. supplies. The supply position has been extremely unsatisfactory. There has been an extreme shortage of everything we needed but it is now very much improved and by the middle of May we anticipate being in a very strong position and in an increasingly strong position thereafter. I would also ask the indulgence of the House in not pressing me to give information as to the present distribution of our supplies, because it is quite obvious that if that distribution showed weakness in certain areas it would be information of the greatest value to the enemy and would merely invite attack on those areas where the distribution, rightly or wrongly, has not been as high as in other areas but the whole question of distribution is one which is most carefully controlled by the Civil Defence Department in consultation with the General Staff in accordance with the military appreciation of the situation which we get very frequently and as regards the more essential articles of supply for civil defence we quite frequently change the classification of the places and the order of priority in which they are entitled to get their supply before other people get it and I may say that

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our position is very fluid on account of the great public spirit which is being shown in the provinces. There was one part of India which a year ago was considered to be under fairly imminent threat of danger. We concentrated our supplies of civil defence equipment in that province and starved the others. The tide of war has temporarily swung in a different direction. That province is no longer under anything like so imminent a threat. There are others which are imminently threatened. The province which we had fed fairly lavishly immediately consented to give up the equipment we had given them and to have it transferred to the province which was in greater danger and that is a position which will continue and we shall be able to move our stuff about to the areas where it is most needed. I think it will be of some interest to the House if I give them an idea of the future supply position. In regard to trailer pumps, we have now got an order for 3,400. That represents an expenditure of something in the neighbourhood of three crores of rupees and these trailer pumps are going to come pouring in at the rate of about 300 a month commencing almost at once, and we hope there will be a steady stream of them but the position on the seas is uncertain and we cannot count of any ship arriving with certainty in India. And so we have started the necessary arrangements for the manufacture of a satisfactory trailer pump on mass production lines in India itself. We have made a certain number already in India but those were not made on mass production lines and have not proved in every respect satisfactory. But we anticipate that by going into mass production we shall get a standard article which will be as satisfactory as the imported pumps.

Stirrup pumps. We have ordered 5,66,000 stirrup pumps. That will cost us about a crore and a half rupees.

Sir Cowasji Jehangir: When the Honourable Member says they will cost you so much money, surely a good deal of it you are going to get back from the individuals who buy them.

Mr. N. V. H. Symons: The bulk of them will be supplied as public equipment to house fire parties for the protection of the public.

Sir Cowasji Jehangir: May I ask what will happen to the factories whom you have not supplied?

Mr. N. V. H. Symons: I would very much appreciate it if I might be asked these questions after I have finished my speech.

Stirrup pumps are now being made in India at a rate of approximately 12,000 a month and it is expected that this will be increased to 33,000 a month, commencing in April. Our weakness in stirrup pumps in the past was that for various reasons they had to be made of galvanised iron and we could not be certain that galvanised iron stirrup pumps would not rust and go out of commission. But a brand new type of stirrup pump, which we think is superior to the stirrup pump which is a standard specification in England, has been evolved in India and is now going into mass production. The working parts of this are of cast brass and we think they are completely fool-proof and that they can never go wrong.

The next item of supply is steel helmets for the civil defence services of which we have 3,30,000 on order to cover all our requirements. Those are being produced at the rate of 40 to 50 thousand a month and our requirements will be entirely covered in the near future.

Sirens. We have ordered 501 sirens which will give us all that is considered necessary at present. Sirens have not in the past been particularly satisfactory and we hope that we now will get a type of siren which will give the warning properly.

We have 100,000 water bottles ordered through the Supply Department and we have got a million feet of fire hose on order from the United Kingdom. A tremendous amount of fire hose has poured into the country since the war began and has mainly been purchased locally by Provincial Governments. I do not think there is likely to be one inch of fire hose in the country lying in a shop for sale but our million feet will supplement what the provinces have already purchased and will cover our present foreseen requirements.

The next item of supply is stretchers and we have ordered 35,000 of those from the Supply Department and delivery has been promised in lots of 5,000 a month from March.

Identity discs. We have told all provinces that if they wish to have identity discs, we will supply them from the Centre. For the present requirements of India with our 102 classified towns containing a population of 13 million people, we are prepared to go into mass production and produce 15 million identity discs and we have actually placed the order, and work is now going on, for five million.

Last on the list of supplies are practice incendiary bombs, and Mr. Lawson will be glad to hear that we have on order 45,000. We have already delivered to the Provinces for practice purposes 31,766. There is a good deal of work being done with practice incendiary bombs in the Provinces. It is not work that is spectacular to those who do not know how it is going on. What is done is to make what is called a fire hut of asbestos. It is filled with furniture and made like a room and there the fire services are trained. They are shut in with the incendiary bombs and they have to put them out. But nobody outside knows what is going on inside.

It may be of interest to mention medical supplies. The general position about medical supplies is that the Provincial Governments have been buying freely in the local markets and the services of the medical supply store depots have also been placed at their disposal and they have been invited to indent on those store depots for medical supplies which they need. The Government of India are now building up a Central reserve of all hospital stores, drugs, dressings, bandages and everything else that goes to make up a hospital, sufficient for 10,000 beds. We are also starting to build up a Central store of casualty first aid equipment sufficient for 45,000 casualties. The stores in these reserve depots will be available to replenish provincial stocks in any area where there is a severe drain on their stocks, but the position is fairly satisfactory. The Provinces have got pretty well enough for their initial requirements and they are busy now building up a reserve for themselves.

Sir F. E. James: May I ask my Honourable friend one question? In regard to medical supplies which cannot be obtained in this country and

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therefore have to be imported from the United Kingdom or the United States of America, is priority given to any demands for hospitals, more especially in vulnerable areas?

Mr. N. V. H. Symons: I am very sorry I cannot answer that off-hand. We have a special supply officer who, no doubt, could answer that question. That is a matter of detailed administration which is not in my hands. But I may say this that as far as possible indigenous items are included in all the equipment. We try to include as little as possible of stuff that has to be imported, but there is a certain amount which at present has to be imported from either the United Kingdom or from the United States of America. Orders have been placed for these things, but I understand that a great deal has been done in the way of being able to produce medical requisites in India which had never been produced here before and the need for import is very much less than it was.

In conclusion, Sir, I will come to the question of evacuation. The speeches that have been made on this question of evacuation show that this is a matter about which Honourable Members are uneasy. They feel that all responsibility has been thrown on Provincial Governments and that those Governments have not got beyond the stage of thinking of doing something rather nebulous. Honourable Members feel that cut and dried plans for evacuation are necessary and that the public not only should not be kept in the dark about the general plan, but should be given general information as not to create panic or the impression that Government expect the enemy everywhere and anywhere, but on the contrary, it would allay uneasiness and lead the people to make up their minds to stay in their towns in the knowledge that should it be necessary for them to leave those towns, they would not be put to any unnecessary hardship and suffering. The Government of India recognise the reasonableness of these apprehensions and we are glad that they have been brought to notice by this Assembly. In considering evacuation, we must hold clearly before our eyes exactly what our object is. The main object of an enemy in bombing civil population in towns is to destroy morale, cause panic and paralyse the life of the community and so bring the war effort to a stand still. How are we going to react to this? If we are going to encourage the population to leave a city as soon as it is attacked, and to give the population the impression that this is a proper and reasonable thing to do, we are going to play the enemy's game and we are going to secure his object for him with the minimum of trouble on his part. The only answer to the enemy is to refuse to be daunted by him and to stand fast and 'take it'. Evacuation then needs very careful thought and the policy which the Government of India have asked the Provincial Governments to follow is that first and foremost all those who have work to do in a city or who can help in social or civil defence organisations should at all costs stay at their posts and should never yield.

As regards those who do not fall in those two classes, nothing should be done to prevent them from leaving their city if they wish to and if they intend to leave, it is better that they should do so before real trouble starts. It was left to Provincial Governments to decide when the time was ripe to advise this class to leave their city, and the Madras Government *communi-*
qua which has been subject of a question in this House and was mentioned

by my Honourable friend, Mr. Lalchand Navalrai, in his speech the other day is an instance of a decision taken by one Government on those lines.

Maulvi Syed Murtuza Sahib Bahadur (South Madras : Muhammadan) : Was that decision arrived at by the Government of Madras in consultation with the Government of India?

Mr. N. V. H. Symons: No, Sir.

Mr. Lalchand Navalrai (Sind : Non-Muhammadan Rural) : If they have been asked to go away from the city, are any arrangements made for their stay in the mufassals or are they left to shift for themselves and find out a place for themselves?

Mr. N. V. H. Symons: They have to go and find it out for themselves.

Although we say to people that those who have work to do in the city should never yield, yet experience shows that when the first bombs fall, there may be an irresistible urge on the part of what may be a considerable number of people to get away, anywhere, but away, from the scenes of the bombing and this urge is one that must be provided for. It has been found that unless very good provision is made for unfortunate people of this class whose nerve has been temporarily broken, but by no means permanently broken, they suffer great hardship and it is difficult to restore their morale quickly.

The general plan, therefore, is to prepare in advance at pre-arranged places on or near roads leading out of the city refuge camps where those refugees can get simple shelter, food, water and medical attention and also accurate news of the real extent of the damage in the city, and of conditions in it so that they may have fresh heart put into them and time to decide what to do. The hope and intention of Government is that the majority will be persuaded to return to their homes and their work and experience shows that this is the general tendency and that once a person has done this, he has become, so to speak, inoculated against panic and does not give way to it again.

Indeed, Sir, the people of India will find, as other people have done, that air raids are not very dreadful things and do surprisingly little damage to people who stay in their houses or take cover while the raid is actually taking place. I cannot speak from personal experience of air raids, but I am able to speak from personal experience of artillery bombardment of towns full of civilians. Artillery bombardment is a much more frightful thing than any air raid that we are likely to experience and a quarter of a century and more ago, I lived myself in many towns and villages in France and Flanders which were incredibly battered and were under frequent and sometimes constant bombardment by hundreds of guns. They from the outside looked like towns of the dead, but in reality life was going on inside them very much the same as usual and men, women and children went about their affairs more or less unperturbed. They got used to it and took very little notice of it; and that is what will happen to anybody who holds fast at the beginning when everything is strange and frightening merely because it is an unknown new experience entirely outside the normal ken.

Elaborate plans have been made by the railways to move large numbers of unessential people, if necessary, from big cities and to see that

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they do not suffer hardship while they are being taken to places where they can find accommodation. The heavy evacuation from Calcutta when 700,000 people were moved by the railways in a few weeks is an instance of how these railway plans were actually applied at a time of necessity. Not only have the railways got very careful plans but arrangements have also been made to accommodate large numbers of people of various classes in a number of places all over India which are not considered to be likely to suffer from air-raids, at any rate in the first instance. What these places are it is not necessary or desirable to specify; it is sufficient to say that there are arrangements in existence for providing for this class of person. But it will be quite clear to Honourable Members that every time any town is raided we cannot have a large population rushing about India demanding to live somewhere else. Since the inception of these railway plans and the alternative accommodation plans the change for the worse in the military situation has put a greater strain on railway communications than was envisaged at the time the schemes were framed; and it is doubtful whether the railways now will be able to guarantee to spare the necessary rolling stock or the running space on their lines to carry large numbers of civilian passengers long distances. The practical situation that has to be faced is that it may be out of the question to provide for what I might call inter-provincial movements of large numbers of civilians, and therefore each province must be prepared to deal with its own refugee population and that more than ever people must make up their minds that in the event of air-raids it will not be possible for them to move very far from the place where they live, and that Government will be more interested in trying to check such movements than to encourage them. I am not referring in this connection to people who have actually lost their homes and their belongings. There are schemes to deal with this class and Government recognise their duty and responsibility for the care of people on whom this kind of personal calamity has fallen.

As regards those who decide to leave a city before any enemy action has occurred, it is not the intention of Government to make any arrangements such as advising where they should go and indications from cities such as Calcutta are that such assistance is not called for. It is estimated that something in the neighbourhood of 700,000 people have voluntarily evacuated that city and Government hope that many of these will return. Those who have evacuated are by no means all well-to-do and idle persons. The sinking of tube wells in the city was seriously interfered with because the bulk of the men engaged in the work left. *Malis, mehtars, dhobies* and many others of the poorer classes have made themselves scarce without any help from Government. Perhaps this brief silhouette of the actual facts of voluntary evacuation in one city will make Honourable Members realise the danger to those of the community who must stay if evacuation is made fashionable and is encouraged. Another practical effect is the serious effect the loss of so many ratepayers, as a result of mass evacuation, has on the finances of the local self-governing bodies.

That, Sir, in general outline is what we propose as regards evacuation, and it is in our view of the highest importance that the general public should get thoroughly used to the idea that they must stay with quiet hearts and steadfast courage in their own homes when an aggressor comes

along and tries to drive them out; and we hope that Honourable Members of the House will agree with that policy and will do their utmost to spread it and advocate it in their constituencies.

Sir Cowasji Jehangir: Sir, may I ask one question before the Honourable Member sits down? He told us that a number of trailer pumps and stirrup pumps were either on their way or being manufactured. If these are meant for institutions under Government control, when are factories, whom Government are compelling to buy these pumps, going to get them?

Mr. N. V. H. Symons: I am sorry. I did not understand the Honourable Member before. The whole thing is governed by priorities, and I can give an illustration from what I was saying just now of the movement of certain articles of civil defence equipment from less threatened provinces which previously had been imminently threatened, to other provinces. Let me give one instance of trailer pumps. Large numbers of trailer pumps were moved from one province to another. These did not go to the ordinary civil defence services; they went to the most important factories. And any factory that is engaged on important work will get its quota along with Civil Defence Services and quite possibly before it. Other concerns will have to wait till the needs that Government consider more essential have been met.

Dr. Rajah Sir S. R. M. Annamalai Chettiar (Nominated Non-Official): Sir, I do not propose to speak at any length on the Finance Bill but will confine myself to one or two points which concern the overseas business of Indians and the hardships imposed on them by the Income-tax Department. The House knows that there is a large number of Indians carrying on business in Burma and Malaya. These countries have been occupied by the Japanese. The Indians have become victims of foreign invasion. It is my painful duty to refer in this connection to the hardships they are being subjected to by the Income-tax Department. Now, Sir, as I have said just now, Malaya and Burma have been occupied, or most part of Burma has been occupied, by the Japanese. The Indians carrying on business in those countries do not know how much of their properties has been destroyed by enemy action and what part of it still remains. They do not know where their agents and partners are, they do not know whether they are alive or dead. At the earlier stages we heard of them fleeing from one place to another for their lives.

We hear now and then of the 'scorched earth' policy—destruction of our properties by our own Government in order not to enable the enemy to make use of them. Letters and telegrams have been stopped entirely, except in the case of Burma where a small area is still available for communication. The latest information is even that has been stopped or is likely to be stopped.

Sir, these are the conditions of the Indians and their properties in the Japanese-occupied countries. But these do not matter at all to the Indian Income-tax Officer. He goes on, in his usual way, as if nothing has happened, issuing notices, carrying on assessment proceedings, levying and collecting tax and imposing penalties for default. I know of a case where an Income-tax Officer issued a notice for the payment of tax.

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and at the same time the officer warned the assessee if the tax is not paid within a week's time he will render himself liable to a penalty equal to the amount of tax.

Sir, we in this country naturally expect the Government of India to render all possible assistance to the Indians in distress. They have no one else to look to for protection. A deputation of the Income-tax assessee waited the other day on the Income-tax Commissioner, Madras and represented to him their grievances. He showed considerable sympathy but said that his hands were tied and that unless special instructions were received he could not but proceed according to the provisions laid down in the Act. Sir, it is against justice and equity that the Government should levy tax on the incomes supposed to have arisen from business and properties in Malaya and Burma which have totally disappeared. It may be said that the properties will be restored to their rightful owners after the success of the Allied Arms. Success to the British Arms is what we wish and pray for, but it will be long before the properties are returned to their owners. It is only fair and reasonable that the levy of tax on incomes from Malaya and Burma should at least be suspended till the termination of the war.

It may further be said that tax may be paid if the assessee is in a position to pay. It is problematical. If the question of ability to pay is left to the decision of the Income-tax Officers, I believe it will not be an exaggeration to say that in most cases the decision will go against the assessee. The business, trades, and properties of all the assessee, without any distinction, have disappeared. In other words the very source responsible for the levy of tax has disappeared. Sir, at a time when the assessee are broken-hearted because of the loss of their entire business and properties, it will be a great hardship if the Government press them for the payment of tax and add to their sufferings. There are communities in several areas in this country who depended solely on the incomes they were deriving from Malaya and Burma like the Chettiers of Madras, the Surtis of Surat and many other communities in various parts of the country. They are amongst the worst sufferers on account of the situation created by the war. The Chettiers, with very few exceptions, had invested their all in Malaya and Burma now occupied by the Japanese and were dependent entirely on the income they were deriving from their business and investments in those countries. Now, Sir, that source has been stopped and how they will be able to get on in life hereafter is more than what one can imagine.

Sir, these people deserve better treatment because of the loss of their entire business and properties. This enterprising community has been contributing towards the revenues of Government for a long time large sums by way of income-tax, super-tax and other taxes. They have done their best for war efforts, they have contributed generously towards war funds of which there were many calls on them. Sir, having regard to the existing circumstances with a depressing present and a gloomy future before them, their position is one of utter helplessness and despair and the least that the Government could do is to stop the assessment proceedings and collection of taxes. Sir, I am asking for the suspension of collection of taxes only on the incomes from Malaya and Burma. I appeal to the Government for humanitarian treatment to them in the sad calamity which has befallen them.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Mr. Deputy President, as my Honourable friend, Sir Frederick James, remarked in his own inimitable style the other day, most of the speakers who have preceded me in this debate have said very little about the Finance Bill and have quite freely wandered in a region of a multitude of subjects, so that, if I also like those speakers take up topics other than the Finance Bill and leave the Finance Bill to take care of itself, I hope I shall be erring in good company. I shall, Sir, make a few observations about some of the points which have cropped up in the course of this debate and have been touched by the previous speakers.

My Honourable friend, Sardar Sant Singh, whom I do not find in the House at the moment, was first in the field to discuss the forthcoming visit of Sir Stafford Cripps to India on a mission of very great moment. Mr. Churchill in the course of the official statement made by him in the House of Commons had pleaded for silence on the point and said that no words would be spoken or debates held there or in India which would add to the burden Sir Stafford Cripps has assumed in his mission or lessen the prospects of good result. Quaid-Azam, Mr. Jinnah, Mahatma Gandhi and Pandit Jawaharlal Nehru have refused to express any opinion in the matter, but my Honourable friend, Sardar Sant Singh, preferred to unburden his anxious mind and proceeded not only to discuss but to criticise the official statement made on the point in the House of Commons. Some other speakers also made a reference to the mission of Sir Stafford Cripps which appears to have been the natural result of this topic having been started by Sardar Sant Singh. Now, Sir, the point having been made the subject matter of certain remarks on the floor of this House, it would not perhaps do for me to allow an adverse impression to be created by allowing the case for the All-India Muslim League to go by default or to allow *ex parte* consideration of the matter so far as this House is concerned, but bearing in mind the fact that our leader has suspended judgment in the matter, we need not be anxious to offer any opinion on the many points which have been raised in connection with the visit of Sir Stafford Cripps to India. I shall, therefore, make only a few remarks which will not betray any bias one way or the other as to the mission on which Sir Stafford Cripps is coming to India, because we do not know anything about it. It is all a sealed book to us.

The British War Cabinet is said by Mr. Churchill to have arrived at certain just and final conclusions in the matter of the constitutional future of India, but what those conclusions are nobody yet knows outside the circle of the British War Cabinet. In fact, the impression is that even the Government of India here do not know anything about them. The conclusions at which the War Cabinet is said to have arrived are described as just and final. Even that does not indicate much. The term "just" may or may not have been used in the dictionary sense of the word; it may have been used in a political sense, and in politics, as everybody knows, 'just' very often means expedient. They are also described as final. I do not know in what sense they are final. They may be final in the sense that during the continuance of the war nobody will be allowed to make any effort to get them changed, or are they final not only for the period of the war but for all future? Anyhow the use of those terms 'just and final' and also the fact that Sir Stafford Cripps is said to be coming to India in order to make the chief political parties and the leaders of India agree to those 'just and final conclusions' has very much

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mystified the public about this matter. But not knowing what has been decided, not even knowing what the mission of Sir Stafford Cripps is, how he will be able to make Indian leaders and the Indian political parties and other parties concerned in the future constitution of India agree to accept those 'just and final' conclusions without disclosing them, all these questions are directly or indirectly being discussed in the press and even on the platform. Anyhow, it is premature to discuss that subject in right earnest on the floor of the House, and all I want to say is that Sardar Sant Singh did not do the right thing in starting that discussion on the floor of the House. I leave that point there. I can afford to wait in the hope that all will turn out well.

It is really the several points which were discussed by another of my Honourable friends, Mr. Kailash Behari Lal, who also does not appear to be present in the House at the moment, that have induced me to ask your indulgence to allow me to take some time of the House. He treated us to a long and impassioned indictment of the policy of divide and rule which the British have followed in India. Of course, I hold no brief for the British, although I must say that I cannot subscribe unreservedly to the thesis that the entire and sole responsibility for the existence of divisions, differences, bickerings, quarrels, riots and other things which go on between community and community in India lies at the door of the British. We know very well that the very history of British connection with India was such that the rulers might very well, or perhaps did in fact take steps to consolidate their position by various devices and methods, and one of them may have been and probably was to pursue to a certain extent this much talked of policy of divide and rule. The British had succeeded Muslim rule, which at the time meant the rule of the Moghul Emperors, and loyalty to the Moghul rulers had struck its roots deep in the hearts and souls of the population. We find some remnants of that loyalty even today. It was naturally necessary for the British, therefore, to weed out that wide-spread and deep-rooted growth and sow in its place the seeds of loyalty to the new rulers. The process of weeding must precede that of sowing, and so a beginning was made with weeding. History was introduced in the schools as a subject, and the Education Department took pains to see that the regimes preceding British rule were described as barbarous and tyrannical. The kings were described as so many free booters, lists of dynasties and kings with dates of accession and death were memorised without any enlightenment as to the contribution which each king or dynasty made to the intellectual, moral or material progress and development of the country. Seventeen invasions undertaken by Sultan Mahmud of Ghazni, the looting and destruction of temples by him, must be emphasised and driven home. The Emperor Aurangzeb must be painted as a Hindu-phobe. The entire history of Muslim rule in India must be so written that the reader's mind might be poisoned. . . .

Mr. Deputy President (Mr. Akhil Chandra Datta): What is it that the Honourable Member is reading from?

Syed Ghulam Bhik Nairang: My own notes.

Mr. Deputy President (Mr. Akhil Chandra Datta): Then that is all right.

Syed Ghulam Bhik Nairang: I am merely doing what is done on a much larger scale by many of us.

Mr. Deputy President (Mr. Akhil Chandra Datta): I am not taking any exception. My impression was that he was reading from something else. The Honourable Member can certainly go on.

Syed Ghulam Bhik Nairang: And when he gets to the end of the story, the reader heaves a sigh of relief and says, "Thank God, this dark age is over and we are now living under an enlightened rule!" All of us remember what books we read in our school days. I remember Qasas-i-Hind, Part II. This book was designed to create a contempt for Muslim rule in India and sow the seeds of hatred of Muslims in the hearts of Hindu readers who were primarily unsophisticated and impressionable young boys. The author Shamsul Ulama Maulavi Muhammad Husain Azad of Delhi was one of the best prose writers in Urdu but, of course, he was in the pay of the Department of Public Instruction, the Punjab, and could not secure the patronage of the Department unless his book was calculated to produce the effect desired by the Government. Some of the stories narrated in the book were the love of King Alauddin for a Rajput Princess named Kaula Devi and the war which King Alauddin waged in order to secure her, the love of his son Khizer Khan for Kaula Devi's daughter Dewal Devi, the story of Rani Padmini burning herself alive to save her honour and chastity from being violated by the Muslim King who besieged her husband's fort in order to secure her, the love story of Emperor Jehangir and Begam Nur Jahan and the murder of her husband Sher Afgan Khan by Emperor Jehangir in order to secure her, the long drawn siege of Golkunda by Emperor Aurangzeb, descriptions of which copied from a contemporary and interested satirist, not historian, of that Emperor, named Nimat Khan-i-Ali, are intended to instil contempt for the Emperor in the minds of the readers.

This is only a brief description of the contents of only one of the books which were included in the course of studies in my school days. Of course, there have been and are many such books taught in schools and colleges, but I will leave this part of the subject and say that whatever the British did to divide the Muslims and Hindus of India became apparent to us long long ago. At least since the birth of the Congress, we have been hearing on the public platform as well as reading in books and journals, that the British are following in India a policy of divide and rule. Our Hindu brethren were the first to benefit by education and that on a large scale, and it is western education which gives one an insight into matters political. As a matter of fact, they were the first to discover the existence and operation of such a policy and loudest in proclaiming from the housetops that this game was being played. What have they been doing to counteract, if not to nullify the effect of that policy? I wonder if my Honourable friend, Mr. Kailash Bihari Lal, who is now fortunately here, is aware of the existence of the immense piles of anti-Muslim literature which have been published and circulated broadcast by our Hindu brethren in all the different languages, read by the Hindus. If my Honourable friend were to say that the Muslims have also been guilty of writing and publishing anti-Hindu literature, I would not deny the charge *in toto* but I am certain that in volume, in ferocity, in scurrility and in venom the anti-Hindu literature issued by the Muslims can stand no comparison with the anti-Muslim literature issued by the

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Hindus and I must add, that the better educated, more advanced and more politically-minded section of the population should have been more alive to the deplorable and disastrous consequences of spreading such literature. The subject is really a vast one and cannot be treated in any detail in the course of an Assembly speech. I would make it clear that I quite appreciate the desire which my Honourable friend, Mr. Kailash Bihari Lal, has shown for patching up differences, burying the hatchet and forgetting the past but some of the arguments he used were not intelligible to me. He harped a good deal on the word 'Hindu'. He appeared to hint that the word "Hindu" had been exploited by the British in furthering their policy of divide and rule. I know nothing about the etymology and philological history of the word but I can say on the authority of Mr. Savarkar's speech in the Calcutta session of the Hindu Mahasabha held in December, 1939, that the word 'Hindu' is the same as 'Sindu' of Rig Vedic days. This word was not invented by the British to serve as a lever in carrying out the policy of divide and rule. Not only the learned, the educated or the literate among the Hindus but the most illiterate and even unintelligent persons among them know that they are Hindus and will say so on being questioned. I know there was once a great controversy carried on by some Arya Samajists in the Punjab whose contention was that the word 'Hindu' meant a thief in Persian, that the Muslims had applied this term to the non-Muslim inhabitants of India as a term of contempt and that, therefore, this name should be discarded but that controversy died down in course of time and no such objection to the term has been heard for a long time. Even Mr. Kailash Bihari Lal appears to be so much in love with the term Hindu that he would like to persuade the Muslims also to call themselves Muslim Hindus. Some one has told him that the Arabs call an Indian Muslim a Hindu. Of course my Honourable friend, Mr. Kailash Bihari Lal, does not claim to be a scholar of Arabic. Nor does he claim to have visited Arabia and made the discovery himself. Some Congressite Muslim must have given him this piece of misinformation and Congressite Muslims are quite capable of inventing things of that sort. Every Muslim who joins the Congress becomes an *ex-officio* Maulana and can talk anything in the name of Islam and the Muslims. During the days of Khilafat *cum* Congress movement of blessed memory. . . .

Babu Kailash Bihari Lal (Bhagalpur, Purnea and the Santhal Parganas: Non-Muhammadan): May I ask what my Honourable friend has to say about the claim of Sir Muhammad Yamin Khan that the Muslims are called Hindus even in Arabia?

Syed Ghulam Bhik Nairang: My Honourable friend will hear about that in a minute. In the days of the Khilafat *cum* Congress movement of blessed memory, there was an *ex-officio* Maulana of this kind in the Punjab who was fond of fortifying his arguments by quoting verses from the Holy Quoran. He was too ignorant to quote and translate any verse. He used to say:

"Ya Ayyuhal-Lazeen amanu".

and translate it as

"Oh, Hinduo, Sikho, te Mussalmano".

The words simply mean "Oh, ye, who have believed". certainly meaning the Muslims. That man knew only these words and knew

nothing of the context. He spoke Punjabi and that was the beautiful way in which he used to translate it. He used to add anything he liked as the translation of the verses, which of course he never read out or knew. I would ask Mr. Kailash Bihari Lal to beware of such *ex-officio* Maulanas. My Honourable friend is seriously misinformed on the point. The Arabs never call the Indian Muslim 'Hindu'. They call him, Hindi, as coming from Hind, just as they would call a man Iraqi, inhabitant of Iraq, Irani, a man coming from Iran. When they mean to refer to his religion, they call a Hindu "Hindus" which should not be confused with Hindus, the English plural form of Hindu. The 's' at the end of the Arabic Hindus is not soft as in the English plural but hard like double s. In 1936 and 1937, a deputation of some professors of Al Azhar University of Cairo made a tour of the educational centres of this country. I spent several days with this deputation and carried on long conversations with them. Three of the five members of that deputation were eminent scholars of Arabic, which was also their mother tongue and they spoke marvellously beautiful Arabic. I found that they also called the Hindu Hindus, so that there is no doubt on the point. Now, my Honourable friend, Mr. Kailash Bihari Lal, suggests that Muslims should call themselves Muslim Hindus.

An Honourable Member: He said "Muhammadan Hindus".

Syed Ghulam Bhik Nairang: Well, say Muslim Hindus or Muham-madan Hindus when they feel the necessity of indicating their religion and may simply call themselves Hindus when indicating their nationality or the country to which they belong. This suggestion proves how dear the word "Hindu" is to Mr. Kailash Behari Lal's heart, but the term "Hindu" has been authoritatively defined by Mr. Savarkar as excluding all those whose holy land lies outside India, by which he means Mussalmans, Christians, Parsis and Jews. My friend may refer to Mr. Savarkar's speech made at the Calcutta session of the Hindu Mahasabha in 1939.

Next, Mr. Kailash Behari Lal has criticised the Pakistan movement, but if he studies the circumstances of which this movement is the natural and inevitable outcome. . . .

Babu Kailash Behari Lal: My friend should know that Mr. Savarkar's is not the last word on the subject. Mr. Savarkar may also be corrected.

Syed Ghulam Bhik Nairang: I congratulate my Honourable friend on the independence of his views, but he will presently see that according to others in this House Mr. Savarkar is the man with whom every Hindu agrees and who is always right while Mr. Gandhi is always wrong. I refer to the speech of Mr. Jamnadas Mehta.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): This is not the view of others.

Syed Ghulam Bhik Nairang: I am quoting the evidence of Mr. Jamnadas Mehta to prove that, according to his knowledge, every Hindu agrees with Mr. Savarkar.

Babu Kailash Behari Lal: Mr. Jamnadas Mehta said that Mahatma Gandhi is always wrong, but that does not mean that Mr. Savarkar is always right.

Syed Ghulam Bhik Nairang: As I was saying, if he were to study the circumstances of which this movement is the natural and inevitable outcome, he would have been forced to give up his position today. The origin of the recent phase of this movement is well-known. But one form of Pakistan had its origin, the Hindus may consider it rather strange, in a Hindu brain. I am sorry my Honourable friend, Bhai Parma Nand, is not visible in the House at the moment because I am going to refer to him.

Many years ago—possibly over 20 years ago—I read a book written by Bhai Parma Nand in Urdu. The name of this book, as far as I can remember, was 'Ap Biti' or 'My autobiography'. Judging from the contexts of that book,—he has now to write a much larger book on the subject because many things have happened since—it appears that the police had seized or the authorities had somehow got hold of some correspondence between Bhai Parma Nand and the late Lala Lajpat Rai, including a scheme for the segregation of Muslims by transferring them from the rest of India to the Punjab. Whatever the *ratio decidendi* of Bhai Parma Nand, the scheme by necessary implication recognised the necessity of a homeland for the Muslims for the good of all concerned. Why Bhai Parma Nand has not cared to revive his scheme now that the Muslims have decided to secure separate homelands for themselves, is more than I can understand.

From the side of the Muslims of India the idea was for the first time publicly expressed by the late Sir Muhammad Iqbal in his presidential address of the All-India Muslim League session held in Lucknow in December, 1930. Later on, Mr. Rahmat Ali started a Pakistan movement in 1933 and has since been issuing literature on the subject from England. It was one of the pamphlets issued by the organisation founded by Mr. Rahmat Ali which my friend, Mr. Kailash Behari Lal, used in commenting in his speech on the Pakistan scheme. But he failed to notice that the very same pamphlet contains enough matter to show that the Pakistan of Mr. Rahmat Ali is essentially and widely different from the Pakistan of the Muslim League. In fact, the same pamphlet wants the All-India Muslim League to be liquidated and most clearly points out the divergence between the conception of his Pakistan and that of the All-India Muslim League. I do not know if my Honourable friend, Mr. Kailash Behari Lal, will admit that the All-India Muslim League is the only representative political organisation of the Muslims in India, but probably he will go so far as to say that this organisation is the chief, if not the only, representative political organisation of the Muslims. Therefore, if my Honourable friend wanted to have any correct idea about what the Muslims mean by Pakistan, he would have really based his arguments on the resolution passed by the All-India Muslim League in its Lahore session which is the foundation-stone of the magnificent edifice of Pakistan. Resolutions passed thereafter by the Muslim League and its Working Committee and the so many press statements issued from time to time by the Qaid-i-Azam would also make it clear to him that our conception of Pakistan is certainly not what Mr. Rahmat Ali thinks should the form and structure of Pakistan. Mr. Kailash Behari Lal should

not have put into the mouth of the Muslim League statements made and theories advanced by a totally different and widely differing body and then proceeded to criticise them.

To cut a long story short, the Muslims in India have been forced by the Hindus to adopt the Pakistan scheme as the only measure of their national self-preservation. As I have said, Bhai Parma Nand was the first to prescribe their segregation in India, but the Hindu mind has been long maturing plans to purge India of the Muslim element. The late Dr. Hardayal, who belonged to Delhi, was a scholar of outstanding attainments and a man of very strong convictions, so much so that he had to suffer for his political convictions and practically got exiled to Europe where he spent the major portion of his life and had never the good fortune to return to India although his return had, after very long efforts by our Hindu friends, been allowed by the Government. He enjoyed almost universal respect among the Hindus on account of his learning and on account of his patriotic sacrifices, and published in 1925 an elaborate article—in fact, he wrote several elaborate articles—and one of them he called 'My political testament'. That was an article in Urdu, as the gentleman hailed from Delhi, and Urdu was his mother tongue. It was published in some of the dailies of the Punjab. I read it myself in the *Pratap* and incorporated it in a book which I wrote on the subject of *Shuddhi* and *Sangathan*, the name of which is '*Ghubar-i-Ufaq*'. I incorporated the article in *extenso*. I happened to find an English translation of a part of that article in Dr. Ambedkar's book, 'Thoughts on Pakistan' and I think I may share it with my Honourable colleagues by quoting it. In that political testament Dr. Hardayal said:

"I declare that the future of the Hindu race, of Hindustan and the Punjab rests on these four pillars, (i) Hindu sangathan, (ii) Hindu raj, (iii) Shuddhi of Muslims and (iv) conquest and Shuddhi of Afghanistan and the Frontiers. So long as the Hindu nation does not accomplish these four things, the safety of our children and our great grandchildrer will be ever in danger and the safety of the Hindu race will be impossible. The Hindu race has but one history and its institutions are homogeneous. But the Muslims and the Christians are far removed from the confines of Hinduism, for their religions are alien and they love Persian, Arab and European institutions. Thus, just as one removes foreign matter from the eye, *Shuddhi* must be made of these two religions. Afghanistan and the hilly regions of the frontier were formerly part of India, but are at present under the domination of Islam. Just as there is Hindu religion in Nepal, so there must be Hindu institutions in Afghanistan and the frontier territory; otherwise it is useless to win swaraj. For, the mountain tribes are always warlike and hungry. If they become our enemies, the age of Nadir Shah and Zaman Shah will begin anew. At present the English officers are protecting the frontiers; but it cannot always be. If Hindus want to protect themselves, they must conquer Afghanistan and the frontiers and convert all the mountain tribes."

These were the sentiments expressed by Dr. Hardayal in his political testament published in this country and, of course, the way in which that article was copied from one paper into another and given the widest publicity and the headings which were given to these articles styling Dr. Hardayal as a *Deshbhakta* all these showed that there was many a heart which responded to the call of Dr. Hardayal and shared his sentiments.

Now, Sir, I will not go into the details of that matter, but first in 1908, and a second time in 1923, the *Shuddhi* movement was carried on for a number of years and the protagonists of that movement said on the platform and wrote in the journals that it was in the political interests of India that all Indians who had embraced Islam or any other foreign

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religion should be reconverted to the religion of their forefathers. Of course, the Muslims were the largest number of Indians affected and aimed at by the *shuddhi* movement.

Then, Sir, Mr. Savarkar, to whom I have already referred is the President of the Hindu Mahasabha and he is a gentleman who commands the unflinching loyalty of every Hindu according to our Honourable friend, Mr. Jannadas Mehta. Well, Sir, Mr. Savarkar in his speech at the Calcutta session of the Hindu Mahasabha in 1939 made two remarkable utterances and I crave your indulgence to quote short passages from that speech. Said Mr. Savarkar:

"When once the Hindu Mahasabha not only accepts but maintains the principles of one man, one vote, and the public services to go on merit alone added to the fundamental rights and obligations to be shared by all citizens alike irrespective of any distinction of race or religion. . . . any further mention of minority rights is on principle not only unnecessary but self-contradictory. Because, it again introduces a consciousness of majority and minority on communal basis. But as practical politics requires it and the Hindu sangathanists want to relieve our non-Hindu countrymen of even a ghost of suspicion, we are prepared to emphasise that the legitimate rights of minorities with regard to their religion, culture and language will be expressly guaranteed; on one condition only that the equal rights of the majority also must not in any case be encroached upon or abrogated. Every minority may have separate schools to train up their children in their own tongue, their own religious or cultural institutions and can receive government help also for these, but always in proportion to the taxes they pay into the common exchequer. The same principle must of course hold good in case of the majority too. Over and above this, in case the constitution is not based on joint electorates and on unalloyed national principle of one man, one vote, but is based on the communal basis, then those minorities who wish to have separate electorate or reserve seats will be allowed to have them, but always in proportion to their population and provided that it does not deprive the majority also of an equal right in proportion to its proportion too."

Then, further on, he says:

"The Hindus do not want a change of masters, are not going to struggle and fight and die only to replace an Edward by an Aurangzeb simply because the latter happens to be born within Indian borders, but they want henceforth to be masters themselves in their own house, in their own land."

A little later on, although I am unable, I must confess, to quote chapter and verse for this statement of mine, a very clear announcement from the Hindu Mahasabha was published in the papers that Hindustan was for the Hindus and the non-Hindus of whom of course the chief party are the Muslims, live in this country on sufferance. If they agree to live here under conditions dictated by the Hindus, they may continue to do so. Otherwise, they must clear out. This much about the Hindu Mahasabha.

Then, the other important political organisation is the Congress. The story is a long one, but I will only briefly say that all the professions of tolerance, Hindu-Muslim fraternity, truth and non-violence, proved hollow and were shown in their true light by the history of the congress governments in congress controlled provinces for a period of 2½ years, so much so that the Muslims had to celebrate throughout the length and breadth of India a deliverance day when the Congress ministries walked out. Such being the circumstances I fail to see what other constitution can be devised for the Muslims except to establish separate independent sovereign States for them as their homelands, as was laid down in the Lahore Resolution of the all-India Muslim League. That Resolution, I am sorry to say, has not been studied dispassionately by our non-Muslim brothers. If it is coolly and calmly considered, it will be seen that while on the one hand it has as its object the self-preservation of the Muslim

nation, it certainly has also for its aim and object and for its very sure result the establishment of real political peace in India by removing the cause of constant strife and inter-communal struggle and putting an end to this long course of disputes and recriminations. This is the only method by which peace can be established and the rights of every minority—Muslim or Hindu or Sikh,—can be rationally protected, and to their satisfaction guarantees can be given and enforced. These guarantees are described in the Resolution to be not only satisfactory, and adequate but mandatory.

It has been said on many occasions by various speakers that the Muslims have been only since a recent date proclaiming themselves to be a nation and saying that they are separate and distinct from the Hindu nation. That is a thing which has been quite obvious to all who have studied the entire political history of India. There may have been, so far as clear expression in words is concerned, some ambiguity, but that ambiguity was removed almost simultaneously by two very responsible political bodies. While the Lahore Resolution which was passed in March, 1940, clearly enunciated that the Muslim nation was a separate nation, only a few months before at Calcutta in the annual session of the Mahasabha, in 1939, Mr. Savarkar used exactly the same words, Hindu nation and Muslim nation. There can be no doubt on that point. It is useless to quarrel over that little thing. Let the distinct and separate existence of the Hindu and the Muslim nations be admitted by all fair-minded people and let us proceed to see how the constant quarrels and disputes, sometimes leading even to bloodshed, between these two nations, can be prevented. And I declare that the only rational solution is the Pakistan scheme.

Sir Cowasji Jehangir. Sir, I think it is perfectly true to say that the minds of most of us are engrossed day and night with the question of the war; and, I therefore, propose to follow the example of most of my Honourable friends by not alluding to the budget at all on this occasion.

While speaking on the budget last year I asked for two assurances. The first was that Government should assure us that India was doing all she could to pull her full weight in the war. The second assurance that I asked for, from the Finance Member in particular, was that we were getting value for money. With regard to the first assurance it is well-known that doubts have been raised even in England as to whether we are doing all we can. It has been said, even in England, that our army ought to be much larger than it is, considering our population and the extent of our country. I am one of those who believe today that we ought to have a bigger army than we have, but we are told that there is lack of equipment. At the same time it has been emphasised on more than one occasion that one of the most important aspects with regard to troops today is their proper training. It is next to useless to put half-trained troops into action; and, therefore, I cannot help feeling, or I may say agreeing with the critics in England, that training might well go ahead of equipment. If that is done on a large scale, with the equipment which is to reach this country, we shall have trained men ready to take advantage of that equipment. We are told that we are recruiting 50,000 men a month or more. I do not wish to go into details here because this is not the proper place or time, but whatever number we are recruiting is less than what we ought to do. We are told there is no lack of recruits and that is a factor which has given us considerable satisfaction.

[Sir Cowasji Jehangir.]

With regard to the assurance that we are getting value for money you have heard during this budget discussion the many suspicions of Honourable Members on these Benches. We must remember that the greater the expenditure, war expenditure specially, in any country, the greater is the chance of inefficiency and corruption. That is a truism; you cannot help it. If you hear criticisms in England, if you could read Hansard in detail, you would find such criticisms much more effectively put than in this House. I frankly admit that the criticisms of the Opposition in the House of Commons is better informed than those offered from these Benches, for the simple reason that many of those who offer these criticisms from the Opposition Benches have once sat on the Treasury Benches themselves and have had opportunities to be well-informed. But while not demanding in these difficult times, when crores of rupees are being spent, a hundred per cent. of efficiency, we have a right to demand that there shall be a percentage of efficiency which you will find in other parts of the world, and that when you employ thousands of men, which you are literally doing, the man must be fit for the post and the post must not be created for the man. We must have an assurance, that if a man is found to be unfit for the job he is doing he should be unceremoniously removed and I affirm that that should be the practice from the top to the bottom. If a man is unfit in these times for any reason whatsoever to do his job, Government should unhesitatingly remove him. Give him something else he is more fit to do. We cannot afford in these times. Mr. Deputy President to have men employed by the thousand some of whom we see from day to day incapable of discharging the great responsibilities entrusted to them. Of course, with regard to corruption, it is not unknown in other parts of the world. With enormous expenditure it must occur. Not only the giver of the contract but the taker of the contract must be just as dishonest. It is when both combine that we the poor taxpayers lose our money, and that combination is not rare when you spend crores of money. But I do ask that new methods should be now introduced, that 'red tape' should be cut, that corruption should be detected

Mr. N. M. Joshi (Nominated Non-Official): How?

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Sir Cowasji Jehangir: There are methods by which it can be done. There are methods by which you can at least make an attempt to detect. Or, at any rate, circulars should be sent by Members of Government who are concerned plainly stating that from the top to the bottom of the Department if there is the slightest sign of corruption, the man will go. They may have done it already, they will have to do it again and continue doing it.

Now, Sir, so much with regard to the two assurances I asked for at the last Budget Session. Mr. President, not only Government but the peoples of this country have a lesson to learn from the disasters that have taken place in Malaya and in Burma. The mentality that consoles itself for its lethargy and its indifference to the consequences of this war by saying that one master is as good as another, is appalling and disastrous. It exhibits not only a defeatist mentality but an utterly unpatriotic attitude which it is hard to believe can emanate from any section of our people, but I have still heard with my own ears, men who are serving today—I won't say in Government; perhaps, may be in Government—saying that it

makes little difference. Whoever rules, their services will be in demand. Well, such a mentality is a disgrace to those who utter such expressions. The difference they will soon find out if, God forbid, such a contingency arises. They will realize that a change of masters can be as disastrous as anything else. I can understand the patriotic man saying I want my own Government, but I cannot understand the utter slave mentality of men who say we will have one master instead of another.

We have again and again heard that the people of India have no fire arms to defend themselves with. Now, Mr. President, in no country which is fighting in this Great War, all adults—men and women—have rifles. Rifles are given to those who can make the best use of them; specially when there is a scarcity of fire arms in a country, it is only natural that for our own advantage we would rather see those fire arms in the hands of our own trained troops than in the hands of Tom, Dick and Harry who might do more harm to themselves and to their neighbours than to their enemies. Mr. President if many of us including myself, had fire arms at this critical time

Mr. N. M. Joshi: Hand them over to the Government.

Sir Cowasji Jehangir: Speaking for myself, I would much rather that those fire arms were in safer hands than my own, although I have used a gun on more than one occasion. But to say that because we have no arms freely distributed to the population, we cannot defend ourselves is a mentality that should be fought and the people should be taught what it is that they really require. In times of war the non-combatant is not asked to defend himself: he is asked to protect himself. In these days when men and women come into the front line with a suddenness unknown and unheard of before, what they should learn is self-protection and not self-defence. I think, we mix up the two things. We are inclined to believe that we could fight the enemy with men and women untrained. No. If those who are trained to defend us failed, God help us. But we at least can learn to protect ourselves, our wives and children and our homes in a warfare that is so common today, from the air. When, unlike other wars, men and women are suddenly thrown into the front line, they need not all be killed. If only our people were made to realize

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Would you call upon the Government to repeal the Arms Act?

Sir Cowasji Jehangir: That is not exactly what I am saying. That will do no good. A rifle in your hands will be of less use than in the hands of a trained soldier. I am not justifying the Arms Act, but I say that if there are not sufficient arms to go round

Maulana Zafar Ali Khan: Are you talking of military defence or civil defence?

Sir Cowasji Jehangir: I am talking of military defence. Civil defence is entirely different. Don't mix up the two.

Maulana Zafar Ali Khan: How to protect?

Sir Cowasji Jehangir: We have heard a speech for an hour and a half on protection today which was most interesting. You now raise the question of the Arms Act—a very different question—and my answer is that if the Arms Act was

Maulana Zafar Ali Khan: Have you heard:

*"Is sadgi pe kaun na mar jai ai khuda,
larte hain aur hath men talwar bhee nahin."*

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not interrupt.

Sir Cowasji Jehangir: If the Arms Act was repealed today and my friend had a rifle in his hand, what would be the position. It would be much better for India and for my friend if that rifle was in the hands of a trained soldier owing to the scarcity of fire arms in this country; and as to a sword my friend must know by now that it is a useless weapon of defence. By all means let my friend have as many rusty swords as he likes and God help him

Dr. P. N. Banerjee: And sticks?

Lieut.-Colonel Sir Henry Gidney: And pehs?

Sir Cowasji Jehangir: Now, Sir, I desire that once for all our people should realise that this bogey of arms, of free distribution of arms, is no solution for protection. I would much rather that every Honourable Member got up in his turn and demanded a larger number of trained troops, that they are equipped, and that they are officered by Indians. I can understand that, I will be the first to support them. I would further urge that every one of us should get up and demand that our Air Force should be increased, that Indians of all castes and creeds should be trained, and if Government has had in the past any political bogey about training one class or another, they should forget that bogey now and give training to all classes of people irrespective of race, colour or creed, ahead of equipment. I do not see why pilots should not be trained without the planes. Keep your pilots ready when your planes arrive in larger numbers. I presume you are doing that already. Do it in larger numbers, and if in this matter you want the support of Indians, you will have it. But so far as recruitment is concerned, I cannot accept the statement that we cannot produce sufficient pilots. You have only got to look for them, and you have to forget that bogey with regard to caste and creed. Now, for one minute I would like the House to realise, as I have often realised, as to how many millions there are in this country who have never heard of the war, and what would happen if, God forbid, there was an invasion in their part of the country on the coast

Maulana Zafar Ali Khan: Everybody knows that there is a war going on.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not be interrupted.

Sir Cowasji Jehangir: Surely it is up to us at least to see that they do not unconsciously give assistance to the enemy which the enemy, I suppose, is anxious to get. What is the lesson to be learnt from Burma?

Let us not close our eyes to the facts. It is nothing private. It is a fact, I believe that large numbers of Burmans did help the enemy. I hope and trust that such help was given out of ignorance. Let it be a lesson for India, that no Indian, literate or illiterate, agriculturist or businessman or professional man or prince, will ever attempt to help the enemy if he unhappily lands on these shores. For that, propaganda is required. Many pride themselves in this country on being in touch with the masses. If they love their country,—and I am sure, they do, I have not the slightest doubt about it, we do love our country,—then let those who are in touch with the masses take an opportunity to teach the masses to ward off any such danger. They will be doing a real service to the country. But self-confidence has been the trouble amongst us. Let us be prepared in every direction.

Now, Mr. President, one word more from one who has on many occasions prayed that there may be unity in this country. I know there are strong differences of opinion. I have had opportunities of understanding or trying to understand both points of view. May I honestly say that I have sympathies for both points of view? I understand them, I try to understand them. In the name of the Almighty, this is not the time to thresh out those differences. This is not the time for either my friend here or my friend on the front Bench opposite to me to talk of those differences. The Honourable the Deputy Leader of the Muslim League has told us that he has been interested in this topic for 15 years. Can he not forget it for two years? I beg and pray that we should forget our differences. I have many differences with others,—but let us forget our differences for only a year or so. We will revive those differences when victory has been achieved, but till then if there can be one desire which results from unity, that desire should be to help our country to get out of the most dangerous, the most disastrous position in which we are. It will be an act of the highest patriotism; it will serve our country better than the most patriotic speeches from platforms to which thousands of people listen. I heard the other day, so far as the Government is concerned, we are unable to forget and forgive—I think my friend, Mr. Deshmukh, said so—but I would ask my friend to realise that although he is unable to forgive and forget today, a time may come when he may not have an opportunity to forgive and forget. Do not let that time come. Suspend all judgment, and if I were given a free hand, I would frankly tell you what I would do

Mr. N. M. Joshi: What is it? Tell us.

Sir Cowasji Jehangir: I know my friend, Mr. Joshi, who would like to hear it, will not agree with me. What I would do would be to suspend all controversy, communal, social and political

Syed Ghulam Bhik Nairang: Not economic?

Sir Cowasji Jehangir: Certainly I would. I would force you to win this war. I would tell the Government and force them to wake up to do their duty. I would tell them that they are responsible. I would be behind them to see that they did their duty: I would tell them that I do my duty, provided you do yours.

Mr. N. M. Joshi: Why provided?

Sir Cowasji Jehangir: Because it is no use my doing my duty if you did not do yours I merely say this from the war effort point of view. I ask Government to put forward their very last atom of strength

Mr. Govind V. Deshmukh (Nagpur Divisions: Non-Muhammadan): First.

Sir Cowasji Jehangir: Towards the war effort. Get rid of old foggies from the Government—I do not mean those sitting on the Front Benches. Get rid of the old foggies and put in younger men who can really discharge their duties with energy and with perseverance. We are having too many old men all over the place.

An Honourable Member: In the Assembly also.

Sir Cowasji Jehangir: I am an old man. I am older than anybody here on the Front Benches. But men of my age—their days are gone. This is not the time. We want younger, stronger and more energetic men. Put them in and do not be afraid of getting rid of your old methods. If you do your duty, if the Government does its duty, I am sure the country will try its best, its utmost to do its duty. Let us, therefore, forget the past only until the war is won, and then we shall come back to the old stage again perhaps, and God helping us, we will find a solution.

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, a general discussion on the Finance Bill might ordinarily be expected to concern itself with finance and taxation. But in view of the present situation and the grave danger to our country, it was only natural that Honourable Members would be more concerned with the measures taken or to be taken for the defence of the country and for driving back the enemy who is now almost at our gates. Questions relating to active and passive defence, to the supply of essential material and equipment and personnel have been raised. I will endeavour to deal with the points which concern the Defence Department proper, leaving it to other Members of Government to deal with those which, though vitally concerned with the defence of the country, do not fall strictly within the scope of the activities of the Defence Department.

Sir, Mr. Lalchand Navalrai, the veteran defender of Sind, who opened the discussion, wished to be informed of the military preparations made against attacks by land, sea and air on India, and Mr. Husenbhai Laljee wanted the same information and complained that Members were being kept in ignorance of the measures taken. Maulana Zafar Ali Khan wanted to be assured that the seven lakhs of troops in India were being trained and equipped so that they would give a good account of themselves when the time came and he also wanted to be assured that the required air forces would be forthcoming. Sir Cowasji Jehangir also raised certain points in the same connection. Sir Muhammad Yamin Khan asked that waste of money be avoided and corruption be put down, and in this connection, quoted the instance of a contract for the hire of motor lorries in Meerut. Sardar Sant Singh raised the question of racial discrimination and quoted the example of women clerks employed in the Army Head Quarters. Both he and Mr. Deshmukh commented adversely on the recruitment of a

few Australians in the Indian Army and the latter dilated on the misbehaviour of some soldiers in different parts of the country, with particular reference to recent incidents in Poona and Bombay. Mr. K. C. Neogy quoted incidents on the Bengal and North Western Railway in connection with a troop train, and the Deputy President also made some remarks on the same subject.

I will deal, Sir, first of all, with the question of the behaviour of troops, because I believe this interests a considerable number of Members and has caused a certain amount of alarm in parts of the country. I may say at once that there have been a number of incidents in different parts of India in which some soldiers, Indian and non-Indian, have been the offenders. No one regrets this more than the Government. I should like to remove the impression, if it exists at all, that Government look upon these incidents with indifference or ignores them on the principle of "Boys will be Boys". Government cannot countenance any form of fun which results in injuries or alarm to the general public. Every incident of any consequence is reported to the General Head Quarters and action is taken at once in each case. I can quite understand that there has been some alarm and anxiety in the minds of the public, but I would like to give the assurance that measures have been taken to prevent the recurrence of any serious incidents. There is, in every military station, a Provost Establishment whose business it is to keep order among troops and to do the necessary policing. There is a Provost / Marshal, and he is assisted by a number of selected soldiers who are known as Military Police. It is their function to be on duty at places frequented by troops and to see that troops behave properly. On certain occasions, due to sudden influx of troops, the Provost Establishment may have proved to be inadequate. The Provost system has also certain disadvantages. Government have, therefore, decided to create a Corps of Military Police and to fix its strength at a sufficiently high figure to ensure the maintenance of proper order among troops outside barracks. Other measures have also been taken. These are, amongst others, the tightening of control on the sale of liquor to troops, instructions to troops regarding proper behaviour,—this is very important as a large number of troops are complete strangers to this country—putting certain places out of bounds, increased facilities for entertaining troops by local hospitality committees, and severe punishment of troops against whom misbehaviour has been proved. It is hoped that these measures will ensure that any serious incidents will not occur again.

Mr. Deshmukh referred to the Poona Cantonment incident. I would like to mention, Sir, that this is now the subject matter of a Court of Inquiry and the offending individuals will be brought to trial by Court Martial in due course. In the meantime, a considerable sum of money from the unit funds of the regiment concerned has been placed in deposit against the damage done on the occasion, in order to compensate the sufferers. I may add that there was here no question of molestation of women.

Mr. Deshmukh referred to the incidents in Bombay and to the resolution passed in the Bombay Corporation. Government are aware that a number of incidents have occurred in Bombay and the matter has been the subject of joint consultations between the local Civil Police and Military authorities, and various measures have already been adopted. I might perhaps read in this connection what the *Bombay Sentinel*, a paper

[Sir Gurunath Bewoor.]

which has given great facilities for the airing of this particular grievance, says in this matter. Writing on the 6th March on the Bombay Corporation Debate, the paper says:

"Fortunately there is evidence that steps have now been taken to avoid the possibility of such incidents in future. For that reason, the debate in the Corporation, as we have said, is belated and the matter might have been allowed to rest."

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member would like to stop here.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 17th March, 1942.

LEGISLATIVE ASSEMBLY

Tuesday, 17th March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Geoffrey Stephen Bozman, C.I.E., M.L.A. (Overseas Secretary).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

NOTICES BY DELHI IMPROVEMENT TRUST TO LESSEES FOR SPEEDING UP BUILDING.

†193. ***Mr. H. M. Abdullah:** (a) Will the Honourable Member for Education, Health and Lands please state if Government are aware that the Delhi Improvement Trust is serving notices on those persons who had taken lands on rent from the said Trust to erect buildings within a short period?

(b) Are Government aware that such persons cannot obtain iron on account of control put by Government on the sale of that commodity?

(c) Are Government aware that owing to scarcity of coal, bricks are not available even at 50 per cent. more than normal price and wood is not available on account of shortage of wagons?

(d) What action have Government taken or propose to take to protect the lessees from the demands of the Delhi Improvement Trust?

The Honourable Mr. N. R. Sarker: The information has been called for and a reply will be furnished to the House when it is received.

EDUCATIONAL QUALIFICATION FOR APPOINTMENT IN THE PRINTING BRANCH OF THE OFFICE OF THE CONTROLLER OF PRINTING AND STATIONERY.

194. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Labour Secretary please state whether it is or it is not a fact that, consequent on the representation from the Clerks' Association of the Government of India Press, New Delhi, Government were pleased to fill up 20 per cent. of the vacancies occurring in the Printing Branch of the Office of the Controller of Printing and Stationery, India, New Delhi, from the subordinate offices?

(b) Is it or is it not a fact that it is not necessary for recruits to the Printing Branch to be graduates of a University, and in practice most of the new recruits are not graduates?

†Answer to this question laid on the table, the questioner being absent.

(c) If the answer to part (b) above be in the affirmative, what is the reason for fixing a higher standard of education for persons who have got experience of ten years' service in the department as against persons recruited directly?

(d) Have Government considered the advisability of removing the condition of being a graduate for persons who are promoted from the subordinate offices?

Mr. H. C. Prior: (a) The Government of India issued orders in June 1941 to the effect that 20 per cent. of posts of Assistants and clerks in the office of the Controller of Printing and Stationery (and not in its Printing Branch alone) should be set apart for recruitment from amongst experienced men in the subordinate offices of the Stationery and Printing Department.

(b) It is not necessary for recruits to the III Division of clerks in the Controller's office to be graduates of a University. Most of the recently recruited III Division clerks are under-graduates.

(c) and (d). Orders are being issued removing the condition that persons selected for appointment as clerks in the III Division in the Controller's office from his subordinate offices should be graduates.

Mr. Lalchand Navalrai: With regard to clause (a) of the question, may I know whether the other appointments which do not come within 20 per cent. had to be made direct? If so, what qualifications were required for them?

Mr. H. C. Prior: I have to ask for notice of that question.

EXTENSION OF WAR RISKS INSURANCE SCHEME TO INDIAN STATES.

195. *Sir F. E. James: Will the Honourable the Commerce Member be pleased to state whether the War Risks Insurance Scheme relating to commodities or factories, machinery and plant has been or will be extended to the Indian States in view of the fact that some of the States are now in highly vulnerable areas? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The War Risks (Goods) Insurance Scheme has not so far been extended to the Indian States. The question of extending it, as also the proposed scheme relating to factory buildings, plant and machinery when brought into force, to the Indian States is engaging the attention of the Government of India.

Sir Vithal Narayan Chandavarkar: May I ask whether any Indian States have opened negotiations with Government in regard to this matter?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I cannot say about the negotiations, but certain Indian States have applied to the Government of India to be brought under the scheme.

INFERIOR OR ADULTERATED TEA EXPORTED FROM INDIA TO MIDDLE EAST.

196. *Sir F. E. James: Will the Honourable the Commerce Member be pleased to state:

(a) whether he is aware (i) that large quantities of inferior quality tea and tea adulterated with black gram husk and *ayathi acarai*, or *manjanathi* leaves are exported from India to Iraq, Iran and Egypt, where, owing to war conditions, they fetch high prices and give a bad name to Indian tea; and (ii) that the adulterants mentioned are despatched from South India by rail and sea to Bombay for the purposes of adulterating tea for export to these countries; and if so, and

(b) whether he is prepared to consider the advisability (i) of prohibiting the import by sea into India of the aforesaid adulterants, and (ii) of establishing a prescribed standard or standards for tea exported from India, in consultation with the Indian Tea Market Expansion Board and other Associations interested in the tea industry?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) (i). Government have no information.

(ii) Government have received reports that the adulterants mentioned in the first part of the question are despatched by rail and sea from Madras to Bombay.

(b) (i). Government of India consider that prohibition of importation by sea of the adulterants into any port in India from any other port in India will not meet the situation.

(ii) The matter is one which requires detailed examination and cannot be answered in reply to a question. But I may add that the evil complained of has already been brought to the notice of the Provincial Governments concerned in order that it may be dealt with at the source under the powers of those Governments.

Sir F. E. James: With regard to the answer to part (a) of the question, did my Honourable friend consult the Indian Tea Market Expansion Board and the United Planters Association of Southern India as to the extent of the evil which is complained of? Can my Honourable friend consult those two organisations?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have received representations from the Indian Tea Market Expansion Board, and I am prepared to consult those bodies as regards the extent of the evil complained of.

Sir F. E. James: With regard to the answer to part (b) of the question, particularly (i) and (ii), will my Honourable friend be prepared to receive a deputation from the Indian Tea Market Expansion Board and the United Planters Association of Southern India in order that the proposals may be adequately discussed with them?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am perfectly prepared to receive a deputation of these two bodies if the members of it will come here at their expense.

Sir F. E. James: May I ask whether the Honourable Member is aware that the responsibility which is now placed upon the Provincial Governments concerned has not as yet been discharged by them in spite of continuous representations to them? Will he not, therefore, consider the advisability of making representations to those Governments so that this evil might be dealt with at its source?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am not prepared to say that the responsibility has not been adequately discharged but I see that what has been done has not satisfied the interests concerned. As the Honourable Member has promised a deputation, and after I have heard what the deputation have to say, I shall be prepared to pursue the matter further.

Dr. Sir Ziauddin Ahmad: May I ask whether the Tea Cess Committee drew the attention of the Government of India to this question because they charge a little cess on tea which is exported from India and therefore they ought to have looked into the matter?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No, Sir, not the Tea Cess Committee but the Indian Tea Market Expansion Board approached the Government of India.

Dr. Sir Ziauddin Ahmad: May I ask what the Tea Cess Committee has been doing when adulterated tea is being exported?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The Honourable Member may address the question to the Tea Cess Committee.

Dr. Sir Ziauddin Ahmad: Is it not a fact that the Honourable the Commerce Member is in charge of the Tea Cess Committee?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Not the Tea Cess Committee, Sir.

TRANSPORT AND SAFETY ARRANGEMENTS FOR LAND ROUTE INDIAN EVACUEES FROM BURMA.

197. *Nawab Siddique Ali Khan: (a) Will the Honourable Member for Indians Overseas kindly state whether adequate transport arrangements have been made for Indians evacuated from Burma by land routes? If not, is he prepared to consider what action is necessary in this regard?

(b) Will he kindly state whether adequate police arrangements have been made for the protection of life and property of such persons during the road journey?

(c) Will he kindly state whether suitable medical arrangements have been made at different points on the routes? If not, is he prepared to consider this matter at an early date?

Mr. G. S. Bozman: (a) and (c). The Government of India have been devoting their most anxious care to the problem of providing all necessary facilities on the land routes from Burma to India and they are, with the co-operation of the Governments of Burma, Bengal and Assam, doing all that is possible to make arrangements for evacuees along those routes.

(b) The Governments of Bengal and Assam have made all the necessary police arrangements in their respective territories. The Government of India have invited the attention of the Government of Burma to the necessity of making adequate arrangements on the Burman sections of the roads.

Mr. Lalchand Navalrai: May I know if there is any difference in the accommodation or the facilities that are being given to the British people and the Indians, or are they being given equal facilities and equal conveniences for transport?

Mr. G. S. Bozman: The actual facilities available on the roads must differ according to the different regions through which they pass, but so far as the Government of India are concerned, they have issued instructions that no racial discrimination shall be permitted.

Maulvi Muhammad Abdul Ghani: May I ask whether it is a fact that on the road by which the Europeans had to pass special facilities regarding amenities of life and protection of life were given, and on the road which is assigned for the Indians, no proper arrangements have been made for the safety of their lives and other amenities of life?

Mr. G. S. Bozman: So far as I was able to hear the question, it assumes something that I have not yet admitted.

Mr. Lalchand Navalrai: May I know if any arrangement by police or by military has been made to accompany these persons in order to see to their safe arrival?

Mr. G. S. Bozman: I have already stated that the Governments of Bengal and Assam made all the necessary arrangements in their respective territories.

Mr. Lalchand Navalrai: I want to know whether any arrangements have been made on the route itself, or whether the arrangements are confined to towns?

Mr. G. S. Bozman: The routes in Bengal and Assam are in the respective territories of these Provincial Governments.

Mr. Lalchand Navalrai: That is true, but what I want to know is whether arrangements have been by these two Governments only in their headquarters and other towns, or whether they have made arrangements on the route also because the difficulty may be felt on the way?

Mr. G. S. Bozman: The arrangements have been made by the Provincial Governments where they think they are required.

Mr. Lalchand Navalrai: But does the Honourable Member know that they have made some arrangement throughout the route also?

Mr. G. S. Bozman: If the Honourable Member suggests that the whole land route from Burma to India should be lined by police, I am afraid I cannot say that this is so.

Mr. Lalchand Navalrai: Not necessarily lined inch by inch, but has the route been protected at certain distances?

Mr. G. S. Bozman: I am unable to give the precise information as to where the police have been stationed.

TRANSPORT AND SAFETY ARRANGEMENTS FOR LAND ROUTE INDIAN EVACUEES FROM BURMA.

198. *Nawab Siddique Ali Khan: (a) Will the Honourable Member for Indians Overseas kindly state whether a very large number of Indians are now on their way from Burma to India by land routes?

(b) If the answer to part (a) above be in the affirmative, does he propose to appoint an Indian Officer to look after transport, police and medical arrangements?

(c) Do Government propose to open an office on the Indo-Burma land frontier to record particulars of evacuees so that there may be no difficulty in their returning to Burma after the war?

(d) Will he kindly state whether Indian evacuees from Burma and other places who have no friends and relations in this country to support them will be looked after by the Central Government in the same manner as Britishers and foreigners from those countries are being looked after?

(e) Are Government prepared to open camps for such persons in different provinces and appoint an Indian officer to provide them with comforts during their sojourn in this country?

Mr. G. S. Bozman: (a) Yes

(b) Mr. B. G. Marathe has been appointed Special Evacuation Officer at Chittagong and two officers from Assam have been sent to Burma for the purpose of assisting evacuees coming to India by the Manipur land route.

(c) No.

(d) Provincial Governments and Local Administrations have already been empowered to grant assistance to indigent evacuees from the War Zones.

(e) The initiative in this matter rests with the Provincial Governments.

Mr. Lalchand Navalrai: Who pays for them when they arrive at Chittagong in Bengal? When they are sent to other parts of India, who pays for their conveyance?

Mr. G. S. Bozman: Various authorities are concerned. There are voluntary organizations, there is the Provincial Government and there is the Central Government.

Sir F. E. James: Is my Honourable friend aware of the statement which has been made and repeated on many occasions in this House and in the Press to the effect that one of these roads, either in whole or in part, has been reserved for European refugees? If that is not the case, will he make a categorical denial and have that widely published?

Mr. G. S. Bozman: I am afraid, I have not seen the statement in the Press. There was, however, one statement made yesterday in this House. I have not yet had time to verify the actual facts to which that statement refers. But perhaps Honourable Members will wait for the statement. I hope to make with regard to the work of this Department later in the day.

INDIAN HAJ PILGRIMS.

199. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable Member for Indians Overseas kindly state the number of pilgrims who left India for the performance of the last Haj?

(b) How many pilgrims have since returned from Arabia?

(c) Do Government propose to make shipping arrangements so as to bring back the remaining pilgrims as early as possible? How many pilgrims are now waiting at Jedda for the return journey?

Mr. G. S. Bozman: (a) 10,713.

(b) 8,168.

(c) The necessary shipping arrangements have been made. So far as I am aware no pilgrims are now waiting at Jedda for passage.

STAFF EMPLOYED IN ARABIA FOR LOOKING AFTER INDIAN HAJ PILGRIMS.

200. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable Member for Indians Overseas kindly lay on the table of the House a statement showing the officers and staff employed in Arabia to look after Indian pilgrims?

(b) Is that staff adequate for the needs of thousands of pilgrims who stay in Arabia for months? Have Government received any complaints about the inadequate staff? Are Government prepared to strengthen the staff during the pilgrim season so that they may help the pilgrims who now depend on Muallims?

Mr. G. S. Bozman: (a) A statement is laid on the table.

(b) In addition to the existing permanent staff adequate temporary staff is engaged to meet the needs of pilgrims during the Haj season. Some suggestions were received in 1940 and 1941 for increasing the staff. It was considered that the staff provided for the Vice Consul's office was adequate and that the medical staff was sufficient for the smaller number of Indian pilgrims who were likely to make the pilgrimage during the war.

Statement showing the Officers and Staff normally employed in Arabia who look after Indian Pilgrims.

Staff at Jedda.

Officers :

1. Indian Vice-Consul, (now held by a P. C. S. officer).
2. Indian Medical Officer, (usually Assistant Surgeon).

Clerical :

1. 1st Pilgrimage clerk.
2. 2nd Pilgrimage clerk.

Medical Establishment :

1. Head Dispenser.
2. 2nd Dispenser.
3. 3rd Dispenser (temporary).
4. One Dresser.

Inferior Establishment :

- Two Messengers.
- Two Launch Boys.
- One Sanitary man.

*Seasonal Staff (employed during Haj).**Jedda :*

- Two servants.

Mecca Dispensary (functioning during Haj season) :

- One Doctor (usually Sub-Assistant Surgeon).
- One Dispenser.
- One servant.

(Owing to the decrease in the number of pilgrims in 1939, 1940 and 1941 due to the war, no extra dispenser was engaged for the Mecca, Dispensary.)

Maulvi Muhammad Abdul Ghani: What is the extent of the temporary staff provided for?

Mr. G. S. Bozman: I must ask for notice. I regret I have not the details with me.

THE SPECIAL HAJ ENQUIRY REPORT.

201. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable Member for Indians Overseas kindly state if the special Haj Enquiry Report by Mr. A. Rahim, I.C.S., has been given wide publicity or not?

(b) To which of the newspapers and Muslim bodies have copies of the Report been supplied for opinion?

(c) When will the Report be placed on the Agenda for consideration of the Legislative Assembly?

Mr. G. S. Bozman: (a) and (b). Copies of the report and its summary have been distributed widely amongst press representatives and news agencies and copies have been sent to 67 newspapers. A statement showing the bodies to which copies of the report have been supplied for an expression of opinion is laid on the table.

(c) It is proposed to place the Report on the Agenda for consideration of the Legislative Assembly as soon as possible after the opinions of the Haj Committees and of the various bodies who are being consulted have been obtained and considered by the Government. As it is not possible to obtain these opinions before the close of the present Session and as the Government propose to call a meeting of the Stand-

ing Haj Committee as soon as convenient after this Session, it is regretted that the consideration by this House cannot be arranged earlier than the next Session.

Statement showing the Names of bodies to which copies of the Special Haj Enquiry Report have been supplied.

1. The Port Haj Committee, Bombay.
2. The Port Haj Committee, Karachi.
3. The Port Haj Committee, Calcutta.
4. Provincial Haj Committees in Malabar, United Provinces, Punjab, North-West Frontier Province and the Divisional Haj Committees in Assam.
5. The Central Khademul Hujjaj Society, Calcutta.
6. The All-India Hajees' Welfare League, Calcutta.
7. The Muslim Welfare Assembly, Madras.
8. The Noakhali Muslim Students' Association, Calcutta.
9. The Anjuman-i-Khuddaman-Nabi, Bombay.
10. The All-India Pilgrims' Protection League, Amritsar.
11. The Haj Pilgrims' Protection League, Delhi.
12. The Anjuman-i-Musalmanan-i-Punjab, Karachi.
13. The Backerganj Muslim Chatra Samiti.
14. The Chittagong Muslim Association.
15. The Faridpur Muslim Association.
16. The Chandpur Muslim Students Association.
17. The Rajshahi Muslim Association.
18. The Assam Arabic Students Association, Calcutta.
19. The Delhi Muslim Association, Calcutta.
20. The Hujjaj Food Supply Co., Bombay.
21. The Khan Bahadur Haji Bachooally Charities.
22. The Anjuman-i-Faiz-i-Panjtani Bombay.
23. The Anjuman-i-Faiz-i-Husaini, Bombay.
24. Fatma Bibi Rogay Charity Fund Trust.
25. Haji Adam Haji Abubakar Nurani Charitable Trust.

Kunwar Hajee Ismaiel Ali Khan: Has this report been translated into Urdu?

Mr. G. S. Bozman: Not so far as I am aware.

Dr. Sir Ziauddin Ahmad: Will the Government give an opportunity to this House to discuss the report on the floor of the House?

Mr. G. S. Bozman: I have already stated in reply to part (c) that it is proposed to place the Report on the agenda for consideration of the Legislative Assembly.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: When do the Government propose to take action on the recommendations made? Will they be able to take action before the next Haj season?

Mr. G. S. Bozman: Government will take action on such proposals in the report as they think fit.

Maulvi Muhammad Abdul Ghani: Will this be before the next pilgrim season or after the next pilgrim season?

Mr. G. S. Bozman: I am unable to say, Sir.

Dr. Sir Ziauddin Ahmad: Does it mean that no action will be taken till one year and we will have to wait for another Haj season to discuss this report?

Mr. G. S. Bozman: Again, I am unable to say, Sir.

MUSLIM GRAVEYARD FOR ALIGANJ AREA, DELHI.

202. *Qazi Muhammad Ahmad Kazmi: Will the Honourable Member for Education, Health and Lands please state:

- whether it is a fact that there is no public graveyard for Muslims in the Aliganj area, Delhi District;
- whether Government have received any representation in this connection; if so, the action taken thereon; if none, why not;
- whether it is a fact that the nearest graveyards for that place are at distance of five to six miles, i.e., near Faiz Bazar or Paharganj;
- whether Government are aware of the hardships experienced by the residents of that place in carrying their dead bodies to such places on foot specially in rainy weather; and
- whether Government propose to consider the desirability of providing some land for the purpose stated above in that area at an early date; if not, why not?

The Honourable Mr. N. R. Sarker: The information has been called for and a reply will be furnished to the House when it is received

UNSTARRED QUESTION AND ANSWER.

COMMUNAL COMPOSITION OF HIGHER POSTS IN THE OFFICE OF THE CONTROLLER OF PRINTING AND STATIONERY AND ITS SUBORDINATE OFFICES.

55. Qazi Muhammad Ahmad Kazmi: Will the Labour Secretary be pleased to lay a statement in the following form showing the number of members of each community employed permanently in the higher posts in the office of the Controller of Printing and Stationery, India, and its subordinate offices:

- Office of the Controller of Printing and Stationery:
 - Controller,
 - Deputy Controller,
 - Assistant Controller,
 - Superintendents, and
 - Assistants;

(b) Office of the Deputy Controller of Stationery and Forms, Calcutta:

- Deputy Controller,
 - Assistant Deputy Controller,
 - Superintendents,
 - Assistants, and
 - Store keepers;
- (c) Government of India Presses:
- Managers,
 - Assistant Managers,
 - Overseers,
 - Foremen,
 - Section Holders,
 - Head Assistants,
 - Accountants,
 - Assistants,
 - Store keepers, and
 - Cashiers; and
- (d) Central Publication Branch:
- Manager,
 - Assistant Manager,
 - Superintendents,
 - Accountant,
 - Assistants,
 - Cashier, and
 - Store keeper?

Mr. H. C. Prior: A statement giving the required information, as available up to the end of August, 1941, is laid on the table.

As regards part (b), there is no combined office of the Deputy Controller, Stationery and Forms, Calcutta. Information in regard to the Central Forms Store, Calcutta, has been included separately in the statement.

Statement showing the Number of Members of each Community employed Permanently in the Higher Posts in the various Offices of the Stationery and Printing Department.

Key to the abbreviations—

H. = Hindu.	A.-I. = Anglo-Indian.
M. = Muslim.	I.-C. = Indian Christian.
E. = European.	

(a) Office of the Controller of Printing and Stationery.

- | | |
|----------------------------|---|
| (i) Controller | 1 H. |
| (ii) Deputy Controller | Not permanently filled. (Officiating incumbent is an A.-I.) |
| (iii) Assistant Controller | 1 I.-C. |
| (iv) Superintendents | 1 H. and 1 A.-I. |
| (v) Assistants | 7 H., 2 M. and 1 A.-I. |

(b) Office of the Deputy Controller of Stationery, Calcutta.

(i) Deputy Controller	1 H.
*(ii) Assistant Controller	1 H.
(iii) Superintendent	1 H.
(iv) Assistants	15 H. and 3 M.
(v) Storekeeper	1 H.

(c) Government of India Presses.

	Calcutta.	New Delhi.	Simla.	Forms Press, Aligarh.	Forms Press, Calcutta.
Managers	1 E.	1 E.	1 E.	1 H.	1 E.
Assistant Managers	1 H.	1 H.	1 H.	..	..
Overseers	1 H. & 1 M.	1 M.	..	1 M.	..
Foremen	2 M. 1 A.-I.	1 I.-C. 2 M.	..	3 M. 1 vacant.	1 H. 1 M.
	1 not permanently filled (Officiating incumbent is H.).				
Section holders	7 H. 1 M.	5 H. 2 M.	5 M.	..	..
Head Assistants	1 H.	1 H.	(Head clerk 1 H.)	(Head Asstt. 1 H., Head Clerk 1 H.)	..
Accountants	1 H.	1 H.	..	1 H.	1 H.
Assistants	5 H.	3 H. 1 M.	..	..	..
Storekeepers	1 H.	1 H.	1 I.-C.	1 H.	1 H.
Cashiers	1 H.	1 H.	..	1 H.	..

(d) Central Publication Branch.

Manager	1 A.-I.
Assistant Manager	1 H.
Superintendent	1 H.
Accountant	1 H.
Assistants	1 A.-I. & 6 H.
Cashier	1 H.
Storekeeper	1 H.

Central Forms Store, Calcutta.

Manager	1 E. (He is also Manager of the Forms Press, Calcutta).
Superintendent	1 I.-C.
Assistants	7 H.
Accountant	1 H.
Cashier	1 H.

* There is no post of Assistant Deputy Controller in this office but one of Assistant Controller.

NOTE.—Where the posts have not been filled by promotion, communal rules for direct recruitment have been followed.

SHORT NOTICE QUESTION AND ANSWER.

FALL IN THE PRICES OF COTTON.

Mr. Jamnadas M. Mehta: Is the Honourable the Commerce Member aware of the heavy fall in the prices of all qualities and varieties of cotton during the last week? If he is, will he be pleased to state:

- what steps have been taken by Government to ensure the maintenance of an equitable price, in particular regard to the agriculturists?
- what arrangements Government have made for the purchase of the huge surplus of short-staple cotton and how such purchases are likely to be made?
- what steps, if any, Government have taken so far for the drastic reduction of the acreage on short-staple cotton having regard to the commencement of the sowing season in April?
- what steps Government have taken to encourage the growing of alternative crops on such acreage as became released from the reduction of short-staple cotton?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) Yes. Government have decided to buy raw cotton in upcountry districts through selected agents.

(b) Government have appointed certain selected agents for purchase of specified quantities of short and fair staple cotton in the first instance and necessary authority has been issued to them to operate immediately.

(c) and (d). The matter is being dealt with by Provincial and State Governments according to the best means open to them. The subject will form an important item in the discussions that the Government of India will be having with representatives of Provinces and States on the 6th, 7th and 8th April when conferences on food production and control of prices of commodities will be held.

Mr. Jamnadas M. Mehta: Part (a) of the question has not been answered?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I believe I have answered that. I am aware of the fall in prices and Government have decided to buy raw cotton in upcountry districts through selected agents.

Mr. Jamnadas M. Mehta: "To ensure the maintenance of an equitable price", this part has not been answered?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The idea of the Government in entering into the market and purchasing is to improve the position of the cultivator so far as the price of these commodities is concerned.

Mr. Jamnadas M. Mehta: Have Government any idea of the actual acreage that will be reduced?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: We had certain reports from the Provincial Governments, but the actual acreage will be reported later when these representatives attend the conference.

Mr. Jamnadas M. Mehta: Have Government any figure of the number of bales of cotton already purchased?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: We have an idea of the number of bales of cotton which we have asked our agents to purchase as a first instalment.

Mr. Jamnadas M. Mehta: Is the number known?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Government have given order for the purchase of a certain number of bales.

Mr. Jamnadas M. Mehta: What has been purchased so far?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: They have just entered the market.

Mr. Jamnadas M. Mehta: Will Government issue any communique for the purpose of allaying the anxieties of the public mind?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I hope the answers that I have given to the Honourable Member will be sufficient publication and will allay the public mind on the subject to the extent that it can.

Mr. Govind V. Deshmukh: May I know if Government will purchase in cities like Bombay or will they go to district markets where the agriculturists take their cotton?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have said upcountry districts.

Sir Vithal Narayan Chandavarkar: When the Honourable Member says raw cotton, does he mean both ginned and unginned cotton?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Both, Sir.

Mr. Govind V. Deshmukh: So far as reduction of acreage is concerned, have Government taken any steps to see that no acreage under cotton is increased in Indian States?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: We have communicated our views and our strong desire to Indian States as well, and we have had assurances from certain Indian States that so far from increasing the acreage, they will try to curtail.

Mr. Govind V. Deshmukh: May I know when this matter was communicated to the Indian States?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Certainly more than a month ago.

Mr. Govind V. Deshmukh: Is the Honourable Member aware that at least in the Central Provinces and Berar the acreage under short-staple cotton is reduced by 50 per cent?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am not aware of the exact percentage of reduction, but I know that the Central Provinces Government are very anxious to reduce acreage; so are other Provincial Governments.

Sir Cowasji Jehangir: Is it a fact that there is very little quantity of unginned cotton in the market just now?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It has been so stated by certain agents with whom Government have been in consultation.

Sir Cowasji Jehangir: Then how are they able to buy unginned cotton?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The agents have been asked to buy both unginned and ginned and pressed cotton.

Sir Cowasji Jehangir: Then, am I to understand that out of the quantity which the agents have been instructed to buy, they will buy such quantities of ginned cotton as they can obtain, considering the lack of unginned cotton in the market?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: They will buy such quantities of unginned cotton as they can obtain and supplement it by buying bales pressed.

Mr. Govind V. Deshmukh: Have Government considered the growing of alternative crops in place of cotton in those places where raw cotton was grown? If so, what are the crops?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Every kind of alternative crop and essential food-grains in particular has formed the subject of consideration by the Provincial Governments. Discretion has to be given to the Provincial Governments as to what they consider suitable alternative crops which can take the place of a crop of short-staple cotton and fair-staple cotton. I hope to have complete details of what steps have been taken from the representatives of the Provincial Governments who will be attending this conference. As regards inducements, several inducements have been offered to them and the exact

details of those inducements will be further communicated to them at the conference which is to be held on the 6th April.

Sir Vithal Narayan Chandavarkar: Does the Honourable Member not consider it desirable to issue a communiqué explaining in full the policy of Government? My information is that there is a good deal of panic in Bombay and in spite of the action taken by the Government of India the panic has not been allayed and the tendency is for the market to fall further.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I hope the answers that I have given this morning will get wide publicity, and a communiqué cannot add more facts than I have been obliged or privileged to express this morning.

Bhai Parma Nand (West Punjab: Non-Muhammadan): Sir, I wish to say something on a point of personal explanation.

Mr. President (The Honourable Sir Abdur Rahim): I do not think any one has said anything about the Honourable Member in the House today, so there can be no question of personal explanation.

Bhai Parma Nand: Yesterday afternoon I was not in the House, but I saw in the Press Report that Syed Ghulam Bhik Nairang referred to me and said that I wrote a letter to Lala Lajpat Rai 20 years ago and recognized in it the need of a Muslim homeland. The

Mr. President (The Honourable Sir Abdur Rahim): That is not before the House now, and it will not be in order. The Honourable Member can write to the press or to the Honourable Member concerned.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMERCE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Friday, the 13th March, 1942, the time fixed for receiving nominations for the Standing Committee for the Department of Commerce, five nominations were received. Subsequently two members withdrew their candidatures. As the number of remaining candidates is equal to the number of vacancies, I declare Mr. E. L. C. Gwilt, Mr. Umar Aly Shah and Mr. Amarendra Nath Chattopadhyaya to be duly elected.

THE CANTONMENTS (AMENDMENT) BILL.

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, I beg to move for leave to introduce a Bill further to amend the Cantonments Act, 1924.

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

The motion was adopted.

Sir Gurunath Bewoor: Sir, I introduce the Bill.

THE INDIAN FINANCE BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Indian Finance Bill.

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, when the House rose yesterday, I was dealing with the question of the complaints made regarding the behaviour of soldiers as exemplified in certain recent incidents. I explained that Government greatly regretted these incidents and I pointed out the measures taken to prevent a recurrence of such incidents. In that connection, I referred to the creation of a corps of military police with the necessary strength to provide for all places where large numbers of troops happen to be stationed or to be passing through. As a result of the action already taken I quoted what the *Bombay Sentinel* said in connection with the debate in the Bombay Corporation. In that connection perhaps I might also quote what the *Bombay Sentinel* said on the 10th March:

"As far as Bombay city is concerned, the situation has certainly improved. But the public apprehension would be greatly allayed by an authoritative statement that the Government, the police and the military authorities have taken steps to see that such excesses are not repeated."

As I have already said, the matter has been the subject of anxious consultations between the civil, police and the military authorities in Bombay, and various steps have already been taken; and I trust that the assurance I gave yesterday and which I give now will allay all anxiety.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, may I ask whether there is any truth in the allegation in certain quarters that recently, about ten or twelve days ago, an incident has occurred about a couple of miles from Bolaram in which a number of British troops were concerned?

Sir Gurunath Bewoor: Does the Honourable Member refer to any attacks on the general public?

Maulana Zafar Ali Khan: Yes, Sir.

Sir Gurunath Bewoor: I am not aware of any such incident.

Maulana Zafar Ali Khan: Will the Honourable Member make an inquiry into it.

Sir Gurunath Bewoor: Only if the Honourable Member will mention what the incident is. I have had no information and I will have to ask whether any incident has occurred. I have not even seen anything in the press.

[Sir Gurnath Bewoor.]

Sir, having thus dealt with Mr. Deshmukh's points I would make an appeal to this House and to the general public to view these incidents in their proper perspective. The Indian Army has expanded to over five times its pre-war size. We have a large number of recruits from all parts of the country, many of whom have never seen a city. They have been trained at high speed in the essentials of fighting. We have, coming into this country or passing through its main ports, thousands of British and Dominion troops. We have, in addition, in our main ports, literally thousands of sailors of different allied and neutral countries who are bringing to us and taking from this country most essential and vital supplies. All these are working under very hard and trying conditions. The sailors are braving the dangers of the seas,—submarines, possible air attacks and mines. Our soldiers have fought and are going to fight under very trying and hard conditions. They travel in ships under conditions which we who have travelled in luxury liners cannot understand. They get a little rest, relaxation and pleasure when they are in ports or in towns or cities. Many of them are complete strangers to the East and to our ideas, feelings, habits and customs, and very few know the local language. They may do somethings most innocently but these might hurt our public. And yet considering the large number of troops and the period since the outbreak of war I am sure every one will admit that the number of any serious incidents has been extremely small. In the vastly expanded army of today it is inevitable that there would be some bad characters but how few and exceptional they are! However strict the discipline and however careful the supervision, it is impossible to prevent the occurrence of some incidents. No one regrets these incidents more than the soldiers themselves.

Some Honourable Members: Ah!

Sir Gurnath Bewoor: I repeat that no one regrets these incidents more than the soldiers themselves. They see that their name is being spoilt by a few bad characters. I think I cannot do better in this connection than to quote the *Bombay Sentinel* again:

"We have said often enough that the majority of soldiers who come to the city are well behaved, but there is a vicious minority. We should be the last to encourage ill-feeling against the man who is fighting in the war whether British, Australian or others, but there is a marked minority which requires to be curbed and controlled and punished."

And that is being done. I would like to emphasise the fact that a proper perspective and a proper sense of proportion should be maintained in dealing with this matter. Every trivial incident should not be exaggerated. I have taken note of what my Honourable friend, Mr. Neogi, mentioned about the incidents on the Bengal and North Western Railway. I had a letter on the same subject from a member of the Council of State and the matter is now engaging the attention, both of the Railway Department and of the Defence Department. I would appeal, Sir, to the general public and press that incidents should not be exaggerated. There is a good deal of rumour in this matter. You often hear that something has happened somewhere and it goes on being exaggerated and if you ask somebody where it happened you cannot get any information. Our own Indian

soldiers are suffering from similar allegations against them in other countries and I think most of the Members would have read about the fabricated accounts of outrages against Indian soldiers which has appeared yesterday in the *Hindustan Times*. And may I merely read one sentence:

"The Civil Defence Commissioner, Mr. O. E. Goonatilleke, has investigated the stories he has heard and found them absolutely baseless. It may be said with confidence that from all enquiries made from every possible source, there is no truth in the allegations of outrages said to have been committed by the Indian troops."

Sir, the same thing applies to the incidents that occur in India and let me make it clear, and I do not want to be misunderstood, that I am not justifying a single outrage or a single mischief but I am merely asking that the House should keep a proper sense of perspective and proportion in dealing with this matter.

May I in this connection appeal, Sir, for a little more understanding and sympathy for the members of the Defence Services and for assistance and co-operation in entertaining our troops and helping them to understand the people, our customs and usages. This applies equally to Indians, British and Americans. Government is grateful to the many organizations who not only spend money in receiving and entertaining troops but give a good deal of the valuable time of the members of the organizations. In the main ports of India the strain on these organizations has been heavy. I would appeal for more sympathy and more understanding and more help and co-operation. I would appeal for a smiling welcome to these troops, our own and those of our Allies, the soldiers, the sailors and the airmen who are risking their lives and are cheerfully undergoing hardship and who get an occasional and short period in peaceful surroundings. Many an incident is due to sheer ignorance and misunderstanding. A friendly feeling, a warm welcome, a cheerful smile, a sympathetic understanding is all that is required and there would be no incidents. And I make this appeal to the Indian as well as the European element in this country—more to the European element because they are much better qualified to arrange for this sort of entertainment—to extend their welcome to Indian officers and Indian troops as well as to European officers and European troops. The Civil Police and the Military Police will not hesitate to deal with the offenders and the public has no cause for alarm whatsoever. The "vicious minority" will be dealt with severely. And I ask for the assistance of the powerful public press of this country in removing this needless alarm and in promoting, what is now very essential, a friendly feeling and sympathetic help and understanding between the civilians and the troops.

To turn now to another matter, Sir, my Honourable friend, Sir Muhammad Yamin Khan, referred to the wasteful expenditure of money and quoted in that connection the case of a Contractor in Meerut. In the short time that has been available and on the basis of information given. I regret I have not been able to trace the particular case that the Honourable Member may have in his mind. Lorries have been hired for a variety of purposes including those in connection with the training of drivers. The one case I have been able to trace is that of a Meerut Contractor who was refused any contract by the local military authorities because the highest local civil authority reported that "he is so untrustworthy that it is futile to deal with him." In these days, lorries are often required most urgently and in large numbers and rates have often to be fixed mainly with a view to get what is needed as quickly as possible. But every precaution is taken to prevent wastage. As regards alleged corruption, Government is

[Sir Gurunath Bewoor.]

only too anxious to put this down with a strong hand and if the Honourable Member will give me sufficient material, I will not hesitate to have the matter investigated and to bring the offenders to book, whoever they may be.

Sardar Sant Singh referred to racial discrimination, and, in that connection, quoted the case of women employees in the General Headquarters. May I say at once, Sir, that there is no racial discrimination, and that all women employees—Indian, Anglo-Indian, or European—get the same scales of pay according to the nature of work performed. It may be that Sardar Sant Singh had in mind what may be called sexual discrimination. The main object in employing women is to relieve men for doing work elsewhere, work which cannot be performed by women. We do, in fact, welcome women, and we hope to continue to employ them in larger numbers. Government would welcome more and more women, Indians or non-Indians, to come forward. In a recent question which he put, Sardar Sant Singh referred to educated Indian young men who wanted clerical jobs and the inference which he wanted to be drawn was that these women were keeping out educated Indian young men from having jobs. Sir, there are today hundreds of such clerical jobs for which we want men. The Army is crying for clerks, and yet, Sir, these educated young men do not want to take up those jobs. What they want are safe and secure jobs. They want to have jobs which can be performed by women and they do not want to go out in the heat and discomfort of working with Regimental Units. I say, Sir, that such educated young men do not deserve our sympathy. The clerical staff of General Headquarters has expanded enormously. It used to be about a thousand, and it is now 4,000. Of these 400 are women.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, may I interrupt the Honourable Member. I think a proper advertisement will do and he will get lots of young men coming forward.

Sir Gurunath Bewoor: Sir, there have been lots of advertisements. The Honourable Member does not read, it seems. We have spent thousands of rupees in advertising. But the fact is that as soon as these educated young men are told that they have to accept liability for service anywhere, they immediately say "no". They want to serve in safe and secure jobs, and if a woman is doing that job, they say "I can do it equally well."

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): Are all educated young men like that?

Sir Gurunath Bewoor: I am merely repeating what Sardar Sant Singh said. I am not condemning all young men. I was talking about certain young men who allege that these women were taking their places. These young women who are employed are not just what many people may have an idea of them—pretty-looking girls who know just how to paint their lips well and to serve tea to their bosses. It is not true. Some of them are experienced women, women who have worked in commercial houses, in England as well as in India, and who are highly educated and intelligent and they all do a full day's work—anything up to eight to ten hours a day.

I now turn with some trepidation to the question of Australians in the Army. I fully appreciate the feeling of some Members of this House and elsewhere on this question. But I would like to point out that there never has been any bar on British subjects, from wherever they come, on joining the Indian Army—Australians and others have in the past come into the civil and military services of India via the United Kingdom; and no one has ever raised a question. At present the whole of the British Commonwealth and America are in the war. We are searching the world for equipment and so are we searching the world for personnel; and so we are taking personnel as well as equipment from wherever we can get them. There need be no anxiety whatsoever that the few, the very few, Australians and others who may come into the Army would keep a single Indian out. They are coming purely on a temporary basis on an emergency commission for the period of the war; there is ample scope in the defence forces for as many Indians as volunteer to come forward and no Australian has kept or will keep a single Indian out. We are fighting in a common fight and I would appeal to all Members not to raise at this time anything that might affect even remotely the strength of our common resistance to the implacable enemy. We must all join, every one of us, in all parts of the world, to fight the common enemy, and we must not allow petty jealousies and grievances to affect the common effort.

Mr. Kailash Behari Lal referred to the Bihar Government's letter. He was not present when the question was asked and I answered the question and supplementaries. I regret I have not seen the statement of **Mr. Mahmood** who used to be the Minister there, and, therefore, I am not in a position to answer anything further.

I now come to the important point which has been raised by a number of speakers and which is the main point, namely, the question of our preparation to meet the enemy. I would first of all like to say that I have never said that any Member of this Honourable House would go out and convey to the Japanese any information that may be given. All that has been emphasised is that information given in this House is widely published in this country and broadcast to the world, and a clever enemy—and our enemies are no doubt clever and in some respects cleverer than we are—would be able to take advantage of that information. Even if they knew it already, that is no reason why we should confirm it. I would like to assure **Maulana Zafar Ali Khan** that the troops that are being recruited in this country, officers and men, of all ranks and classes and grades are being trained intensively by the best instructors that we can secure; and in this connection, I would like to tell **Sir Cowasji Jehangir** that recruitment and training is carried on in advance of equipment, and we are using even dummy rifles for giving the preliminary training to recruits before we can get the full equipment. I have no doubt, nor, I am sure, has the House the least doubt, that these troops will give a very good account of themselves as they have already done against the enemy even at tremendous odds and in difficult circumstances.

Regarding military preparation to meet the threat, on which certain pertinent questions were put by **Mr. Lalchand Navalrai**, I do not think I can do better than draw the attention of the House to the interview which His Excellency the Commander-in-Chief gave to the press representatives

[Sir Gurunath Bewoor.]

the other day. I am quite sure that most Members of the House have read this, but I had perhaps just drawn attention to the essential part of that statement. His Excellency said :

"You naturally will not expect me to give details of the arrangements we have made or are making for the defence of India, by sea, by land and air. I can only tell you that the problem is one of the closest co-operation between the three services and is being treated as such and the building up of a strong air force in north-east India, which will not content itself with defence but will attack the enemy, will be one of our principal means of safeguarding India."

Every effort is being made and the lessons taught us by the failures in Singapore and Rangoon have been taken to heart. Honourable Members have asked what is being done to protect India against sea-borne expeditions. Here I may again quote General Wavell :

"Every preparation is being made to meet the threat of a Japanese sea-borne expedition. On land, it is obviously impossible to construct beach defences along the immense coast line of India, as has been done in England, and it is our intention to meet the possibility of invasion by mobility and attack, not by attempting to hold defensive lines. The defence of India will be based on holding within striking distance of threatened points, of mobile reserves which can move to meet and attack the enemy."

Air defence and air attack is in modern warfare a very vital matter. In that connection I would quote again—but in order not to take up the time of the House—I would merely draw attention to the statement made by Air Marshall Sir Richard Pearce the other day. About Air Defence, again, His Excellency stated :

"In the matter of defences against air attack the position is improving almost daily in respect of air craft, anti-aircraft guns, an adequate warning system and A. R. P. arrangements. There are three principal factors in the defence of a country's towns and cities against air attack. Firstly, guns and aeroplane, secondly, A. R. P. arrangements, and thirdly the spirit and morale of the people. Of the three the last is the most important."

It is on the point of morale that I would like to lay emphasis. Morale is in fact the one deciding factor in all warfare. The term morale may be difficult for many of us to understand. I would like to express it as courage in adversity. A great sanskrit poet speaking about the signs of great men has stated that one of the qualities is 'courage in adversity'. My friend, Sir Vithal Narayan Chendavarkar, in his very eloquent and well balanced speech asked the question : "What can we people do to help in the war?" and gave the answer himself. "Our duty" he said "is to keep up the confidence of the people, to sustain public opinion, to rally it behind the war effort." I entirely agree with that. I would also like to support the magnificent appeal which my friend, Mr. Jannadas Mehta, made. He appealed for oneness of purpose, oneness of mind to win the war. It is now for every one in India, every one whatever his class or creed, whatever his status in the social structure, however humble the work he may be doing, with whatever instrument he may be doing it, with gun or sword, with hands or machine, with pen or voice, to keep up his courage and that of others, to squash rumours and defeatist talk and to work with a singleness of purpose to achieve victory. It is no longer a question of merely depending upon the fighting forces, on the Army, the Navy and the Air Force—they will of course do their part. It is for every one of us to wake up, to rise to the occasion and to prepare himself for resistance and attack. There is one great enemy we have got who must be put against the wall and shot, and that is Dr. Funk. There is too much jitterbug feeling all over the country. It is in the last

resort the spirit that counts. The word 'merale' may not convey to every one what it really means. I would like to give with your permission the Indian word :

"Is cakt kya chahiye? Himmat chahiye."

I want people to use the word *Himmat*. What we need is courage and confidence, courage when things may be looking black and confidence in our own powers and spirit. Any one can be brave when everything is in his favour. But real courage is that which shows up when things look black. Let our motto be *Himmat*. The Commander-in-Chief has already told us that our forces, especially our air forces will not be content with defence but will strike at the enemy wherever they can.

Maulana Zafar Ali Khan: I agree. The Slogan of India, as the Persian poet says, must be :

"Himmat buland dar ki nizz-e-Khuda o Khalq"

Bashad ha qadr-i-himmat to itibar-e-to"

Sir Gurunath Bewoor: I do not understand what the Honourable Member has said; however, let me get on

Maulana Zafar Ali Khan: I thought you understood it.

Sir Gurunath Bewoor: The army will take up an attitude of attack. What we, therefore, want is the motto "*Himmat aur Hamla*", courage and attack, and we need fear no one. May I, Sir, in this connection end with the inspiring appeal which His Excellency made the other day :

"The soldiers in India and in many parts of the world have fought and are fighting gloriously for the safety of their motherland, for the preservation of her ancient inheritance and for the bringing to pass of her hopes for the future. Today the battle front is of great depth, and each one of us can be a soldier too. Stand steady, encourage the brave, strengthen the faint-hearted, rebuke the babbler, and root out the hidden traitor. Make good the defence of the country today; go forward to victory tomorrow, for without victory there is no hope for the survival of free institutions, culture or kindness in the world."

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I hope during this discussion, if my voice is bad, my temperature will remain normal. Sir, I desire to take advantage of this opportunity to talk on certain important matters. I am glad to notice that Honourable Members with their Deputies were present for most of the period of this discussion. May I go a little further and ask the Honourable the Leader of the House, who, I am sorry, is not present here, that our remarks on various matters should be reported to the Departments concerned, and they, in their turn, should give replies, which should be communicated to the Members who have spoken. That is the only means by which you can get, in a practical and effective measure, that much needed co-operation between us who represent our constituencies and you who represent the Treasury Benches. This is really a much needed reform, Sir, in other words, the establishment of a closer human touch between you and us. Sir, in making these remarks, I was very pained, and I speak on behalf of my Party, when I saw the reception that was given by the Treasury Benches to such an esteemed member of my Party as Mr. Husenbhai Laljee, the Deputy Leader. Mr. Husenbhai Laljee tried to

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tell the Government what he felt they did not know. That was in connection with machine tools. His repeated assurances to Government that they were not getting a hundred per cent. war effort was received if not with objection, at least with impatience

The Honourable Sir Jeremy Raisman (Finance Member): Sir, as the Honourable Member responsible for the interruptions during that portion of the speech, may I point out that all I said was that if Mr. Husebhai Laljee knew that a large quantity of machine tools were available, he ought also to know that Government had for a considerable time been doing their utmost to find out about such tools, and it was his duty to have informed the Government long ago.

Lieut.-Colonel Sir Henry Gidney: Sir, I am glad of the interruption, for it gives me an opportunity of replying. I know it for a fact that Mr. Husebhai Laljee has interviewed many leading officials in this matter, and I think the Honourable Member in charge of the Supply Department will bear me out in this. Mr. Husebhai Laljee cannot be accused of not informing the Government. I have not said anything against the Finance Member. It was not he who made the interruptions which I have called "impatience". It was his supporters and some of the commercial magnates who twitted him. Sir, I take serious exception to such treatment. Mr. Husebhai Laljee is doing his duty. Whether he is right or wrong, it is the Government's duty to listen to what he says patiently. Having made that statement here on behalf of a man who would adorn the Treasury Benches

Sir Cowasji Jehangir (Bombay City : Non-Muhammadan Urban) : Like yourself?

Lieut.-Colonel Sir Henry Gidney: I take a second place to you, Sir Cowasji. I say that a man like Mr. Laljee should be listened to with rapt attention, respect, if not with acceptance, Sir. It is this practice of twitting and impatience which prevents us from having that rapprochement and camaraderie between us which such important matters demand.

Having said that, let me go on to the important matter of transport. Sir, none in this House will deny that today the chief need of this country and the War is transport, and in this connection I shall confine my remarks more especially to Railways. None will deny that there is a serious inadequacy of transport, with the result that the whole of India is being affected seriously. I realise that the first duty of the Railway Transport Department is the supply of material for defences, but the public life and industries of the country should not be entirely sacrificed. I am prepared to forget that the Railways recently sent to the Mid East 200 locomotives and 12,000 wagons, I am also prepared to forget the studied policy of neglecting major industrialisation in this country by the Government for the last 100 years. Again, I am prepared to forget all these sins of the past, for we are not infallible. My chief concern is of the present. We have a distinct shortage of transport, and I would like to know why? The Railway Board was fortunate to have secured big surplus budgets? But what use did they make of them? Fed the Finance Member who now asks us for extra taxation? The Railway

Board, Sir, I think, is to blame largely, and let me ask : "What does the Railway Board today consist of?" From the Chief Commissioner downwards, they are more or less all railway officials,—Agents—eminent administrators and disciplinarians in their own spheres, men who administer internal working of Railways very excellently, but who are absolutely devoid of commercial, trade, agricultural or transport knowledge, except it be as to the timings of trains and rates and freights. Sir, we want a Railway Board as envisaged in the Federal Railway Authority. According to this, the upper part of the Railway Board is to consist of experienced business public men and the executive or under half of it to consist of administrative officers, *e.g.*, Agents of Railways. But today we see no business man on the Board. From the Honourable Member down to the juniormost member of the Board, there is no one who has been steeped or trained in modern methods of business, men who possess that long vision and who have that elasticity of mind which is so necessary to the administration of big institutions such as our Railways. Not as an Army with matter of discipline or rules but as a highly specialised business concern. What do we see today and what is the result? We see the Railways administered, yes, with surplus budgets but administered by a set of Railway Agents, officers steeped in Railway rules and regulations created by their predecessors in office and which they exercise with a rigidity both worthy and reflective of their training as agents of various Railways. But, Sir, not one of them has had any modern business experience or trade experience. Sir, the time has come when we should completely alter the composition of the Railway Board, and I say this with no disrespect to its present Members. We should have experienced business men on the Railway Board from the top to the bottom and so work our Railways as a business concern and not a well disciplined army. Indeed, I go further and say that the Communications Member should be a business man. In offering this advice I offer as my ideals, my friend the Supply Member and my friend the Commerce Member. What greater men can or do we have in the present Cabinet than the two Ministers? Look at the wonderful work they have done in the short space of time they have been in office? Why? They stand out conspicuous by the success and the magnitude of their labour and for the originality and initiative and push they have so effectively displayed during their brief term of office. I say, therefore, that the Railway Board should have businessmen on it. In other words, as is envisaged in the Federal Railway Authority in the Government of India Act of 1935, we should have that recommendation of the Act put into operation as soon as possible. Now is the time for it. There is another point which I want to raise. I wonder if I am right in asking whether the Railway Department has any connection or whether it works in close association with the Marketing Board? If they did, I do not think we would have had this transport difficulty. Indeed, I go further and say that the Supply Department, Railway Department and Marketing Board should work in very close co-operation and union with each other. I shall not refer to the wheat position, because it is being remedied and measures are today being taken to ensure its better transport from the Punjab. But, Sir, the transport problem is seriously affecting many concerns, local industries or the public. I am myself a complainant in this matter,—I find the greatest difficulty in getting printing paper for some of my communal and public work. I am not the only one. The mills are manufacturing paper but there are no wagons to transport it. We have the Titagur Paper Mills shouting for wagons, but their shouts are in vain and we are the sufferers.

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That is only one out of many such complaints. Mr. Jamnadas Mehta referred to a glass factory which could not get wagons. Let me refer to another industry in this country, namely, the match industry. Honourable Members may not know that the manufacture and sale of matches was started in this country in about 1925, and that even today it is in the hands of a Swedish concern, administered by the Swedish, a country which as you know has compulsorily to aid the Germans today. That Company has the monopoly. It can get 60 to 80 wagons whereas Indian match factories cannot get more than 3 or 4 wagons. That is what I call discriminatory. A Railway Board with businessmen on it would not allow such a thing. I shall not level charges against anyone but this discrimination is clear proof of palm oil, of bribery, of corruption, call it what you like, on the part of those who have the disposal of Railway wagons. Why should there be this discrimination, why should we have these complaints? Are they all imaginary? Surely, this demands immediate action. Every Railway Agent should have it brought home to him that this must stop, and anyone who is found guilty in any way should be summarily and seriously punished. Otherwise, how can our industries live? Then there is another matter in connection with matches, which I desire to call the attention of the Honourable the Finance Member. The Finance Member last year insisted on having boxes of 40, 60 and 80 matches. Mr. Huseenbhai Laljee asked that there should be boxes of 50. The Honourable Member did not accept the proposal then but it took him six months before he found that this was necessary.

The Honourable Sir Jeremy Raisman: It is not so. On the contrary, I promised at the time that we would facilitate the distribution of 50.

Lieut.-Colonel Sir Henry Gidney: The Honourable Member is quite right, but he was guilty of breach of promise for at least six months. I know it was rectified and a communiqué was issued last October. We then had on the market boxes of 40, 50, 60 and 30 sticks. It was on the 14th of this month that the Government issued a further communiqué putting the price of 50 sticks match box at six pies. For 40 sticks the price was fixed at 4½ pies. The reason that Mr. Laljee urged for his request was that there would be economy in paper, chemicals, wood, etc., and still the Honourable Member would have got his three crores of revenue from this industry. Government issues a communiqué on the 14th March.

The Honourable Sir Jeremy Raisman: I am sorry to interrupt my Honourable friend. What was necessary on my side in order to enable matches to be sold in boxes of 50 was that the duty should be adjusted and that was done within a few days of my statement on this subject.

Lieut.-Colonel Sir Henry Gidney: I am glad to hear that, but does the Honourable Member realise that has opened the floodgates to swindling—that the Swedish firm which has got 40 stick boxes will flood the market by passing them off as 50 sticks and vendors will cheat the public by selling them at 0-0-6, and not at 4½ pies.

The Honourable Sir Jeremy Raisman: I must protest as one who knows a great deal of the details about these things. I will advise my Honourable friend to be more careful about making statements of that kind. The firm in question has done more than any other firm to enable 50 stick boxes being put on the market in this country.

Lieut.-Colonel Sir Henry Gidney: I have not the faintest doubt about it, and there is no need for my Honourable friend to give me a caution.

The Honourable Sir Jeremy Raisman: You called it a swindle.

Lieut.-Colonel Sir Henry Gidney: I am not prepared to submit to having said anything like that against the firm. What I say is that it would encourage vendors to swindling, i.e., to selling boxes with 40 sticks as boxes with 50 sticks at a higher cost. I do not deny for a moment that this firm is supplying a very much needed want to India. But should not Indian firms have the monopoly? Why should this foreign firm which has no Indian capital have the monopoly? Why do you not encourage Indian industry? That firm has a monopoly of 75 per cent. of the match trade in this country. However, I leave the subject there and I shall take the Honourable Member's advice to be cautious and say no more.

The next point that I wish to discuss is about strikes and the Ordinances. I am one of those who is very much afraid of what strikes have in store for India, and I would advise Government very seriously to watch the position very carefully and not curtail their Ordinances but to make their Ordinances stronger so that no strikes will be tolerated. In America and in England the Governments have taken very careful control of labour and strikes and I would ask the Government of India to take a page off their book. You must have contentment in the staff and the labourer has every right and cause to complain if he is unjustly dealt with. Compare the conditions of labour in this country with those in Australia, America and England. There the labourers are listened to, their salaries are generous. What do the Government of India do here? They have increased the work of their labourers and not increased their pays proportionately. And the only way to do that is—I would ask the attention of the Honourable the Communications Member to call representatives from all unions. There is no use calling only one union and pretending that that union represents all the railwaymen in this country. It does not. The Muhammadan Railwaymen's Association represents thousands of employees. Why take into consultation one union only and say, "I will talk with this and with none else," who are not members of that federated union?

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Because they are not vocal.

Lieut.-Colonel Sir Henry Gidney: The Government of India with one breath fosters, encourages and accepts the communal ratio for employment on railways. In the next breath it throws it to the winds and says no representation at Conferences will be given to railways communal unions. Why? They say they do not wish to encourage communalism? And, yet, they wish to encourage singularism and think that one union represents the whole? But it does not, I make this public statement.

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It is wrong. The way to tackle the question is to get the views of labourers from all unions. And why not? The Honourable the Commerce Member invites the directors of every business to come and represent their views to him when he wishes to deal with commercial problems. I wish the Honourable the Communications Member to discontinue such an attitude and follow the practice of the Commerce Member. Why does he mistrust communal organisations? They exist to protect their communal percentages and rights which you have given some minorities. And why should you prevent them from bringing before you all matters of importance connected with the railways?

The next point I wish to take up is about the Telegraph Department. I am sorry that there is no one here representing the department. I wish to refer to the collapse of the telegraph service. The word collapse may sound rather alarming, but in using it I take as my comparison the Telegraph Department as it once was, i.e., excellent. It is common knowledge that the department is unable today to meet its responsibilities to the public. Delays are enormous, anything from 24 to 72 hours, thousands of telegrams are posted between the larger transmitting offices, and, even when sent by wire, in many cases, arrive after the corresponding confirmatory copies are received by post. Owing to the employment of a large number of unqualified operators, telegrams often arrive mutilated and it is difficult to obtain corrections. What is the use of having maintained this essential service at such great cost for all these years, if the public are to be told now, in time of emergency that the service is unable to fulfil its duties and that they may use the post? Here I should like to digress and make a remark on the exodus that I believe is still to take place to Simla. I understand that 70 per cent. of the essential service staff is going to Simla this summer.

The Honourable Sir Jeremy Raisman: The Honourable Member is making a serious misstatement. The whole of the Defence and Supply Departments, broadly speaking, are to remain in Delhi, and the only reason why anybody is going away is because there is not any room for him here. The Civil Departments are being squeezed to the utmost and that is the reason why a large percentage—it is not now 70—is being asked to go to Simla. The Honourable Member should not misrepresent the position. The Government have made every effort to house themselves in Delhi.

Lieut.-Colonel Sir Henry Gidney: I accept what the Honourable Member says, but there is no use whipping a dead horse. The point is that there is a shortage of accommodation, I know that. The remedy appears to be to send the staff to Simla. I understand that besides the shortage of accommodation one of the reasons for this is because Government wants to air condition all the accommodation for military authorities (Some Honourable Members: "No.") I may be wrong. I am prepared to be corrected. Cannot I make a mistake, the same as you have made hundreds before. It is a privilege that I have in common with Government. The point is this. Do Government seriously think that their staff cannot remain in the heat of Delhi? The Military services are to remain here. That is so, I believe and their accommodation is being air conditioned. (Voices: "Yes"). They are not going up to Simla. Why should the military staff be molycoddled? Have they forgotten that

their colleagues in Libya and Syria are today bearing the heat and burden of the war and they cannot stop in Simla unless they get air conditioned quarters. What is going to happen to the Telegraphs when the staff go to Simla. Will it not still further strain an already perilous condition? You are inviting a bigger breakdown and strain on that department. This is really what the Department has come to and the pity of it is that it is due almost entirely to three avoidable causes, the sequel of a parsimonious policy of the Department during the last ten years when the service, particularly the operating branch, was systematically being pared to the bone. These three causes are (1) Inadequate staff; (2) Inadequate Telegraph Circuits, and (3) Inadequate Telegraph Apparatus.

Inadequate Staff. This is due to the cutting down of staff to impossible limits. I can recall to my memory my experiences of the Telegraph Committees, such as the Rangachariar Committee, The Varma Committee, the Sams Committee, the Pasricha Committee, each one of which recommended reductions and improvements. The operative and clerical staffs were so cut down that even in pre-war days the least emergency led to disorganisation and serious delays as there was no margin of trained men to cope with sudden rushes of traffic. Even after the war started, no steps were taken to train additional men to meet anticipated demands. We should by this have had sufficient staff to meet our requirements and additional men should be qualifying day by day to help in the formation of large military telegraph units. The Department, instead, chooses to train men by the usual leisurely methods of recruitment and meantime are paying enormous sums on incompetent temporary men. The remedy is this. As a stop gap, the Department can immediately obtain 200 to 300 more operators for the departmental offices. Let me explain what I mean and how this can be done. There are a large number of small stations like Kolhapur, Indore, Bangalore, Coimbatore, etc. where there are two or more Combined Post and Telegraph Offices in addition to the principal telegraph office. One or more of these local offices in each station may be converted into receiving offices, i.e., the telegraph knowing employee should be removed, but the office should continue to accept telegrams and should send them by peon to the Head Office. This, I agree, should not be done in the Presidency Offices, as it will lead to too much delay. By these means, 200 to 300 of the telegraph knowing staff will be available and these should be redistributed among the combined offices and the best men from these should be selected for transfer to the Departmental office on deputation. Meantime some method of emergency training should immediately be put into effect and all this red tape and leisurely methods of training should be ruthlessly set aside.

There is also a shortage of qualified telegraph masters, Baudot Supervisors and Testing Supervisors and large and important sections in Calcutta, Bombay and other offices are supervised by unqualified or inexperienced men. The want of expert attention to apparatus is also responsible for errors, mutilations and serious delays and even damage to apparatus. Unfortunately it is not easy to train men for these posts in a hurry, as years of practical experience is required. The only immediate solution is to recall all Telegraph Masters, Baudot and Testing Supervisors and Baudot Operators who have retired within the last five years.

There is also inadequacy of telegraph circuits. This also is due to the lack of forethought on the part of the Department. Up to about ten years

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ago, there was an adequate number of circuits between the larger distributing offices, but these were gradually cut down to provide for the expansion of the telephone service, in spite of the advice and the protests of the Telegraph Traffic Officers. One of the Directors General of Posts and Telegraphs who was responsible for this is still living.

Let me give you an example. Between Bombay and Madras, there were originally about 8 or 10 telegraph circuits. When the telephone service was being expanded instead of constructing new lines, the best copper telegraph circuits were taken one by one from time to time for pairing for the telephones with the result that, today, there are in addition to the carrier channels only one or two through telegraph circuits between Madras and Bombay and there are no spare circuits on which to open additional outlets between Bombay and Calicut, Bangalore, Madras, Belgaum, etc. in cases of interruptions or sudden rushes of traffic. This is one of the main causes of delays to traffic. Similarly between Bombay and Calcutta, there were five or six or more through telegraph circuits. These were also absorbed one by one in the manner described above till, at present, in addition to the two carrier pairs there are no direct telegraph circuits between Bombay and Calcutta and even in pre-war days when there was a breakdown in the carriers, traffic between Bombay and Calcutta was subject to enormous delays. The same position more or less obtains between the other larger telegraph offices in India.

The case of each of the circuits removed from telegraph service during the last ten or 12 years should be reviewed and arrangements be made either by restoring them or constructing new lines to provide at least two additional telegraph circuits between the larger distributing offices. The Standing Finance Committee recently sanctioned a large sum of money for telephone expansion. What is the use of this in war time when the telegraph service has proved unequal to its responsibilities? This money should be used for immediate and essential telegraph expansion, leaving the telephones to wait till after the war.

There is a great shortage of high speed apparatus due to the non-provision of spares and spare parts. Each office had just sufficient for its requirements and the instruments were worked to death, many of them working 18 to 24 hours daily at high speed for seven days in the week. On the outbreak of the war, no steps were taken to anticipate and provide for the emergency requirements and this omission went down to all telegraph stores, even stationery, forms, gums and ink for high speed instruments, specialised tapes for same, etc. The Department was asleep and looked only for a surplus budget.

All the apparatus which are out of commission should be collected in the storeyard where they should be sorted out and parts exchanged so as to build up as many complete sets as possible. One or two experienced mechanics from each telegraph office should be sent to the storeyard. A few competent mechanics should be obtained from the leading watch-

instrument making or engineering firms and between them these men should be made to make the spare parts which are not obtainable. If more intricate machines and munitions can now be manufactured in India, there is no reason why we cannot make our spare parts and even complete sets in this emergency. Just look at what Dayalbagh is doing. All that is required is that we ruthlessly set aside red tape and the usual leisurely methods of delay and set ourselves seriously to the task. Meantime we should obtain priority for the importation of at least a few complete sets, as telegraph apparatus is just as important as anything else because an efficient telegraph service is very necessary to the satisfactory carrying on of the war. The electric telegraph saved India in 1857. Let it not be said that it failed India in her hour of dire need and danger in 1942. There is still time before it is too late to rectify the unfortunate mistakes of the past and which should now have been allowed to occur. Sir, I bring this collapsed state of the Telegraph Department for which the present D. G., P. and T., is to blame to the serious notice of the Communications and Defence Members, and I ask him if he will be good enough to see that this is at once remedied or attention is given to it.

There is another matter to which I would like to refer and that the proposals of taxation which the Finance Member desires to impose. I am not going to journey into the intricate problems of taxation. I did in my first speech say that the Finance Member had not gone far enough and that the poorer Indian was prepared to share the burden of financial responsibilities in connection with this War. Sir, I have given this matter some thought and I am much enamoured with the Finance Member's compulsory saving scheme for the measure of thrift will be a boon to the middle classes of the country, because, the closest companion of these people especially those in Government service, is the Kabuli moneylender. I admit that the taxes imposed on India are not comparable with those obtaining in England and other Dominions. But India stands on a different footing in that the wages are so small that these people can hardly make both ends meet. This has been the position even in normal times, but one must take into account facts as they exist today. These workmen have today to face a very much increased cost of living and on much reduced salaries. In short, they belong to an overworked understaffed underpaid and underfed class of people among whom tuberculosis and other similar wasting diseases are rampant. Most of them have large families and their children must be educated, the cost of which is yearly increasing. The majority of them are unable to meet these demands on their starvation wages with the result that they resort to borrowing money at exorbitant rates of interest from the Kabuli moneylender and other bazar shylocks. This is the reason why I welcome the compulsory savings scheme which the Honourable Member has introduced in his taxation proposals. I congratulate him particularly on behalf of my community.

Incidentally, I feel I should refer to the practice now obtaining in law courts to allow a rate of interest on loans at 6 per cent. per annum. Now, it is common knowledge that this rate of interest was fixed at a time when the bank rate was 5 per cent. But today the bank rate is 6 per cent. and has been so for some years. Full advantage of this low bank rate is taken by industrial concerns, but the agriculturist and the middle classes of the country have been denied the benefit of this low bank rate, for, even the law courts decree against the debtor at 6 per cent. interest. This prescribed rate which was fixed years ago when the bank rate stood

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at 5 per cent. has never been readjusted to the present day conditions. I do think that in the interests of the poor man who is compelled to resort to borrowing for his ordinary needs, the Government ought to suggest to the judiciary that the rate of interest on loans should be related to the prevailing bank rate, for the bank rate is the basis of all financial dealings. I also feel that the courts which are always anxious to help the debtor will be only too glad to act if such a suggestion were made by the Government. I convey this suggestion to the Finance Member who knows more about these matters than anybody else in the House for his serious consideration.

While on the subject of debtors and decrees obtained by the moneylender, I feel that some special steps are necessary to safeguard the interests of the poorer agriculturists of the country. In Australia, New Zealand and other places soon after the declaration of war, I believe their Governments passed legislative enactments more or less preventing the sale of lands in execution of any decree by moneylenders—a sort of a moratorium. Such an enactment is more necessary in India than in any other country in view of the widespread indebtedness among agriculturists and middle classes owning lands. Their difficulties will increase especially during the period of the war owing to the increased cost of living and I do feel that Government ought to introduce some enactment to prevent such dispossession of lands—mark you—not by enemy action, but from those who act as enemies towards their own people—I refer to the moneylenders.

In reference to the Government's proposal to meet the deficit in the budget by borrowings, I feel I should deprecate the practice of issuing short term loans. It must be realised that this war in which we are engaged is not only for our benefit but for the safety and benefit of future generations. It is, therefore, but just that the burdens of this war should be borne by the future generations as well and for this reason I suggest that the loans should be long term ones—covering a period of from 30 to 50 years. Indeed, after a more careful study of the Finance Member's methods to secure enough revenue with which to prosecute the war, he should resort more to floating long term loans than to augment taxation on incomes, except the very rich and who are today getting richer on the war. I refer mainly to *Banias*. These are the modern Shylocks whose locks we should unlock or delock.

Sir the next point I wish to discuss is regarding the A. R. P. and fifth columnists. We have heard the speech from the Government Member about the A. R. P. In this connection I have more than once suggested the calling in of guns issued under the Arms Act, the purpose of my appeal is to defend those members of the A. R. P. in the execution of their work for after all they must also defend themselves and their homes, not only against a parachutist enemy but against the goondas and others, who, as they did in Burma, looted their homes and ravaged their womenfolk. You may call it what you like, passive defence, civic defence or homeguards and you may say one is under the Civil Defence, another under the Home Defence and another under the Army Defence but these men must be defended and not depend on lathis. If this is not possible, my suggestion is that you will only allow the retention of arms by those of the civil population

who possess them under the Arms Act if they enrol themselves as members for civil defence or as an alternative allow them to select one of their family to substitute them in civil defence. My main object is that these arms which are lying about in India in hundreds of thousands should be put to use until we are able to make more modern weapons to defend ourselves against the parachutist troops.

But, Sir, apart from the deficiency in arms, the gravest danger that is facing India today, are the activities of those whom we today call fifth columnists. Our aim ought to be to do everything in our power to resist aggression unitedly and with oneness of purpose. Let us all realise that a citizen of India, be he a Hindu, a Muslim, an Indian Christian, an Anglo-Indian or a European, will be fighting to save his own home, his family, his friends and his relations. He will be fighting for his freedom. I was distressed to read of the existence of a class of people in Bengal who show tendencies of opposition to war effort, if not open sympathy with the enemy. To them I would say even the enemy cannot have respect for a man who is prepared to sell his freedom and his country for a mess of pottage. A Quisling shall always remain a Quisling. While the enemy may appear grateful for the temporary advantage he gains as a result of the treachery of the traitor, the traitor should realise that even the enemy will not fully trust him; much less respect him, for the enemy also would know that it was his innate treacherous conduct that induced him to aid against his own brethren. Such people shall be considered untrustworthy for generations to come by their own people as well as by the people of the enemy. India with her long, glorious and honourable traditions, I feel sure, will not tolerate such men for they will for ever be a disgrace to the nation. I refuse to accept the suggestion made elsewhere that the people of India, or a section of them, possess a slave mentality and, therefore, might not fight for freedom. Indeed, I consider it most ungracious to say so. At the most it could only be said that the people, having lived free from external aggression for over a century, have been lulled into a sense of security. Surely none can forget that twenty years of peace, despite the growing evidence of rearmament of a neighbouring nation, found England unprepared for war in 1938-39. The tragedy of it and which only one great man, the present Prime Minister, Mr. Winston Churchill, clearly said and often warned the Parliament only to be scorned. We have been accustomed to hearing of the man power and equipment which the enemies have been capable of putting on the fields; of the repeated admission that Malaya and Singapore were lost for want of adequate supplies. If, therefore, there is any evidence of lack of enthusiasm, it is due to the feeling of desperation not altogether quite unjustifiable. I feel the most effective way of removing such despair is to publish, from time to time, the number of aeroplanes, tanks, guns, and ammunition, etc., that have been stored up in India, the number of ships that are commissioned to defend the coasts of India and the numbers that arrive from abroad from time to time. It is not sufficient to assert that we have adequate equipment; that everything has been done to meet the onslaught of the enemy. We heard this in connection with Malaya, Singapore and Java. Now, new tactics are required to inspire confidence. The only way to do this is to publish those figures; the real improvement that has been effected as a result of the lessons learnt from Singapore and Malaya. It is not necessary to say exactly where such equipment is kept. The figures, astounding as they must be, will create a new sense of relief

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and security and will bring about a better spirit among the people whose confidence has been shaken by events of the recent past.

Sir, in this connection we ought to bear in mind the lessons we have learnt from the Nazi and Fascist propaganda. Let us admit that their propaganda has had the most successful effect, however false and treacherous they might be. Apart from the Quislings of European countries, we have recently had the experience nearer home of Burma. Traitors were found from the highest to the lowest in that country. Such men were able to conceal their feelings so well that one of them held the trusted position of Premier of Burma and was entertained by the British Government and the American President till just a few hours before his mask was uncovered. Sir, we seem to lack the ability to obtain information of such traitors. No doubt, we have been too confident. Indeed, when the Indo-Burma agreement was under discussion, I actually hinted in my speech that the Government were perhaps aware of some pro-Axis feeling in Burma and I expressed the belief that that was what forced the Government to rush into the Indo-Burma agreement. In one part of my speech, I said, "but I shall think", "I shall think", and "I shall think", that is, I was suspicious even then of traitors or fifth columnists in Burma. I feel the Government did not take full note of this possibility early enough. If, when this feeling came to notice in June last, steps had been taken to make a thorough enquiry, much that has happened might have been avoided. Let us now, at least, act in no uncertain manner in this regard as far as such traitors and fifth columnists in India are concerned and root out this evil before it is too late.

Sir, as far as A. R. P. and fifth columnists are concerned, I have great fear in my mind as to our internal security in Bengal. Sir, let us not burke facts, let us not close our eyes as to what exists and what is developing to-day in Calcutta. There we have a Government in power which instead of devoting its entire energies to enthuse and to prepare the people of Bengal to taking definite measures to defend the eastern boundary from Japanese attack are to be found wasting their time in squabbles in the Legislative Assembly and elsewhere and scenes of wild disorder accusing each other of being Fifth Columnists

Mr. President (The Honourable Sir Abdur Rahim): Order, order. I think the Honourable Member ought not to criticise the Government of Bengal or any other Provincial Government.

Lieut.-Colonel Sir Henry Gidney: Need I remind the House of the traitorous part played by certain Burmese when Japan invaded Burma. Have we not suffered enough from this act of treachery, these fifth columnists, these traitors. I, however, hope the condition in Calcutta is not so terrible as the newspapers tell us. But we know that Subash Chandra Bose who played a big part in the formation of the present Bengal Cabinet is, today, a fugitive to justice—a base traitor—residing in Germany, some say in Tokyo; we also know that his Forward Bloc is very much alive today in Bengal and is growing in power, and nothing is being done to stop its nefarious dynamite activities. Indeed, recent events make one feel that they are being encouraged in their activities and really the peace and tranquillity of India is in grave danger. I submit that the Governor General in Council in whose hands lies the maintenance of law

and order should hesitate no longer in taking drastic steps before it is too late, in regard to the present grave internal situation in Bengal. Surely, we do not want Calcutta to suffer and to go the same fate as Rangoon. Sir, I leave it at that. But I issue a note of warning, "Today is yours to act; do not wait for the morrow for we know not what it may bring forth".

Before I close, let me refer briefly to the two appeals that were made in this House. I am a representative of a very small community in this country but one that has played a very large and important part in its development and today plays a very large part in the defence of the country. Sir, as leader of the Independent Party, may I tell my Honourable friend, Mr. Jamnadas Mehta, how glad I was to hear the feeling appeal he made the other day for a united front among all communities and races in India on the basis of equality and mutual trust. Such a spirit among the peoples of the country is more necessary at the present juncture than at any other period of our history, for not only is the enemy at our borders—an enemy, who does not make any distinction between one community and the other and whose attack is aimed at all the peoples who occupy this land, our home, India. With the recent announcement of His Majesty's Government's decision to depute a member of the War Cabinet to visit India in order to obtain the opinion and assent of all the communities in this country to His Majesty's Government's proposals in regard to India, self-interest and self-preservation, if nothing else, ought to impel us to come together so that we may successfully defend India against the common foe. Conflicting interests cannot be brought together unless there is a spirit of equality among one another. The majority ought to forget that their numbers give them the right to decide the fate of the country by reason only of their numerical strength, and the people of the ruling race ought not to assume that, because they had ruled in the past, they have superior claims. Once this is made apparent to the people of the country, by thought, word and deed, much of the troubles in the way of a solution of the difficult problems facing us would be automatically removed. I join with Mr. Jamnadas Mehta and say, may that millenium come soon and though it is darkest before dawn, my hope is that when the dawn breaks, all communities in India shall, hand in hand, on terms of equality and friendship, enter the sunshine of a future whose golden rays will not only radiate in its fullest measure but will resuscitate India to her prestine glory, power and equity, still as one of the greatest and most radiant jewels in the orb of the British Commonwealth of Nations and that all who come to our land, as they do when they reside in other Dominions, will no longer be ashamed but proud to think of themselves as Indians first and communities next, but with one idea, one goal and one future, the progress, development and future of the united nation of India.

Sir, I now refer to the touching appeal of my Honourable friend, Sir F. E. James, and, in doing so, I speak not so much as Leader of my Party, but mainly as the representative, in this Honourable House, of the Anglo-Indian community, and, as such, I fully endorse the appeal which he made to his community the other day to do away with any evidence of racial and social exclusiveness. Sir, the new order of equality and fraternity which is fast developing in Great Britain, ever since the beginning of this war, whereby the peer and the commoner have been brought together into closer contact, sharing the common joys, sufferings and dangers of life housed, as they often are, in the bowels of the earth

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during air raids which England has bravely stood, is one from which our British co-citizens in India would do well to take a lesson. Surely, with labour as the spearhead of this war and this world today and which points that labour will soon control the world, when class distinctions are being so radically removed in their own country, it is not too much to ask the Britishers in India to dissemble any sense of racial superiority towards the people of a country to which they have come to live and to earn their living. The common suffering and the common dangers which Britishers in England have endured side by side, without distinction of class or creed and the contacts which this suffering and this danger have established among the aristocratic, upper middle, lower middle and the labouring classes of England will assuredly bring about a new order which will have the most beneficial effect on the whole world. Indeed, it is my firm conviction that Sir Stafford Cripps' success in his mission in Russia was largely, if not solely, attributable to this new order in England. It was also the old spirit of class exclusiveness that was responsible for driving Russia, in 1939, into making a treaty with Hitler. If, therefore, Sir Stafford Cripps is to succeed in his mission in India, the Britisher in India owes it to himself, to this country, to his own country and last but not the least, to the cause of freedom and democracy to do away with any idea of race superiority or a feeling of overlordship over India as belonging to the ruling race. To entertain even a semblance of a feeling of overlordship is to place a premium on the policy underlying the campaign of the Axis powers and antithetical to the principles of democracy. I do not wish to make any specific charges but I feel that the Britisher in India ought to go out of his way to convince others in this country that there is, today, no such pretence on his part. It is my firm conviction that this will itself help to solve most of the problems facing us more than anything which the British or the Indian Government can do. Sir, with my Honourable friend, Sir Frederick James. I, too, have suffered painful experiences at the hands of some of the autocratic Britishers, and need I add how my community as a whole has been humiliated by them after they replaced us in all the upper spheres of employment which we first held in India. I shall not refer in any detail, but, without any offence, I may add that, while the Britisher is beginning to realise the worth of India's powers and its communities including the Anglo-Indian community, his womenfolk in India elect to stand apart as being superior beings to Indians and Anglo-Indians and let me tell them in crystal clear language that New India will not tolerate under any circumstances this race superiority any longer. It must end. This ostracism of Indians from their social institutions, i.e., certain British clubs, surely has outlived its life and must be stopped. Do this, and you will win the heart and the respect of every Indian, whatever be his political outlook or community for it is by free intercourse that one is able to enter the hearts of each other as equals. Sir, without meaning any offence and with respect I commend this to the Britishers in India, both man and woman, among whom I have many friends today.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadian Urban): Sir, a few days ago when the General Budget was under discussion, I pointed out that the expenditure estimated for the coming year was very large, but in view of the fact that we are living at a very critical moment

I said that we should not grudge that expenditure. I also approved of the policy of the Finance Member in the matter of meeting the deficit by a combined system of taxation and borrowing. But coming to the details of the measures of taxation proposed by him I said that some of the taxes would fall heavily on the poorer middle class and the poorest sections of the community. My Honourable friend in reply to this observation said that the poorer classes should bear their share of the burden of taxation during a war. I agree with him, but I urge that the share should be a due share and not a disproportionately large share. In this connection, I should like to point out to my Honourable friend, the Finance Member, that this is not the first measure of taxation which has affected the poorer middle class and the poorest sections of the community. This is indeed the fifth or the sixth measure which has affected them. And I should like also to tell him that India is a very poor country and it is not desirable to add to the burden which falls on the shoulders of the poorest people. I observed at that time that there was no necessity for adding to the burdens of the poor, and I suggested a cut in salaries on a graduated scale. My Honourable friend, the Finance Member, waxed eloquent over the woes of the over-paid officers and he asked why these officers should be singled out for punishment. Now I wish to ask that, if a graduated scale of cut in salaries starting from one per cent. on salaries above Rs. 250 and ending with ten per cent. on the highest salaries, is imposed, would the burden be very great on the officers? Would a person drawing a salary of Rs. 300 mind if his salary is cut by Rs. 3, and ought a person who draws a salary of Rs. 2,000 a month grudge the sacrifice if he is asked to pay Rs. 100 or Rs. 150 to the public exchequer? I think my Honourable friend is greatly mistaken when he thinks that this will affect them most unconscionably. In India the salaries are very high, compared with the salaries paid in other countries. The Members of the Executive Council here draw salaries which are larger than those paid to the Ministers in England. If we take the case of Japan which has made such great advancement in the economic as well as the political sphere we find that the salaries paid there are exceedingly small compared to the salaries paid in this country. Remembering these facts, I hope the Honourable Member will now revise his opinion and accept the suggestions which I have made.

At that time I also made suggestions for economy in administration. I asked him to take steps to prevent waste and avoid expenditure which is not intimately connected with the war effort. But the Finance Member did not give any reply to these suggestions, and I bring them to his notice once again hoping that he will consider them favourably. I suggested further that the remainder of the deficit might be met from another source. I observed at the time that the revenue had been under-estimated, as usual in previous years, and that the income-tax receipts would be much greater than had been estimated for; there had been great arrears in the assessments of the Excess Profits Tax, and when all these were brought into account he would have a much larger sum of money at his disposal than he hopes for at the present moment. Further, I pointed out that the railway surplus would be larger than had been anticipated, and this would also add to the funds at the disposal of the Finance Member. Sir, I wish once again to appeal to him to spare the poor people on the present occasion. I do not deny that a war entails burdens on all, but the burdens should fall on those shoulders which are best able to bear them.

[Dr. P. N. Banerjea.]

Sir, I shall now deal with some of the urgent problems of the day. My Honourable friend, Mr. Jamnadas Mehta, referred to the large balances held in London. He said that about 70 per cent. of the assets of the Reserve Bank were held in London. The Honourable the Finance Member demurred to that and said that it was a much smaller percentage. If I remember aright, the Honourable the Finance Member said that it was about 59 per cent.

The Honourable Sir Jeremy Raisman: At the moment that he spoke, the total assets including gold were 59 per cent., so that excluding the gold the percentage was not so large.

Dr. P. N. Banerjea: Now, Sir, I hold in my hand a statement of the assets and liabilities of the Reserve Bank of India which points out that the total assets of the Bank on the 5th of March were 389 million pounds and of this

The Honourable Sir Jeremy Raisman: That is very seriously out-of-date. An important change has taken place since then, because the payments for the repatriation have been made since that date which brought that percentage down by about 20 per cent.

Dr. P. N. Banerjea: After the 5th of March?

The Honourable Sir Jeremy Raisman: Yes.

Dr. P. N. Banerjea: If it be correct that payments for repatriation were made after that date, then things would be different. But for the present I take the situation as it stood on that date, and if we calculate the various figures, we find that on that date coin and bullion amounted to less than 20 per cent. This is an extremely low figure and almost a danger point has been reached. Now, the securities in rupees and sterling amounted to 80 per cent. on that date and the sterling securities amounted to over 70 per cent. This disclosed a very unsatisfactory state of things and if this unsatisfactory state of things has been remedied to some extent, I shall be glad, but before pronouncing my final opinion I should like to know what the situation actually is at present according to the Honourable the Finance Member.

This brings me to the activities of the Reserve Bank of India. This Bank, I am sorry to have to say, is not functioning as a national Bank. It does not help the trade, industry and agriculture of the country to the extent that it ought to. It is entirely under the thumb of the Bank of England and looks more to the interests of Britain than to the interests of India. The constitution and character of this Bank leaves a great deal to be desired, and it is to be hoped that as soon as possible, after the war, the constitution and character of this Bank will be radically altered.

Sir, I come now to the administration of the Income-tax Department. Complaints have again and again been heard about the unfair, harassing, and oppressive methods adopted in this Department. A few days ago, a Resolution was placed before this House and in the course of the discussion many instances of their oppressive methods were cited. Suggestions were also made for improving the situation; most of these suggestions were of a very reasonable character. The fairest suggestion that was made on that

occasion, to which I refer once again, is that the Appellate Section of this Department should be placed under the Law Department of the Government of India or under the Federal Court of India. No exception can be taken to this suggestion, because people must have confidence in the Appellate Authority. If that confidence is not to be secured, then the whole thing is unsatisfactory. The people will remain discontented in the country, and it is time that this discontent should be removed.

These unfair, oppressive and harassing methods reach their climax in the case of the assessment of the Nattukottai Chettiar community. This community had large businesses in Burma, Malaya and in Indo-China, and we all know what the situation is in those countries. All these countries have been over-run by the enemy and the assets are all gone, but the Finance Department and the Central Board of Revenue and their officers are going on with their assessments, thinking, at least telling the people, that nothing was wrong there. Is that right? Is that the correct attitude?

The Honourable Sir Jeremy Raisman: It is not correct. It would be a shame if it were true. I must say that no good will be done to the cause of this community by making outrageously excessive and inaccurate statements.

Dr. P. N. Banerjea: It is all true. I will ask you point by point and you will have to answer every point. Is it not a fact that notices have been served on these people?

The Honourable Sir Jeremy Raisman: Notices are served on everybody.

Dr. P. N. Banerjea: Is it not a fact that they had been told that if the accounts are not submitted and the taxes are not paid within a fortnight, penalties would have to be paid

The Honourable Sir Jeremy Raisman: I receive that same notice too. That is printed on the notice.

Dr. P. N. Banerjea: But it is absurd that the printed notice should be served on such persons at a time like this.

The Honourable Sir Jeremy Raisman: That would mean that all income-tax assesses should be let off at this time. It is the usual routine process.

Dr. P. N. Banerjea: It is most disgraceful. The routine process should be suspended for the time.

The Honourable Sir Jeremy Raisman: I wish the Honourable Member would not get excited over this matter. The matter is under consideration at this time. It is under discussion with my officers and with myself and it is quite unnecessary to import any excitement in the matter.

Dr. P. N. Banerjea: It is not necessary. I agree, but the intervention of the Honourable the Finance Member made me angry. He ought not to have interfered. The routine process should be suspended in view of the change in the situation. This is what I am asking for.

[Dr. P. N. Banerjea.]

My Honourable friend, Rajah Sir Annamalai Chettiar, with tears in his eyes, pleaded for sympathy yesterday. His pathetic appeal would have melted stones, but the Finance Department and the Central Board of Revenue are made of material tougher than stone.

Sir, I come now to the defence policy of the Government. This defence policy has been regulated from the beginning of British rule in India not only by lack of imagination and foresight but also by suspicion and distrust, and these characteristics have continued even after the commencement of the present war. In this very House, we adopted a Resolution urging the Government to create a large Air Force and asking them to train a large number of Air Officers and Air Pilots, but very little has been done so far. We pointed out to the Government that the air arm was now the most important arm of the fighting forces; and although we were laymen, it is now proved that we were right and the Government were wrong. But why did the Government not pay any heed to our request? The reason is to be found in the fact that they thought that if Indians were trained for the air force and for the other forces, then the Indians would turn their arms against the British. That fear was based on unreason, on suspicion which had no legs to stand upon. It is true that we want freedom, but if freedom be given to India, India would be the greatest ally of Britain.

This brings me to the question of production of munitions.

I P. M. We have been urging in this House that greater efforts should be made in producing munitions in this country. But the Government have been very late in coming to decisions over this matter, with the result that the production of war materials is very unsatisfactory, even at the present moment. Some factories have been established in the country. It is true, but owing to various handicaps the production of war materials has not gone on as satisfactorily as it otherwise would have. Now, it is a well-known fact that modern warfare depends more on equipment than on men, and this should have been foreseen by the Government of India and the British Government. Wherever Indian soldiers have been well-equipped and given the proper opportunities for fighting, they have extorted the admiration of all by their courage by their dogged perseverance, and by their resourcefulness. But the story is different where they have been sent half-trained and ill-equipped. In Malaya and Singapore we find that 73,000 persons were taken prisoners by the enemy, not because there was any lack of men, but because there was lack of equipment.

With the production of war materials is intimately connected the question of the industrial development of the country. If India had been fully developed in respect of her industries, the production of raw materials would have been very much easier but India was kept in a backward state for a long time in respect of industrialisation. I am glad to find that my Honourable friend, the Commerce Member, has done something to change the situation. The other day I pointed out to him some of the deficiencies in the industrial system of the country. He gave a very sympathetic reply. I told him that India possesses great possibilities for the development of the aluminium industry because the raw material is available in this country, and he promised to do his best to see that aluminium was manufactured in this country with the least possible delay. I wish once more to emphasise that we are now travelling from the age

of iron and steel to that of aluminium, and if aluminium can be manufactured on a large scale in this country, then not only can aeroplanes be manufactured without any difficulty in India, but also in various spheres of industry large advances can be made.

I also urged him to take in hand the development of the heavy chemicals. To that also my Honourable friend's reply was very sympathetic; and he told me that investigations were in progress with regard to the development of the heavy chemicals. I shall now ask him to give his special attention to the development of the coal-tar industry and I also ask him to take in hand the manufacture of tools and machinery in this country. He has already done something for ship-building, but let him not rest content with the little that has been done. Let him come forward and see to it that quite a number of ships is built in this country without any further delay and that aeroplane manufacture and motor car manufacture also become successful at no distant date. Lastly, I would ask him to consider the development of the water-power resources of the country to the fullest extent.

So far as regards industrialisation. But agricultural development is no less important than industrialisation. At the present moment we require a balanced system of agricultural development and industrialisation, because on agriculture depends not only the life, but also the health and strength of the people of the country. The other day my friend, Mr. Neogy, pointed out that even in normal times the food supply of the country was insufficient. That is true. Although it is a fact that in normal times there is some export out of the country, this export is made because the people of the country have to stint their necessities to some extent in order that they may obtain some conventional necessities. So there is really no exportable surplus from the country. It should also be remembered that the population of the country is increasing fast, and although up to the present moment the food supply has kept a bare proportion to the increase of population, signs are not wanting which suggest that in the near future the population will outrun the food supply of the country. Therefore, this matter will have to be taken into serious consideration and a well-planned policy will have to be laid down for increasing the food production of the country by bringing under cultivation waste land and by improving the methods of cultivation.

Sir, I come now to the danger which at the present moment threatens almost every part of the country. I said that food production was very important, but no less important than food production is the distribution of food. At the present moment there may be some slight shortage in production, but the greater trouble is to be found in the maldistribution of the supply. Sir, two of the Provincial Governments, namely, the Punjab and Madras, have already issued a warning to the people of those provinces that there was likely to be a shortage in the supply. I am afraid, Sir, that the Punjab Government has not perhaps done its duty in this matter. The Punjab is the granary of the wheat supply of the country, and if stocks are kept in this province to an abnormal extent, then the supply for the other provinces is bound to be short. This question requires very careful investigation. My Honourable friend, the Commerce Member, observed the other day that attempts were being made to increase the supply and also to bring rice as a substitute for wheat. Now, it should be pointed out to him that the consequence of this will be that in those provinces where rice is consumed there will be difficulty. So,

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while it may ease the situation in the wheat-consuming provinces, it will add to the difficulty of rice-consuming provinces

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): May I point out that this is a temporary measure, and even with reference to it the rice that has been requisitioned by the Government of India is rice specially imported from Burma, and not rice produced in the country?

Dr. P. N. Banerjea: I do not mind if a temporary measure is adopted in order to adjust the maldistribution for the time being. But you will have to remember the fact that Bengal, Orissa and Madras, in normal times, import large quantities of rice from Burma. That source is now cut off. So when you consider the food supply of the whole of India, you should not forget the difficulties of these provinces

Mr. President (The Honourable Sir Abdur Rahim): How long does the Honourable Member propose to continue his speech now?

Dr. P. N. Banerjea: I will take 10 or 15 minutes more, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Then he can resume his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Dr. P. N. Banerjea: Sir, I was discussing the question of production and distribution of food when the House rose for Lunch. I pointed out that the food produced in the country was insufficient and that the difficulty had been greatly enhanced by maldistribution. In this connection I wish to emphasise a fact which is known to everybody, that even in the capital of India it has been impossible to obtain wheat flour for more than a week. I myself made many attempts to get wheat flour, but for full one week I failed to get it. If such a thing can happen in the capital of India, at a time when the war has not yet reached the borders of this country, we can easily imagine what will happen in the interior of the country,—in the most distant parts of the country,—when the war will be on us. I would, therefore, strongly urge upon the attention of the Government the immediate necessity of giving their most serious attention to these matters. Hunger is a source of great danger to the Government, and, of all the fifth columnists none is so mischievous as a hungry man.

Sir, I will say a few words now about the Supply Department. Various complaints have been made against the activities of this Department. One of the complaints is that European officers occupy all the key positions. My Honourable friend, Sir Abdul Halim Ghuznavi, pointed out the other day that European Officers are required not only to purchase munitions for the soldiers but to buy such things as rice, wheat, clothes and boots. Is it not possible to obtain the services of Indians for these purposes? I am perfectly convinced that, if suitably selected Indian Officers are

appointed in this Department, not only will the cost of administration be reduced by half but also the efficiency will be doubled.

Another complaint is that European firms are preferred to Indian firms in the matter of contracts. This is a matter which I hope will be fully investigated by the Honourable the Finance Member. Charges of favouritism, jobbery and nepotism have been

The Honourable Sir Jeremy Raisman: I suppose, when the Honourable Member said, investigated by the Finance Member, he meant the Supply Member.

Dr. P. N. Banerjea: I did not say that the Honourable Member for Supply had any nephews appointed in this Department but this charge is levelled against the officers of the Department. It is the business, it is the duty of the Supply Member, to look into the question.

My Honourable friend, Sir Henry Richardson, said the other day, and many other speakers have also said the same thing, that palm oil is being freely used in the matter of contracts and services. Now, I do not wish to blame the Supply Member for all the irregularities that may be existing there. He perhaps obtained a bad legacy from his predecessor, but I would implore him to rectify any defects that may be found to exist in this Department.

A word I may say here about the American Mission which is arriving in this country soon. We have been told that the object of this Mission is to speed up the production of munitions. That is a very desirable object, and we ought to co-operate with this Mission for the fulfilling of the object. But I hope and trust that there is no other object in view. I hope and trust that no vested interests will be created by the United States of America in this country with regard to industries, and that in future there will be no unhealthy competition between Indian industries and American industries.

Connected with questions of supply and distribution is the problem of transport. It has been pointed out by several Members that the transport facilities are very inadequate, that jute, cotton and coal cannot be moved without great difficulty and without long delays, with the result that the raw material cannot reach a purchaser at the proper moment and that the consumers suffer very greatly. As regards food supply, transport difficulties stand in the way to a very large extent of a proper distribution throughout the country. The Honourable Member in charge of Communications is not here, but I hope there are subordinate officers of that Department who are taking notes; and I will expect him to give a proper answer when he rises to give his reply.

The transport difficulty has been felt also in the matter of evacuation. I watched at the Howrah Station and the Sealdah Station the extreme difficulty to which the passengers were put not only in the matter of travelling but in the matter of purchasing their tickets. If at any future time evacuation has again to be made, I hope proper arrangements will be made by the Railway authorities to supply the necessary number of trains and carriages in order that the difficulties of the passengers may be reduced to a minimum.

I shall now say a few words about the Defence of India Rules. I am sorry to have to say that my Honourable friend, Sir Henry Gidney, took a very wrong line in this connection. If there are fifth columnists in the country and if there are any traitors in this country, let them be apprehended and let them be punished. But it would be wrong on the

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part of the Government to assume that there exists in the country a very large number of fifth columnists and traitors. That is a wholly wrong view which has been taken by my Honourable friend.

Then, Sir, I should like to say that when any persons are arrested and kept under detention on mere suspicion their papers should be placed before two or three High Court Judges in order that the people may feel that the Government have not taken the step out of sheer mistrust of the entire people or out of any vindictive feelings towards any individuals. The Defence of India Rules should be worked in such a way that the legitimate purposes should be kept in view and should not be utilised for any purposes other than the legitimate. The treatment of the detenus should be humane, and they should be kept as far as possible in physical comfort.

I come now to civil defence. It seems to me that civil defence is a misnomer. It is a dignified name for Air Raid Precaution arrangements. The Air Raid Precaution arrangements are necessary; but these arrangements should be of such a character as not to give room for harassment or panic. Unfortunately however, the arrangements have been far from satisfactory in the past, and I would request the Government to take the necessary steps to make them more satisfactory in future.

But apart from Air Raid Precaution arrangements, real civil defence is necessary. That is to say, serious efforts should be made to prevent chaos and confusion in the country,—to maintain internal security. If the enemy comes within the borders of the country, which I hope will not happen, then it will be absolutely necessary to organise some adequate measure for the protection of the civil population. How are these measures to be organised? They can be organised by creating a volunteer force consisting of the young men of good families in the country, and these volunteer corps should be spread over the whole country. They should exist in every city and in every village to offer protection to those who require it, and arms should be given to them. Yesterday, I heard a great deal about arms being distributed indiscriminately. I am not one of those who would ever suggest that indiscriminate distribution of arms would help the country at a crisis like the present. But arms should be placed in the hands of those who are able to use them properly, and for this purpose I suggest the creation of a large volunteer force. Now, as regards the use of arms, I may say that it is the privilege of every free man to use arms. I regard it as a badge of a free country. If India is going to be free let those persons who are able to use these arms properly be supplied with them.

A word about the misbehaviour of the soldiers. My Honourable friend, Sir Gurnath Bewoor, gave an assurance that they would behave well in future. I hope that any departure from the proper path will be visited with exemplary punishment.

I should like to say a few words about the evacuation arrangements. We have heard a great deal about the woes of the evacuees from Malaya and Burma. People have said that not only has there been a great deal of racial discrimination in this matter and that Indians were put to the greatest difficulty in the way of obtaining accommodation but also in the way of obtaining even food and water. Now, if even a tenth part of what has been said be true, every Englishman should hang down his head in shame for the selfish and cowardly behaviour of his countrymen. Is this the

right way to maintain White prestige? If that is so, I feel bound to say that White prestige has now sunk to the lowest possible level. As regards the trouble of these evacuees who have come to India, our hearts go out to them in sympathy with their distress. But we should do something to give relief to them, and I hope the Honourable the Overseas Member, who, unfortunately, is not here now, will take the earliest steps to provide food and shelter for them and educational facilities for their children.

Apart from the evacuees from Burma and Malaya, there is the question of evacuation from one place to another within the country. Now, for this purpose, as I have already said, adequate train arrangements should be made and proper arrangements should be made for the supply of food, drink and comforts. We should also make arrangements for the evacuation of factories and plants from cities and other places which are subject to air raids to the interior of the country. This is very desirable; otherwise, not only will the country suffer economically but war production will be greatly hampered. In this connection, I should like to ask whether it is possible to amend the War Risk Insurance Act in such a manner as to include the risk for goods and for the factory buildings and plants and, if possible, also for house property.

I now come to a matter which has now filled the country with great anxiety, I mean the 'scorched earth policy'. Newspapers give vivid accounts of the burning of Rangoon. How did the flames of the burning city spread miles around and the smoke was visible from a distance of 40 miles? What was the reason for this burning? Scorched policy was the cause. In our school-boy days we used to read that while Rome was burning, Nero was fiddling. It would be interesting to know what the rulers of Burma were doing when Rangoon was burning. Now, there is the apprehension in the minds of Indians that a similar fate awaits the towns and villages in India itself. I do not believe that that is the policy of the Government of India. If that be the policy I do not find words strong enough to condemn it. You must not slavishly copy what happened in Russia. The conditions of India are entirely different from the conditions which prevail in that country. Russia is a communistic State, and very little private property exists there. So, when factories are destroyed there by the State or when crops are burnt by the State, the State takes the responsibility for re-building the factories and for supplying food to the starving population. What are we going to do here? Here the system of private property prevails. The buildings do not belong to the State, and the corn-fields belong to the private individuals and not to the Government. Therefore, to adopt a policy of scorched earth in this country would be bound to lead to the most disastrous consequences. If this policy is adopted, then the Government will not have a single friend left in the country. The well-to-do persons will lose their all; even the poorest of the poor will be deprived of their means of subsistence and of their shelter. That is a situation which is difficult to imagine, and I hope the Government of India will forthwith issue a communiqué stating that it is not the intention of the Government of India to adopt a scorched earth policy in India.

Before concluding, I wish to say a word about the political deadlock. During the last two years and a half the British Government and the Government of India have done very little to meet the wishes of the people. All political parties in this country are convinced that the Government do not wish to part with power. But no heed has been paid to the requests of the different parties. The Congress twice suggested the

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formation of a National Government, but the offer was rejected. Even the Moderates offered proposals which were of a very reasonable and modest character, but no heed was paid to them. The newspapers in Britain have written innumerable articles urging the British Government to bring about a solution of the problem, but nothing has as yet been done. Only the other day, one of the most important newspapers in America, the *New York Times*, wrote:

"Without the whole-hearted co-operation of the vast complex of peoples of India, she will be a precarious place for operations. A settlement of the question will strengthen the hands and hearts of those who believe that this war is fought for a new democratic order."

Even the conservative organ, which is believed to be the organ of the Government in Britain, I mean the *Times of London*, 3 P. M. wrote very strong articles on this subject. A conservative Member of Parliament urged in the House of Commons the immediate solution of the Indian problem saying that the "rule of snobbery and sham must be ended immediately". Some of the Labour Members passed a Resolution to the following effect. "That in the opinion of this House the time has arrived for a plain declaration by His Majesty's Government that it recognises the national independence of India". But the reply that was given by Mr. Amery, the Secretary of State for India was that independence by itself offered "no guarantee of the power of a nation's resistance" and he quoted the instances of Denmark and Siam. Now, Mr. Amery forgets that India contains about 388 millions of people, whereas the population of Denmark is only about 3½ millions, while that of Siam is about 15 millions. His comparison between India and these two small countries is not a good comparison. This comparison reminds me of the proverb that a drowning man catches a straw. If Mr. Amery had no other argument to advance against the grant of independence, I must say that he was in a very bad mess. We are now told that Sir Stafford Cripps is on his way to India to settle the political problem. Sir Stafford Cripps is a very able man and he has already rendered the greatest amount of service to his own country. I offer him a cordial welcome to India on behalf of myself and my Party. But I do not know what he brings with him. We are told that he is bringing with him the unanimous conclusions of the British War Cabinet. What these unanimous conclusions are, I do not know, and therefore I will not prejudge his activities in this country. In the meantime, I feel bound to say that the sands of time are running out very fast.

The Honourable Sir Jeremy Raisman: Yes, it is now five minutes past three.

Dr. P. N. Banerjee: The Honourable Member may continue his speech till half past seven, if he likes.

The Honourable Sir Jeremy Raisman: We have other work to attend to.

Dr. P. N. Banerjee: We are approaching the zero hour. The question I should like to ask is this: Has there been a change in the hearts of the people of Britain? Has there been a change of the angle of vision of the British Government? Is the British Government prepared to meet the legitimate demands and aspirations of the people of this country? On

the answers to these questions will depend not only the fate of India, not only the fate of Britain, but also the fate of the world.

Nawabzada Muhammad Liaqat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): Mr. Deputy President, from the speeches that have been made by Honourable Members sitting on these Benches, I mean the Muslim League Benches, it must be quite evident to Honourable Members of this House that the Muslim League Party has decided to oppose the motion which is before this Honourable House. Sir, the position of the Muslim League Party has been made abundantly clear from time to time. Had it not been for the fact that human memory is proverbially short, and had it not been for the fact that the desire on the part of some Honourable Members to misrepresent us is great, I would not have taken the time of this Honourable House in reiterating the position of the Muslim League with regard to this matter. Sir, I would remind the Honourable Members of the words of that speech which the Leader, Mr. Jinnah, delivered on the last occasion when, during the last Autumn Session of the Assembly, the Muslim League Party was constrained to withdraw from the deliberations of this House for that Session. In spite of the fact that Mr. Jinnah had made the position of the Muslim League perfectly clear, there was misrepresentation made on the floor of the House by no less a person than my Honourable friend, Sir Frederick James, of the attitude that we had taken on that occasion. I would read to Honourable Members the following passage from the speech of the Leader of the Muslim League:

"We have reasoned, we have argued and we had long negotiations and we have come to the conclusion in the hope that the protest that we are registering today will open the eye of the blind and the ear of the deaf and that you will with God's help have the wisdom and the statesmanship to revise the scheme of yours which I assure you is not going to help you by a little in the intensification of your war effort. On the contrary you must have realised that it is going to do harm to you and I am interested as much as anybody else to ward off that harm and advise you to think it over."

That action which the Muslim League Party had taken on that occasion was not non-co-operation with war effort. It was an action to lodge its protest in the strongest possible manner against the policy which the Government had been following for the last two years. Sir, I regret to find that in spite of this clear exposition of the attitude of the Muslim League, my Honourable friend, Sir Frederick James, put an interpretation on that speech which the language did not lend itself to. He interpreted that speech of Mr. Jinnah as non-co-operation in the matter of war effort, and he was pleased to say that no juggling with words could hide that fact. Sir, I am sorry that my Honourable friend should have found the temptation of having a fling at the then empty Benches of the Muslim League too strong to resist. If by co-operation the Honourable Member means co-operation as camp followers and co-operation as slaves, and because the Muslim League has refused to accept that position, therefore it is non-co-operating with the war effort, then I stand here and plead guilty to that charge. No decent party, no decent people could or would co-operate on such terms; and let me tell you, Sir, that co-operation of that kind and co-operation which is not based on equal partnership is not going to win this war. And that has been the position of the Muslim League from the very first when the war was declared in 1939. We have been throughout pressing the Government and putting all arguments before them, that if they want the real and genuine co-operation of the Mussalmans and other parties, they must be prepared to treat them as equal partners in a common danger. I would like to point out to this House that as far back

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as June, 1940, the Muslim League realised,—it did not have to wait for bombs to be thrown at Rangoon,—that the danger to India was real, and that those who were thinking that the war was being fought in Europe only were deceiving themselves in thinking that India was safe. I would like to read out a few sentences from the Resolution of the All-India Muslim League which was passed in June, 1940. I am only trying to show that as far as the Muslim League is concerned, it has done its best to convince Government into adopting an attitude which would secure to them the real co-operation of the Muslims and other peoples of this country. Today we hear appeals being made to the people to unite and organise and do all kinds of things. The Muslim League made this appeal nearly two years ago to the people of India and to Government. My object in quoting from the Resolution is to show to this House that as far as the Muslim League is concerned, as far as the vast number of Mussalmans is concerned, they have been saying throughout in unmistakable terms as to what would secure the real co-operation, and that the danger to India was real and that the country should be prepared to face that danger. That Resolution of June, 1940, stated:

"The grave world situation demands serious effort on the part of every Indian for the defence of his country, and the working committee calls upon the Government of India to prepare the country in an organised manner to meet every eventuality."

This appeal, which is being made in the House today, was made as far back as June, 1940, by the Muslim League; but at that time Government and the others in this land were hoping, thinking and feeling that the distance between India and the real flames of war was so great that there was no necessity for any one to do anything. And now I would like to read a few sentences more from that very Resolution:

"The Committee therefore authorises its President to enter into communication with His Excellency the Viceroy with a view to explore the possibility of devising prompt and effective measures to mobilise the country's resources for the purpose of intensifying war efforts and the defence of India. The Committee is of the view that unless a satisfactory basis for close co-operation is agreed upon on an all-India basis and not province-wise, between the Government and the Muslim League and such other parties as are willing to undertake the responsibility for the defence of the country in the face of imminent danger, the real purpose and objective will not be served and achieved."

From this it must be quite clear that the Muslim League has throughout been pressing that the country should be organised, that the resources of the country should be mobilised and that those parties in the country, who are willing to shoulder the responsibility for the defence of the country, should come forward and take that responsibility. The Muslim League has repeated and reiterated this position from time to time and, as I have said just now, as far as the Muslim League was concerned, it did not have to wait for Japan to take possession of Malaya, or of Singapore or of Rangoon to convince it that the danger to India was real and near. I may say that up to this time the responsibility for nothing having happened in the way of preparing the country to defend itself cannot be placed on the shoulders of the Muslim League. The responsibility is on the shoulders of Government and those other parties who have been demanding declarations and living on slogans.

Sir, my Honourable friend, Rao Sahib Siva Raj, put forward the case of his community. I am sure, every one, not only in this House, but outside it, sympathises with the wretched lot of his community. But my Honourable friend was not quite right when he stated that no party in this

country has really paid any attention to the cause of the depressed classes. The Muslim League, let me tell him, has been fighting and raging this battle not only for the Mussalmans, but for all the oppressed, depressed and suppressed people in this country, and my Honourable friend would remember—I could point out to him by quoting chapter and verse—that in a number of our Resolutions and in the speeches of our leaders from time to time the cause of the depressed classes has been pleaded from the Muslim League platform. He said that Muslims want Pakistan, the Hindus want Hindusthan; they all want to rule, what about us. Let me tell my Honourable friend that if he expects that the others are going to fight his battle, well, he is living in false hopes. Every one has to fight his own battle, and as far as his community is concerned, let me tell him that it was the Leader of the Muslim League who, in his Presidential Address at Madras, said that Dravidians must have Dravidisthan. If my Honourable friend does not want to rule in any portion of this country, it is his lookout. Our position is, which has been made clear from time to time, that every nationality in this country must have full scope for development, must have its own home-lands where it can rise to its full stature.

Sir, my Honourable friend, Mr. Jamnadas Mehta, made, if I may say so, a very clever speech. He told us that today it was Mr. Savarkar who commanded and who could claim the allegiance of the Hindu community as nobody else can. I take it that he himself owes allegiance to Mr. Savarkar—if I am mistaken, I hope he will correct me, as he is present on the floor of the House. Therefore, I also take it that he agrees with the policy and the programme of the Hindu Mahasabha and its Leader, Mr. Savarkar, who, according to him, is never wrong. I take it that he also agrees with the declaration of Mr. Savarkar that India is for the Hindus, that he wants to establish Hindudom in this country, and that every other community in this land must be prepared to live as a minority.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): This is a gross distortion of what Mr. Savarkar has said.

Nawabzada Muhammad Liaquat Ali Khan: Sir, the only thing that I can say is that if my Honourable friend is ignorant of the utterances of Mr. Savarkar, to whom he owes his allegiance, I can only sympathize with him.

Mr. Jamnadas M. Mehta: I can pity him. I do not need your sympathy.

Nawabzada Muhammad Liaquat Ali Khan: Sir, as late as a few days ago—I suppose my Honourable friend will say that this is also wrong—as late as a few days ago, after the Prime Minister Mr. Churchill had made his appeal asking the people in England and in India not to say anything which would in any way prejudice the mission of Sir Stafford Cripps, what was it that Mr. Savarkar said? He said, nothing which is not based on majority rule, nothing where the Hindus don't have 75 per cent. of the lion's share will succeed in this country. Mr. Jamnadas Mehta was pleased to remark that when Nadir Shah came to India and when he gave the order of *bizan*, he did not make any distinction between Hindus and Mussalmans. Perfectly true. But may I ask him, did he give the order that 75 per cent. of the killed must be Hindus and 25 per cent. of the killed must be Mussalmans? Or is it only when the question of sharing the spoils comes that this basis of counting heads is to be applied?

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Sir, Mr. Jamnadas Mehta made an appeal to the politicians that they should stand aside and let Mr. Savarkar, Mr. M. N. Roy, Sir Sikandar Hayat Khan and one of the ruling Princes—either the Maharaja of Bikaner or the Nawab of Bhopal—and probably he would have no objection if Mr. Fazlul Haq was included in this galaxy of talent and influence, have power to rule. (Interruption). He said let the politicians stand aside. I wonder if he meant by that that Mr. Savarkar and Mr. M. N. Roy were not politicians.

Mr. Jamnadas M. Mehta: They are statesmen, and not politicians.

Nawabzada Muhammad Liaqat Ali Khan: Sir, my Honourable friend says that they are statesmen, and not politicians

Maulana Zafar Ali Khan: There is only one statesman, and he is Mr. Arthur Moore.

Nawabzada Muhammad Liaqat Ali Khan: They will be able to handle the affairs of India better than anybody else. Mr. Savarkar, according to him, is already supporting the war effort; Mr. M. N. Roy is already going round delivering speeches and persuading and asking people to help in the war effort; Sir Sikandar Hayat Khan has been going round asking people to help in the war effort; the Nawab of Bhopal and the Maharaja of Bikaner have been declaring from housetops that they should support in the war effort. Well, I do not say anything about these worthy gentlemen, but have really the war efforts been helped to that extent that we do not require the help of anybody else? If so, I do not understand the object of either Sir Stafford Cripps coming to India or Mr. Jamnadas Mehta's appeal to all the people of India to unite and help. All these gentlemen are already there. They are helping and they are doing their utmost for the successful prosecution of the war according to their utterances. But evidently that has not aroused the enthusiasm of the people of India, that has not created that sense amongst the people of India that this war is theirs. I do not want to say anything—far be it from me to say anything about these gentlemen's influence. Mr. Jamnadas Mehta says that Mr. Savarkar commands the allegiance of a vast majority of Hindus. If he is the one man who commands the following of the vast majority of Hindus, and if that gentleman is doing his utmost to help in this war effort, then naturally it means that the vast majority of Hindus are helping in the war effort. But every one has stated on the floor of this House and in Parliament and in America that the war effort in India is nothing like what it should be, and so the natural conclusion is that it is not only the help of the followers of Mr. Savarkar which is going to win this war and that there is some other help lacking; and unless that is forthcoming, nothing will happen as far as the successful prosecution of the war is concerned. I do not say that—I was only trying to argue on the statement of Mr. Jamnadas Mehta. Let me tell you, Sir, that I personally believe that the vast majority of the Hindus, in spite of Mr. Savarkar and Mr. Roy and Mr. Jamnadas Mehta, are not helping in this war at all, and that is the reason why efforts are being made today by the British Government and by this Government and by other well-wishers of the country that the various political parties, who really are the parties that command

the allegiance of the people, and not these Honourable gentlemen, unless they come in, real and effective support and help in this war cannot be had.

I have purposely avoided saying anything about the declaration of the Prime Minister of England, which he made on the floor of the House of Commons, wherein he stated that the War Cabinet had arrived at certain conclusions and that the Government had decided to send Sir Stafford Cripps to India to consult and get general support from the people of India—I think the expression used is "essential elements in the Indian World"—for those proposals. But my Honourable friend, Mr. Datta, has referred to this, and I feel that I must say something, not regarding those proposals as such, but the interpretation which has been put on the statement of the Prime Minister of England. My Honourable friend, Mr. Datta, said that he welcomed Sir Stafford Cripps, because he found in the statement that Pakistan was knocked on the head. He welcomed Sir Stafford Cripps, because he found that the power of veto that was given to the minorities under the Declaration of 8th August, 1940, has been taken away.

Mr. Jamnadas M. Mehta: Was it given?

Nawabzada Muhammad Liaqat Ali Khan: This is what Mr. Datta said; if my Honourable friend would only have a little patience, he will not go out of this House with any doubts about what I feel and what I say. I am sorry that the Honourable Mr. Datta should have said anything and should have really put an interpretation on the language of that statement which it really did not lend itself to. As I have stated, I will not say anything about that statement, but let me tell Honourable Members of this House that as far as the Muslim League is concerned, it awaits the arrival of Sir Stafford Cripps with confidence in the justice of its cause, and is not afraid of any honest scrutiny of its proposals on the part of anybody, because our policy has not been framed on the basis that we want to take advantage of the British, because they are to use a vulgar word, in a hole. We have not framed our policy with this intention; we have not framed our policy that because the British are in great difficulty at the moment, so let us at this time squeeze out of them anything that we possibly can. Our policy has been framed and laid down with the definite object of defending our country and keeping India safe from foreign aggression. My Honourable friend, Mr. Datta, welcomed Sir Stafford Cripps, because, according to him, the pledges that were given to the Muslims and other minorities under the Declaration of the 8th of August, 1940, have been broken by the Prime Minister in his statement. In other words, the pledge that was given to the Muslims that they will not be coerced with the help of British bayonets into accepting any Constitution to which they were not agreeable, this sacred pledge has been broken. If the interpretation which the Honourable Mr. Datta has put on the statement of the Prime Minister of England is correct, then I would say that it is not a matter of welcome, but it would be a matter of shame to welcome the representative of such a Government.

Mr. Deputy President (Mr. Akhil Chandra Datta): I am very sorry I am in the Chair now and, therefore, I am not in a position to contradict.

Nawabzada Muhammad Liaqat Ali Khan: My Honourable friend, Sir Cowasji Jehangir, followed the fashion. It has become the fashion nowadays to turn round to everybody and say "Sink your differences. Unite in the name of India, in the name of humanity, in the name of God." But I would like to ask him. . . .

Mr. Jamnadas M. Mehta: Unite in the name of the devil! But unite.

Nawabzada Muhammad Liaqat Ali Khan: I am sure, Sir Cowasji Jehangir forgot Mr. Jamnadas Mehta. Mr. Deputy President, I was stating that, really speaking, as far as the Muslim League is concerned, no appeal is necessary for the simple reason that as I have stated just now, this has been the position of the Muslim League from June, 1940, —not only June, 1940, but from November, 1939, when His Excellency the Viceroy invited Mr. Gandhi, Mr. Jinnah and Babu Rajendra Prasad. This has been the position of the Muslim League, and it is the same today. We are willing, we are prepared, to co-operate and take the responsibility for the defence of India either singly or in co-operation with other parties if we get a real and substantial share in the authority of the Government both at the Centre and in the Provinces. We have stated, and let me read out to the House, Sir, a Resolution which was passed in December, 1941,—we have said quite clearly that we do not want to put forward our differences at this stage. What is the use of my friend, Sir Cowasji Jehangir, appealing to me when I am already a convert to that point of view? His appeal should lie in other quarters. Now, this Resolution was passed as late as December, 1941, and this has been our position throughout from November, 1939, right up to date. We said:

"The Working Committee once more declared that they are ready and willing, as before, to shoulder the burden of the defence of the country singly or in co-operation with other parties on the basis that a real share is given in the authority of the Government at the centre and the provinces within the framework of the present constitution, but without prejudice to the major political issues involved in the framing of the future constitution."

I would really want my friends, when they appeal to us for co-operation, both inside and outside the House, to say what is it that they want the Muslim League to do? Do they want to say that they want to frame the future Constitution of India today? If they feel that this is an opportune time when the future Constitution of India should be framed, I am quite willing to accept that position. We have taken up this attitude from the very beginning. We have said that we are prepared to co-operate, to give our best, to give our utmost, for the successful prosecution of the war, and for the defence of our country. We are prepared to co-operate with other parties, to work in co-operation with other parties, and we are prepared to leave the major political issues to be decided after the war. What other reasonable position any party could take, I would like my friend, Sir Cowasji Jehangir, to tell me. The appeal should not really be made to us. The appeal should be made to those who have greater faith in declarations and Slogans, it should be made to those who have greater faith with British bayonets to rule over this country than in friendly relations between the Muslims and Hindus. As I have stated, Mr. Deputy President, we are already converts to this view, but as I said, it is becoming a fashion nowadays. It is a fashion to blame every body whether a person is to be blamed or not. The

reason is, I hope my friend, Sir Cowasji Jehangir, will forgive me, that some of us have not got the courage to put the blame where it properly should be placed, and unless we really are courageous enough to put the blame on the particular party which is responsible for the present situation in the country, nothing will be done. You blame me when I am not to blame. Sir, as I have stated just now, our position has been made abundantly clear from time to time. We cannot support this Finance Bill, because we have no share or authority in the Government. And let me tell you here that when we ask for a share in the authority and power of the Government, it is not that we want to provide comfortable berths to some of our fellows, it is because we feel that we cannot rouse the enthusiasm of the people, that we cannot appeal to the imagination of the people, unless they are made to feel that in the Government there are people who will see that justice is done to them. Sir, it is for this reason that the Muslim League Party has been constrained to adopt this attitude. We are not responsible for what is done inside the Government. We are not responsible for the deeds or misdeeds of the Government, and we are not prepared under these circumstances to take the responsibility of supplying money to the Government when we have no control over it. That really has been and is the position of the Muslim League. It may be stated,—well, the times have changed. Japan is knocking at the gates of India, and, therefore, we should be asked to submit, we should be asked to give co-operation as slaves. Is that the reason? And as far as the threat to India is concerned, as I said in the beginning, when we framed our policy, we were quite aware of the threat to India, we were quite aware of the danger to India. Sir, the hand of friendship which was extended is still outstretched. We are willing, ready and prepared, as we always have been, to ask our people to give their last drop of blood and last penny for the successful prosecution of the war and the defence of India. But it is for those over there to take that hand of friendship; it is for them to decide whether or not they would be prepared to join hands with those who are willing to help and march forward as comrades to face a common enemy and to win a common victory.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I am sorry I cannot follow the last speaker into the higher realms of politics. I shall try to deal more humbly with some of the administrative questions which have been put to me in the course of the debate. Even so, having regard to the hour, I shall have to omit a number of questions that individual Members have raised. I do not think the House will expect me to say something about the pay of second grade clerks in Baluchistan

Dr. P. N. Banerjee: The debate can be continued till tomorrow.

The Honourable Sir Andrew Clow: or various other points of that kind that have been raised.

Mr. Lalchand Navalrai (Sind : Non-Muhammadan Rural): Do that at leisure.

The Honourable Sir Andrew Clow: A large number of points of minor and major importance have been raised, and I cannot go into them in

[Sir Andrew Clow.]

detail. One Honourable Member raised the question of the allocation on the basis of petrol under the Road Fund, but that allocation was decided by a Resolution of this House, and it will be a waste of time for me to discuss whether the House came to a right or wrong decision on the point. Then, Sir Henry Gidney rather invited me to make a disquisition on the Federal Railway Authority. Well, if I did that, I think there are a good many Members in this House who might have remarks to make and who might rightly resent my airing my views on that subject without giving them an opportunity to reply. I would only say that he seemed to be rather under a misconception as to what the Federal Railway Authority, if it were appointed, would do. It would not replace the Railway Board, it would rather replace the Member for Railways in respect of a number of his functions

Sir F. E. James (Madras : European): And in the Assembly to some extent.

The Honourable Sir Andrew Clow: It would involve, in fact, that delegation of authority which I suggested earlier was perhaps a desirable step. It would not, I think, meet Sir Henry Gidney's desires: it would not move in the direction he wants, in giving more attention to questions such as he wanted me to consider the other day, whether a particular individual who held the post of Assistant Foreman should be promoted to the rank of a Foreman. These questions would be removed out of the purview both of the House and of the Government. There is obviously a great deal more that can be said on the subject of Federal Railway Authority than is covered by mere administrative convenience, but I must resist the temptation to stray down that path. I will, however, make one thing clear. Sir Henry Gidney suggested that the Member for Communications and the Railway Board should be replaced by businessmen. As regards a businessman standing in my place I am not going to say anything. That is not a matter perhaps

Dr. P. N. Banerjea: You are going to a higher position.

The Honourable Sir Andrew Clow: which I am competent to judge, but any attempt to replace the Members of the Railway Board by businessmen would, in my opinion, be disastrous. The work that they discharge requires a lifetime's experience of railways, and no businessman, I think, however competent, however able, would feel that he ought to replace experts in their own line. The higher administration stands in an entirely different footing.

Lieut.-Colonel Sir Henry Gidney: On a point of personal explanation. Sir. I never did say that. What I did envisage was the Federal Railway Authority, the higher one, being more of an administrative, and advisory formation, and the lower body consisting of Railway Agents being more the executive, and thus these form the two divisions of the Federal Railway Board. That is what I meant. I do not give in to anybody in my admiration of the Railway Agents as administrators and disciplinarians.

The Honourable Sir Andrew Clow: I have not referred at all to the Managers or Railway Agents. And I suggest that the Honourable Member might study his references to the Railway Board and also the Government of India Act on the subject of Federal Railway Authority.

There is one matter of detail with which I shall deal, and I apologise for troubling the House with it, and that is, Sir Henry Gidney dealt at some length with the question of telegraphs. He disarmed me almost completely by saying that he has a perfect right to make mistakes.

Lieut.-Colonel Sir Henry Gidney: Why not?

The Honourable Sir Andrew Clow: And he exercised it.

Lieut.-Colonel Sir Henry Gidney: You often do it yourself.

The Honourable Sir Andrew Clow: We are all liable to make mistakes, I do not think any of us is free. I do my best, and my colleagues do their best to ensure that the information we give is accurate, and I feel that a little more trouble on the part of Sir Henry Gidney in verifying his facts might have saved the House just a little time.

Lieut.-Colonel Sir Henry Gidney: That is your view. That may not be my view.

The Honourable Sir Andrew Clow: For example, my Honourable friend suggested that telegraph circuits had been diminished in number in order to provide for telephones, and that that was a great mistake. I understand from the Chief Engineer that we have more telegraph circuits today than we had, quite apart from the circuits that utilise the telephone lines. There is greater telegraph capacity than we have had before, in addition to telephones which are playing a vital part in the war and in our country. He suggested that we were using unqualified men. The men may not have equal qualifications, but no unqualified men can operate a telegraph system. I am assured that we are actually carrying more telegraph traffic today than we have ever carried before. The reason why Honourable Members find delay, like myself, who got a telegram which took five days to come from Calcutta—the reason why telegrams are seriously delayed is, I am afraid, the hard work done by my Colleagues and those who sit behind them who send telegrams that, unfortunately, have priority over other messages. The amount of traffic going for war purposes and on priority is at the moment very large indeed. And I can only express my regret to the public for the fact that the service on some lines, not on others, is at present very slow. But really Sir Henry Gidney's criticisms boil down to this. 'Why did not those responsible for our telegraph system, five or ten years ago foresee that in 1942 India would be fighting a war on two fronts?' That, I suggest, is a question that answers itself.

Lieut.-Colonel Sir Henry Gidney: And which you cannot answer.

The Honourable Sir Andrew Clow: The answer obviously is—I can answer it perfectly well.—that neither Sir Henry Gidney nor I, nor wiser people than both of us could, have had any conception that a position would arise in the year 1942, in which we would find ourselves in the position in which we find ourselves today. It is entirely unreasonable to blame those committees which, with the full approval of the House, were endeavouring to secure retrenchment at the time for failing to foresee such an event.

Lieut.-Colonel Sir Henry Gidney: Retrenchment at the cost of efficiency.

The Honourable Sir Andrew Clow: As the time is really short, I must rather ask that I may be allowed to go on without interruptions.

Mr. Deputy President (Mr. Akhil Chandra Datta): I hope there will be no interruption.

The Honourable Sir Andrew Clow: They did endeavour to secure the maximum efficiency possible.

Lieut.-Colonel Sir Henry Gidney: I know. Quite so. Secure it.

The Honourable Sir Andrew Clow: I propose to devote the rest of the time at my disposal to a question of much greater importance, and one which has rightly engaged the attention of several Members who have spoken. And that is the question of our transportation difficulties at the moment. I think the doubts and difficulties felt by Honourable Members were summed up by Sir Frederick James who put a number of specific questions, to which I hope the rest of my speech will provide an adequate reply.

The position at the moment is that the railways are faced with demands for far more traffic than they can carry. That applies to both passengers and goods. At the same time, other forms of transport, the sea, that is coastal shipping, and the roads, have owing to the war had their capacity limited. The problem, therefore, is twofold. It is, in the first place, a problem of getting the best use out of the railways we can, and, in the second place, of developing to the utmost extent alternative means of transport. The organisation which is still in process of development for dealing with these difficulties is, briefly, as follows. We have started by making a separation between transportation and the other functions included in the Communications Department. We have placed the other subjects, including the important one of Posts and Telegraphs, in the hands of an Additional Secretary, thus relieving Mr. Roy of all that work and enabling him to devote his time entirely to transportation questions. Within the transportation sphere, there are two main branches, the first dealing with roads, and the second dealing with railways

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

. and within the railways there comes the special problem, the very important problem, of coal, to which several Members alluded. So far as roads are concerned, I have given the broad outlines already. We are appointing a Central Road Transport Officer in the person of Sir Kenneth Mitchell, who is well-known, as a former Member of this House, and one who has devoted a number of years entirely to the road problems of this country. He will be relieved entirely of his present duties for this purpose. Among the functions which this organisation will supervise are those of petrol rationing and development of other forms of fuel. But, as I have said more than once in this House, that is the smaller part of the problem, because the possibilities there, though not negligible, are limited, and the bigger part of it consists in the use we are going to make of our railway capacity.

If I might deal with one particular aspect of this, that is, coal, we are appointing at once a Controller of Coal Distribution. We have selected for that post a Railway Officer, Khan Bahadur G. Faruque, who has been dealing with kindred questions for some time, and he will now be responsible not merely for the distribution of wagons under the priority list, but also for the supply of wagons for coal on private account. He will be provided with the programmes for the loading of locomotive and naval coal and coal required for Government and military use and he will receive direct from coal merchants and public consumers their requirements for domestic use and for other purposes and will have authority to investigate any requirement of whatever priority.

Before I go on to the general railway question, there is one point I would like to make clear. I do not think it is clear in the minds of all Members of this House and that is that the problem is not merely one of wagons. In dealing with goods traffic or any traffic there are other factors which may impose limitations on what you can do. I know some Members of the House are very familiar with this and I apologise for repeating it but it is an important point. You may be limited for example by your power, by the locomotives at your disposal, though here I would hasten to reassure Mr. Lalchand Navalrai that our difficulties are not caused in his part of the country by sending locomotives abroad. No broad gauge locomotive has been sent abroad. There is a third factor and that is line capacity. Even if you have an infinite number of wagons and an infinite number of locomotives, it does not follow that you can transport an infinite amount of goods. Your line capacity, particularly on single lines, is very strictly limited. It is limited, of course, even on double lines, although the capacity is larger there. That I think probably affords an explanation of some of the phenomena that may have puzzled Honourable Members. For example, Mr. Neogy referred to wagons lying idle and I think there was a suggestion that if palm oil were applied the wagons might move. But wagons may lie idle because of limitations, either in the direction of power or in the direction of line capacity and, similarly, our traffic is not even in both directions in all lines. It is quite likely that Honourable Members may see wagons moving empty along important lines in one direction.

The problem here is again twofold. One is that of increasing capacity and the other that of distributing capacity. In other words we have to increase our capacity to carry and to distribute the capacity among the various demands. Increasing capacity depends partly on works designed to move the boundaries, as it were, of the limitations on our lines, such as improving the marshalling yards, the provision of double lines where there is a single line, and works of that kind. It also involves increasing the rolling stock. I was asked by Sir Ziauddin Ahmad what we were doing to secure the supply of additional wagons. Well, the programmes have been placed before the Standing Finance Committee for Railways and Honourable Members can refer to them. We are unfortunately, a year behind in our programmes and that is because of the difficulties of obtaining steel. Sir Ziauddin suggested that if I could only put out Rs. 2 in the right direction I should get all the steel I required or at least he said that he had been able to do so. If he will tell me the direction, I will square my conscience with the output of small sums of that kind but I can assure him that I have not been able to get anything like all the steel I require.

[Sir Andrew Clow.]

Now, the question of increasing capacity is one for the Railway Board but when it comes to the distribution of capacity, Government came to the conclusion that what was required was an authority which will be independent of the Railways and yet working closely with them, in other words that it was not fair to impose on the Railways both the task of acting as carriers and the task of deciding, in the bigger matters at any rate, what shall be carried. We have, for example, demands for the movement of troops. We have demands for the movement of military supplies. We have various demands for the shipment of supplies overseas. We have demands for the evacuation of persons from areas which they regard as dangerous. We have demands for the movement of wheat and other food-stuffs. We have demands for the movement of coal, and may I observe in passing that that to a certain extent must have priority over all other demands, because it is not merely a case of our industries depending on coal. Without a supply of coal, the Railways themselves would cease to operate. The big task is that of balancing these demands against each other and that is a task which we are entrusting to this organisation. It will not, I hope, have to deal with demands in detail. These obviously must be left to a large extent to the General Managers of Railways and others on the spot. But it will have its reflections in the provinces and Sir Frederick James asked me how it was going to fit in with the organisations there. We have at present four provincial Boards of Transport at the main headquarters of Railways, Lahore, Bombay, Madras and Calcutta and I think a fifth will be set up in the United Provinces. These in some cases cover of course much more than a province. The one at Calcutta serves at least four provinces and that at Lahore, if you include minor provinces will serve about half a dozen. In Calcutta, particularly, the Board is probably rather too large to deal with the special problems of urgency that arise there. For that reason at Calcutta a smaller committee is being set up which will include representatives of the Defence Department and the Department of the Provincial Government, the Inland Water Transport and the Railways. It will be presided over for the present by Sir Thomas Elderton and will deal, within that zone, with work corresponding to that which is being done on the all-India scale here. I hope that will make for greater expedition in the area, which is at the moment of paramount importance.

I hope I have answered most of the questions put to me. As I admitted in reply to a question yesterday the organisation is still in a somewhat fluid state and is working out its own salvation. But I think I can claim that it is starting on the right lines and with the co-operation of the public and of all interested I hope it will be able to bring the maximum amount of transport to bear both on the prosecution of the war and on the claimant needs of the country.

Mr. G. S. Bozman (Overseas Secretary): Sir, before I discuss the affairs of the Department of Indians Overseas, I should like to offer two apologies to the House, the first on behalf of the Honourable Mr. Apey who had intended to make a statement to the House today himself but has unavoidably been called away elsewhere, and secondly, I must apologise on my own behalf in that I have not personally listened to the criticisms made, as I have been engaged in another place or rather in other places. I understand that the main comments with regard to the Department of Indians Overseas have referred to two matters, one the larger one of

evacuation of Indians from Burma and Malaya and the second, the smaller matter, regarding certain restrictions placed upon the entry of Indians into Aden.

I take the evacuation issue first. I suppose what we have been attempting to do in the matter of evacuation of Indians from Burma and Malaya is almost unparalleled. There are 800,000 Indians in Malaya and over a million in Burma and an attempt to move that number of people in a very short space of time under war conditions could, so far as I am aware, only meet with success under a Nazi or Fascist system.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): May I ask a question? Is the Honourable Member aware that discrimination of the worst type was practised there and only Europeans were removed? Indians were not offered any facilities whatsoever.

Mr. G. S. Bozman: If I am allowed to go on, I may possibly come to what I had intended to say. I have a short time at my disposal and I can only give a fairly rapid outline of the way the Department works on the question of evacuation.

Mr. Muhammad Nauman: That was the complaint we made in our speeches.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better not interrupt.

Mr. G. S. Bozman: The work falls under three main heads, namely, evacuation proper, that is, the problem of getting people out of the countries where they are; secondly, reception in India and, thirdly, the question of maintenance and employment after they have come back to India. I think it is desirable to remember what the functions of the Government of India are with regard to these three main heads.

In regard to evacuation proper, as I have described it, the function of the Government of India is to give every assistance and facility that they can provide to the Government of the country where the people are in order to get these unhappy people out. With regard to both reception and maintenance and employment after they have returned, it is the function of the Central Government to give every assistance that is in their power to the Provincial Governments who have to take the administrative action.

Now, to deal with the evacuation itself. I think I had better speak separately of Malaya and Burma. In Malaya, there was, it is probably true to say, no organised evacuation on any large scale. The total number of people who came away from Malaya is not known to me but it is very small, including all races. The latest information I have of the number of Indians who came away from Malaya is approximately 5,000. The Malayan Governments, at an early stage, were asked by us whether we should send ships to Singapore to assist in the evacuation. At that stage they said that adequate shipping was available for those people who wished to leave the country. At a later stage they informed us that ships were required. We at once took steps to place at their disposal every ship that could be made available to them in the time which was then left. I think here I must pay a tribute to the readiness with which the Naval and Military authorities assisted us in getting these ships to Malaya, and later on to Burma, to evacuate these people.

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I must refer because it has been the subject of so much public comment, to one particular incident in Malaya, namely, the evacuation of Penang. It has been stated by a number of people that in the evacuation of Penang there was racial discrimination. Now, so far as can be ascertained, virtually all the Europeans in Penang came away and I have not yet heard of any Indian who was able to leave Penang. I should like to say on that subject that the Governor of the Straits Settlements, shortly afterwards, made a public statement in regard to his Government's attitude. He said that the evacuation of Penang took place without his knowledge or orders and without the knowledge or orders of the Colonial Secretary. He supplemented that statement by an assurance that he had issued instructions that should a further withdrawal under similar circumstances take place elsewhere in Malaya, there was to be no distinction of race, colour or creed in the arrangements with regard to evacuation. That the Governor and the Government of the Straits Settlements had the full intention of enforcing non-discriminatory measures for evacuation, I think the House will gather from a telegram which I might read to them which the Governor of Straits Settlements sent to us three days, before Singapore fell. He said:

"I have much pleasure in bringing to the notice of the Government of India the valuable services rendered by Mr. Goho of Singapore in the evacuation of Indian women and children and the fine example of courage and determination which he set to his countrymen and indeed to us all."

I would like to add one more word about Penang and also about certain complaints which have recently appeared in the press with regard to Singapore. The House will readily understand that we have no means now of ascertaining what the true facts of the case were. There is no communication with the Malayan Governments, either by us direct or through any other channel. The fact remains that a large number of people who came away from Malaya have told stories which are remarkably consistent. Our conclusion, therefore, on that point is that there is sufficient evidence to warrant a thorough and impartial inquiry into what exactly the events were when circumstances permit such an inquiry to be undertaken. This view of ours has been forwarded to the proper authorities.

Now, Sir, I should like to turn to Burma because Burma is very much in our hearts at present. There are three methods of evacuation from Burma,—by sea, by air and by land. Again, with regard to sea evacuation from Burma, every ship on which we could lay our hands has been employed for the evacuation of people from Burma. Our present estimate of the total number of people who have left Burma by sea is between 45 and 50 thousand. That, I suggest, is not an unsatisfactory figure considering the short time in which it has taken place. The circumstances of sea evacuation in Rangoon were particularly difficult. The city was subjected to constant air raids and alerts. It was impossible to keep people waiting for ships anywhere near the harbour which was the object of attack by Japanese bombers and, at the same time, it was essential that ships should leave as quickly as possible and get out to sea. Consequently, people who wished to leave Rangoon by sea had in many cases to get on board and sail within a space of a very few hours. The inconvenience and discomforts to which they were subjected can well be imagined. Nevertheless I think it is something that these people have come away in safety and to some extent with a little property.

There is now operating a scheme of evacuation by air. This scheme is organised by the Burma Government, but the Government of India and the Indian National Airways have given every assistance they can in providing machines. I should like here to say a word of thanks both to the Indian National Airways and, in particular, also to the Chinese National Airways Company who have been doing strenuous and splendid work in bringing people out of Burma. On Thursday last, I left Delhi and reached Akyab in Burma on Friday. I landed both on the way out and on the way home at Chittagong which has an aerodrome where the Chinese National Airways bring the evacuees from Burma. They run three, and sometimes four trips a day bringing fifty people roughly at a time and by a stroke of luck on Saturday, on my return trip, I was on the aerodrome when one of these machines landed. I walked up to the machine to see the passengers get out. There were fifty on board and all were Indians. There were, I think, seven or eight men and the rest were all women and children. I have had conversations with the Indian National Airways; I have had correspondence with the Government of Burma. I should like to assure the House that in this evacuation scheme, as in all evacuation schemes, the Government of India have continued to stress the necessity of avoiding any kind of racial discrimination.

Now, I should say a little about the land routes from Burma to India. There are two main routes, one through the west of Burma to Akyab and on to Chittagong—it was that route that I went myself to examine—the other is the route passing over the northern frontiers of Burma through Manipur and Assam. My latest estimate of the number who have come by the two land routes together is about 75,000, but the House will understand that these numbers are extremely difficult to estimate accurately. From Taungup on the Burma coast up to Akyab the journey has to be done by sea. It is possible to get along by land, but it is a most arduous journey. The normal method of transport is by launch or by country craft. I, personally, saw every ship available in Akyab on Friday and I satisfied myself that every launch which can possibly reach Taungup on the Burma coast is being used for the purpose of evacuating the refugees who have arrived there and for no other purpose. Country crafts are being used in large numbers, but they take a great deal longer to reach Akyab and I regret to say that I heard stories of extortionate charges having been imposed by the owners of the boats. However, at that time the numbers still waiting in Taungup had been very greatly reduced. A further flow has recently come over the pass from Prome into Taungup. I am now making every effort that I can to provide the fullest amount of launch and craft accommodation from Taungup to Akyab and ship accommodation from Akyab to Chittagong. The House will forgive me if I do not give details about shipping available as it is obviously undesirable to do so.

With regard to the care of the route from Taungup up to Akyab and then to Chittagong, I can give a few figures of what we have supplied. We sent first of all four doctors whom the Bengal Government kindly placed at our disposal. We sent them to Akyab and the Commissioner at Akyab sent them straight on to Taungup. We then recruited, at very short notice, a strong medical unit from Madras consisting of 18 altogether—five doctors, seven sanitary inspectors and six nursing orderlies. These are also now at Taungup. Large quantities of cholera vaccine, medicines of various kinds, bleaching powder and other medical accessories have been

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sent. Food and water have been sent down to Taungup by the Commissioner from Akyab. But the difficulty still remains at the beginning section of the journey in Burma between Prome and Taungup, a land journey of about 100 miles, some through difficult country. At the Indian end of this route, we have in Chittagong itself a special District Magistrate, 12 sub-deputy collectors, 18 doctors. We have six camps established in Chittagong and the Government of India have appointed their own Special Evacuation Officer who is now working in Chittagong. We have, in addition, five camps on the land routes into Chittagong. Each of these camps has a doctor and is under the control of these officers recruited by the Bengal Government.

Then, Sir, with regard to the northern land route—as it is called—it is in fact a combination of two or three land routes. I should say at once that a particular difficulty exists with regard to this outlet from Burma. The House will understand that we have to pay due regard to military requirements in Burma. Now, Sir, it is a fact that military requirements in the area through which this northern land route passes are of great importance and that these requirements may vary from day to day.

I heard yesterday a complaint made in this House that some kind of discrimination exists with regard to the exit of refugees along this route. I had hoped to be able today to give some authoritative information about that. I regret to say I am not in a position to do so. I can say this, that the Government of India's policy remains what it always has been, that there should be no racial discrimination with regard to evacuation. If immediate military requirements have involved at some places certain restrictions, about which I am not now in a position to inform the House, then it is possible that there may have been some real or apparent temporary discrimination for that purpose alone. That, however, is a matter upon which I am now engaged in making every enquiry, and I am authorised to say that it does not affect the policy which we have laid down and which we are following.

Now, Sir, on this particular land route, there are many miles inside Burma and many miles inside India. Inside India camps have been arranged along the whole route between the Burma border and rail head in India camps are now being arranged along an alternative route inside India to a separate rail head. Inside Burma camps have been arranged by the Burma authorities along the whole routes from the rail or river head up to the border between Assam and Burma. I should not like the House to be under any misapprehension when I speak of camps. The camps are naturally of a primitive nature, but they provide the essentials, shelter, water, food supplies, wherever possible, and medical attendance wherever possible. Two special officers have been sent from Assam into Burma and we hope that we shall shortly have more assistance available. The object of sending these officers in is that the Indian refugees on the road out, while still in Burma, should contact India and meet people who can speak to them in their own languages and should feel that even there India was offering every assistance and comfort.

Now, to turn to the Indian side which really is responsible for the reception of the evacuees, I should like to state publicly that the reception committees composed of non-officials established in Madras, Calcutta and Chittagong have done magnificent work. I have spoken to many refugees

who have arrived in this country. Each one of them has paid the most glowing tributes to the reception at the port or the rail head where they arrive. These reception committees have organised themselves on different lines in different places, but the fact remains that wherever a refugee arrives he is within a space of at most an hour or two provided with a meal, provided if necessary with shelter and possibly even some kind of clothing. He is told how to get to the place he wants to go to, and if he cannot afford a railway ticket he is given a free railway ticket to his destination in India. The gentlemen who have organised these committees are, I think, doing a splendid and selfless work for which India should thank them. I should state also that in all these places the Provincial Governments themselves have taken the most active interest. The Provincial Governments have spent large sums of money on providing free railway accommodation, food if necessary and other amenities; and the Provincial Governments are well aware that if their resources become strained, owing to their large and generous operations the Central Government will not be slow to help them. I should also like to state publicly that I have not heard with regard to reception arrangements in India one single charge of discrimination. All people arriving on boats have been treated alike and equally generously.

Then we come to the third problem, the problem of maintenance and employment once these people have returned. Scales for maintenance of those who are indigent have been laid down and communicated to the Provincial Governments. But maintenance is no solution of the unemployment problem. It is primarily for the Provincial Governments to consider how to find employment for those who are in their areas. But the Government of India are now in communication with the Provincial Governments and are suggesting the establishment by them of organisations by which those requiring employment can register themselves, state their qualifications and be put into touch with employers who are likely to be able to utilise their services. We have also approached all Provincial Governments and the principal educational authorities with regard to provision for children in schools and colleges. I have a list here of replies from nine Provincial and State Governments and from nine Universities; each one of them is prepared to make special arrangements to receive the children of evacuees, to afford them special terms and, if necessary, even to allow either free education or to allow part of the curriculum which has been completed in Burma to count towards completing the curriculum in India. Generally speaking, therefore, with regard to evacuation the impression I should like to leave is this that in the Department we have at once realised that this is a major problem, in fact the major problem, for the Department. We have ourselves taken conceivable steps to provide for the comfort of these people when they arrive in India and after having arrived in India. We have gone a bit further; we have made every effort to provide for their comfort before they arrive in India. We, naturally, must work through the agencies of the Provincial Governments and these Provincial Governments concerned have responded nobly. We do not claim that these refugees have arrived in comfort or at ease. They have suffered great hardships; that we know. But the hardships have been imposed upon them not by the Government of India but by Japan.

Now, Sir, I should like to refer to the other point which was raised in criticism, namely, the imposition of restrictions upon immigration into Aden. This was brought to our notice some little while ago and we at once addressed the Aden Government on the subject. The Aden Government replied that the restrictions had been imposed for certain necessary

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war purposes and that they were of general application. This appeared to us a statement which required somewhat further elucidation. We, therefore, approached them again, and we now know that the Aden Government have imposed restrictions upon all British subjects entering Aden, that these restrictions are constantly under review, that they are designed solely to relieve Aden of war problems such as food supply, air raid precautions and so on, due to an addition to their population, and that it is their intention to relax them as much as possible and as war conditions permit. I have also a statement here from the Governor of Aden saying, specifically, that the moment war conditions permit Aden will as before welcome Indians to Aden. I am told, however, that an Honourable Member has stated that Aden is in fact admitting persons of Greek and other origin. I should be very grateful if the Honourable Member would give me the details of his information on that point, and I will undertake at once to make an inquiry on it from the Government of Aden. It had not come to our notice before; otherwise we should already have made inquiries ourselves.

That, Sir, completes the statement I wished to make on the two main points raised in criticism. I wish only to add that, after consultation with the Honourable Mr. Aney last night, I have confined myself to these two points as I have not heard the other criticisms made.

The Honourable Sir Homi Mody (Supply Member): Sir, being in a privileged position no longer, I am afraid I must confine myself to the budget and deal only with those issues which have been raised in the course of the debate relating to the working of my Department. I shall first deal with the exciting question of machine tools. My Honourable friend, Mr. Huseinbhai Laljee, dwelt on it at some length and repeatedly emphasised that the Department were not utilising adequately all the vast resources in the way of machine tools which he said lay in industrial establishments in the country. I should like to allay his anxiety which is commendable but which, I think, in this particular instance, happens to be slightly misplaced. In the first place, I should like to tell him that the conditions which obtain today are very different from those which obtained during the last war. At that time there was a great necessity of finding capacity for making shell bodies, and I know for a fact that many textile mills were doing work in this connection in the workshops attached to them. Today we are in a different position. Today we have centralised capacity for the manufacture of shell bodies and for other engineering work in various central workshops in the country, largely with a view to facilitate inspection and to ensure accurate machining. The result is that we could turn out today more shell bodies than are required. In other words, the capacity for making shell bodies has outrun the capacity for making the other components of a shell. Therefore, the plan that was early resolved upon was that machine tools, wherever they were found to be surplus, should be requisitioned and located in a central place. That was done, but I must point out to my Honourable friend that if he thinks that there were a great many machine tools going, he is mistaken. I know something about the workshops of the various industrial plants and they are generally doing more or less jobbing work. There was thus, to start with, a paucity of really good machine tools, and, on the top of that, there was the reluctance of many industrialists to part with what they thought was essential for the conduct of their own establishments. In the happier times in which I lived in those days, I

myself remember having represented to the Government of India the inequity of requisitioning certain machine tools which from the interests which I represented in those days . . .

Mr. Huseinbhai Abdullabhai Laljee: When was it?

The Honourable Sir Homi Modi: That was last year. Well, even so with all these difficulties, something like a thousand machine tools have been requisitioned and placed in our Central Workshops. Recently, after careful survey of the existing capacity, the Machine Tools Controller, whom we appointed earlier on, evolved a scheme under which certain reputed firms—something like half a dozen firms which were engaged upon this type of work—were to be supplied with a balancing plant to the tune of something like 15 lakhs of rupees, which would enable them to produce more and better machine tools. That scheme is underway, but I cannot say how long it will take to complete it, because, as every one knows, there is very great difficulty in securing any type of machinery these days. One of the major difficulties in this connection has been the shortage of steel to which I shall refer in answer to certain questions raised by my Honourable friend, Mr. Neogy. With all these difficulties my Honourable friend perhaps does not know that a great deal has been done to utilize the small workshops which are distributed throughout the country.

Mr. Huseinbhai Abdullabhai Laljee: Are the workshops being utilized?

The Honourable Sir Homi Modi: I will give a few instances presently. About a year and a half ago, a shell production unit was organized near Calcutta with machines borrowed from the Indian Jute Mills Association. Later on, groups of small workshops in the coal fields were co-ordinated with this scheme. Recently and this happens to be within my special knowledge and, perhaps, largely owing to my insistence—arrangements have been made with cement factories all over the country to execute orders for the Government in their workshops. Negotiations are also in progress for the utilization of machine tools in the rice factories of Orissa. Small workshops in the Kolar Gold Fields have been organized as a single productive Unit, and the resources of other workshops in the Hyderabad State have also been requisitioned or are in the process of exploitation. Generally speaking, I may say that since the institution of the Machine Control Order in February, 1941, a great deal has been done in the way of securing the right type of machine tools. In addition, a scheme was framed last year to create a reserve of machine tools in this country, obtaining them from abroad, from wherever we could get them, and for that purpose something like 20 lakhs of rupees was set aside by the Department. I am sorry to have to say that only a small portion of this sum could be spent, because machine tools are extremely difficult to obtain.

I have spoken in this connection and in connection with other projects for utilizing the small producer—whether of machine tools or of any other article—about a conference of Provincial representatives which is to be held at Delhi on the 23rd of this month with a view to making a co-ordinated drive for the purpose of utilizing the services of the small producer in this country. A fully docketed statement has been sent out to Provincial Governments so that they can send their representatives with a properly prepared brief, and we have given them a list of something like 89 small engineering articles, which the Director General, Munitions Production, can find use for, and something like 160 non-engineering stores which can be turned out by small producers.

[Sir Homi Mody.]

Finally, in this connection, I would like to refer to the approaching visit of the American Technical Mission. I am sorry to have to say that a great deal of ill-founded suspicion has been created about the intentions and the business of this Mission. Their sole anxiety in coming to this country—and it will have been noticed from the statement of the personnel of the Committee that some of America's best men are coming here—is to stimulate the war effort of this country, to make good such deficiencies as can be made good within a reasonable distance of time, having regard not only to questions of shipping, but also to questions of India's own capacity and her deficiencies in many important things like steel and non-ferrous metals. The Mission is also coming out to see what sort of technical assistance it can render, how it can help in the matter of training of personnel. In other words, America has recognized the important place which India occupies today as an arsenal for democracy, and the object of the Mission is to see that not only India's production is maintained, but that it is increased adequately and to the full extent of her capacity by such assistance as the American administration can render. In that view of the case, Sir, I submit that it was an ill-founded suspicion to ventilate in public, before even the Mission came out to this country, that they were out here to look after vested interests. Surely, it should be obvious to anyone—apart from any questions of the intention of the people who are coming here—it should be obvious to anyone that those in the Government of India who had something to do with the Technical Mission, may be trusted to look after essential Indian interests and at the same time promote the war effort of this country. I hope, Sir, I am not overstating the case when I say that the visit of the Technical Mission may substantially help to remedy some of the glaring deficiencies in our industrial position and to put India, even more largely, on the war map of the world.

Sir, I now come to my Honourable friend, Mr. Neogy. He raised certain questions—rather awkward questions, I am afraid,—with regard to the Roger Mission projects. I think the Secretary of my Department, Mr. Jenkins, spoke at some length on this subject at the time when I was feeling indisposed, and, he gave the House to understand that practically all but two projects arising from the visits of both the Roger Mission and the Chatfield Mission were either on the way to completion or had been initiated. There were only two which could not be initiated, because they were not sanctioned by His Majesty's Government. I am afraid I am not in a position to say what exactly these two were, but I think this information should satisfy my Honourable friend that so far as these two important Missions' objectives were concerned, within a very short space of time it has been found possible to complete some of the projects and to get the rest of them going.

My Honourable friend raised a question about steel. It is true as pointed out by Sir Padamji Ginwala in the series of articles which he contributed to the *Statesman* that something like half a million tons of pig iron are still being exported to the United Kingdom; but it is not true to suggest—and I do not think that he suggested it or for that matter my Honourable friend, Mr. Neogy—that this pig iron comes back to this country in the shape of munitions. What comes back to this country is heavy munitions of the type which this country is not in a position to manufacture. That apart, the steel position is that since the outbreak of the war the capacity of the steel producing plants has been increased by something like 30 per cent. and very recently we have put forward proposals for increasing the

capacity by another two to three hundred thousand tons. Whether that project goes through or not, I am not in a position to say at the moment.

My Honourable friend, Dr. Ziauddin Ahmad, raised the question of corruption, and he instanced the case of some cotton banding which according to him had been the subject of very suspicious dealings. All I can say is that the Department has that case under investigation. On the general question of corruption I will say what my Honourable friend, Sir Cowasji Jehangir, stated yesterday, that in a large Department handling such enormous sums of money not only every year, but, so to speak, every week, possibilities of corruption do exist; but I also agree with him in saying that it is our business to try and stop all leakages and all avenues of speculation. There have been something like forty cases under consideration or investigation to date, not so much relating to the purchase side as to the inspection. I must in this connection say that the support which one would expect from the general public is not forthcoming for what would be a reform not only of this Department, but of any large Department of Government. It has been my painful duty to blacklist a number of contractors. For that I do not need an investigation except that which I can conduct in my own Department. In not one single case has it happened that I have not been approached by a number of very esteemable people asking me to take a lenient view of such cases. There are some gross cases of prosecution which we have launched in which the parties who have been guilty of offering the bribe have been offered every immunity, and yet have not thought it right to help us. On the other hand, we have met with a certain measure of obstruction, and if you recognise that there are two parties to a bribe, as there are two parties to a marriage, I must say that the task of unravelling questionable transactions and of bringing the offenders to book is not a very easy one. All I can say is that we have set up a special agency for the purpose, that we have not hesitated for one moment, no matter who was involved in a charge of speculation or bribery, in bringing the offender to book, and with that I must leave the matter.

A question was raised about tent contracts by Dr. Ziauddin Ahmad, I think, and it was also raised by Sir Abdul Halim Ghuznavi. All I shall say about that is that the transport system, finding itself in such acute difficulties on account of the war situation, it is our bounden duty, as it is the bounden duty of everybody, to see whether something cannot be done to help out the situation and if you consider that a great deal of the cloth which is required for tent-making is manufactured in the centres of Bombay, Ahmedabad and places round about, then it is obvious that the most rational course to take is to see that tent-making capacity is, as far as possible, transferred to those places where the actual cloth is produced. That scheme is still under consideration, and I am not prepared, I am afraid, to say anything more at this stage.

I forgot to take up the points which were raised earlier on by my Honourable friend, Sir Frederick James. He referred to the all important question of a Production Minister, which he and his Group have been so insistent upon. I would not like to repeat what has been said on the subject and to point to the achievements of the Department with a view to showing that even within the framework of our organisation we have been able to produce as much as India is in a position to produce, because if I hate one thing, I hate to indulge in a mood of self-complacency. I say that a great deal is being done, but I am not prepared to say that there is no room for improvement; and it comes to pass that, either now or in the very near future, the machinery of the Supply Department is found to be inade-

[Sir Homi Mody.]

quate for the purpose of that production drive which my Honourable friend and those who think with him are insistent upon having, I will be the first to come forward with proposals for a change.

My Honourable friend referred to the question of import controls and he suggested that it was an unhappy state of affairs that more than one department should be interested in these controls. I would like to say a great deal on the subject, but I am afraid of treading on the corns of my Honourable friend, the Commerce Member. All I can say is that in specially important matters like steel and engineering stores, through the co-operation of the Commerce Department, we have been able to acquire adequate control over imports; I would say there is a great deal of co-operation between the two Departments; and it is possible that in spite of two Departments still having to handle the question of import controls, the controls may not present much difficulty in their working.

There is only one other point which I think was made, and that is with regard to the number of European advisers attached to my Department. The position here is that in matters like wool, jute, and steel, we consulted the industrialists concerned, and it was on their recommendations that the particular Advisers were appointed. We also took into account the fact that we wanted for the purpose of exercising control those people who were most closely and intimately associated with the particular industry. But having said that I refuse to concede that this has resulted in any sacrifice of Indian interests and that business has largely gone into European hands, because there are European Advisers. I do not think that such a thing can be said of the Supply Department; but if there are any instances brought to my notice, I shall be prepared to examine them with the care and attention which they deserve.

That, Sir, finishes more or less all the criticisms that were advanced, and I hope I have given a satisfactory reply to them and, in particular, I hope I have satisfied my Honourable friend, Mr. Huseinbhai Laljee.

Mr. Huseinbhai Abdullahhai Laljee: No, Sir; I would just ask one question. My only question is, are all workshops in the textile mills, 300 in number, and others working their machine tools for any war supply? You have given only one instance of a rice mill workshop in Orissa.

The Honourable Sir Homi Mody: I have already told my Honourable friend that whatever may be usefully employed for the purpose of producing engineering stores or shells or any other article is being usefully employed, and I pointed out to him that his idea that a great deal of capacity exists in the textile or any other industry for the purpose of producing machine tools is entirely unfounded.

(The Honourable Sir Jeremy Raisman rose in his place.)

Mr. President (The Honourable Sir Abdur Rahim): Would the Honourable Member like to begin tomorrow, as it is now 5 o'clock?

The Honourable Sir Jeremy Raisman: I would like to begin tomorrow, as the hour is so late.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 18th March, 1942.

LEGISLATIVE ASSEMBLY

Wednesday, 18th March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Venilal Tribhovandas Dehejia, M.L.A. (Government of India: Nominated Official):

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

DEARTH OF AND DISCRIMINATION IN THE TREATMENT METED OUT TO DOCTORS IN THE ARMY.

203. *Bhai Parma Nand: (a) Will the Defence Secretary be pleased to state if it is a fact that there is a great dearth of Doctors in the Army? If so, will he please state the reason therefor?

(b) Is it a fact that Licentiates of Singapore, Ceylon, and other countries are being taken in the Indian Medical Service? If so, why are Indian Licentiates being denied the same privilege?

(c) What is the starting pay of an I. M. D. Assistant Surgeon (Indian cadre) as compared with that of his colleague in the British cadre? Why is there such racial discrimination?

(d) Is it a fact that a deserving V. C. O. of the regular army and its various departments can get a King's Commission? If so, how is it that a V. C. O. of I. M. D. is never offered a King's Commission?

(e) Is it a fact that compounders are being recruited in the I. M. D. on a starting pay of Rs. 70 per mensem?

(f) Are Government aware that nurses after completing three months training are offered Rs. 168 per mensem and they have to work under Assistant Surgeon I. M. D. (Indian Cadre)?

(g) What messing arrangements are made for Members of the I. M. D. while on active Military service?

(h) Do Government intend to substantially increase the pay of military Assistant Surgeons, I.M.D. (Indian Cadre) consistent with their rank of Assistant Surgeon in order to attract more Doctors?

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(i) Is it a fact that the pay offered to an I.M.D. Assistant Surgeon (Indian Cadre) is Rs. 75, *i.e.*, the same as was previously offered to Sub-Assistant Surgeons, I.M.D.?

Sir Gurunath Bewoor: (a) Owing to the large expansion of the Defence Forces of India, there is a considerable demand for Doctors which has not yet been satisfied.

(b) In order to be eligible for appointment to the Indian Medical Service a candidate must possess a medical qualification registered in Great Britain and Northern Ireland under the Medical Acts in force at the time of his appointment or an Indian medical qualification recognised under section 11(1) of the Indian Medical Council Act, 1933, and registered in British India under one of the Provincial Medical Acts. Licentiates of Singapore and Ceylon are taken in the Indian Medical Service, as the qualification possessed by them is a registrable qualification. The Indian Licentiate Diplomas, being of a lower standard, are not recognised under the Indian Medical Council Act and the holders are, therefore, ineligible for commissions in the Indian Medical Service.

(c) The starting pay of an Indian Medical Department Assistant Surgeon (Indian Cadre) is Rs. 75 per month, and of Assistant Surgeon (British Cadre) Rs. 200 per month. Under the existing rules which came into force in 1935, Assistant Surgeons of British Cadre must hold a medical degree, while Assistant Surgeons of the Indian Cadre need only be Licentiates. The higher starting pay of members of the British Cadre is therefore due to their higher professional qualifications and there is no question, therefore, of any racial discrimination. I may, however, add that Assistant Surgeons of the Emergency Branch of the Indian Medical Department, Indian Cadre, who are recruited from among private medical practitioners, receive an emergency allowance of Rs. 125 per month, in addition to pay, thus bringing their pay to Rs. 200 per month. Civil Sub-Assistant Surgeons, who are transferred to the Emergency Branch of the Indian Medical Department, Indian Cadre, receive a civil allowance of Rs. 50 per month, in addition to their pay.

(d) There is no analogy between Viceroy's Commissioned Officers of the Indian Medical Department and Viceroy's Commissioned Officers of the regular army. Suitability of an officer of the Indian Medical Department for commission in the Indian Medical Service must depend upon his professional qualifications. Any officer of the Indian Medical Department, who possesses the necessary basic professional qualifications and is in other respects suitable, is considered for emergency commission in the Indian Medical Service.

(e) No; Compounders are being recruited in the Indian Medical Department on a starting pay of Rs. 50 per month in the scale of Rs. 50—5—75.

(f) Members of the Auxiliary Nursing Service, India, on completion of their three months' training and on passing the qualifying examination under the scheme and when called up for military duty, receive a starting pay of Rs. 168 per month. These Nurses work under the immediate supervision of the matron or senior nursing sister, but they are required to carry out such orders and instructions relative to the treatment of the sick and ward management as may be received from the officer in charge of the wards. In the absence of the officer in charge of a ward or of an orderly

officer, the Assistant Surgeon in sub-charge of the ward or the member of the Indian Medical Department on orderly duty, is in charge of the patients, and the nurses carry out the treatment prescribed. Members of the Indian Medical Department do not interfere in the actual nursing of patients.

(g) Assistant Surgeons of the Indian Medical Department, Indian Cadre, get a free issue of rations and dine in a mess with the other Viceroy's commissioned officers of the unit.

(h) There are no proposals to increase the pay, but certain proposals are under consideration with a view to improve the conditions of service, as for example, to increase the percentage of promotions to higher ranks. I would also invite the attention of the Honourable Member to the reply I have given to part (c) of his question.

(i) In pursuance of the recommendation of the Indian Medical Department Conference, the designation of Sub-Assistant Surgeons of the Indian Medical Department, Indian Cadre, has been changed to Assistant Surgeon. The officers who were previously recruited as Warrant Officers on Rs. 70 per month and had to serve for five years before they were promoted to the rank of Jamadar on Rs. 75 per month, are now recruited on a starting pay of Rs. 75 per month and are given the rank of Jamadar straightaway.

Mr. Jamnadas M. Mehta: Is it a fact that there are 41,000 medical men in this country?

Sir Gurunath Bewoor: I cannot say yes or no, as I have not got that information.

Mr. Jamnadas M. Mehta: Is it true that the very acute shortage of medical men is being felt by the military authorities?

Sir Gurunath Bewoor: Yes, Sir.

Mr. Jamnadas M. Mehta: Cannot the military authorities use the services of these licentiates who are thousands in number?

Sir Gurunath Bewoor: They are being recruited to the Indian Medical Department.

Rao Sahib N. Sivaraj: With reference to the answer to part (b) of the question, will the Defence Secretary be pleased to state whether the term "Indian licentiates" includes licentiates, for instance, of the Indian School of Medicine, Madras?

Sir Gurunath Bewoor: I have no information of that school. If the Honourable Member will put a question, I will ascertain the facts.

Rao Sahib N. Sivaraj: In any case, may I ask the Defence Secretary if he will be pleased to consider the question of the recruitment of the licentiates of Indian Schools of Medicine wherever they exist in India?

Sir Gurunath Bewoor: They are eligible for recruitment to the Indian Medical Department if they are licentiates.

Rao Sahib N. Sivaraj: Is the Defence Secretary aware that there are many Schools of Medicine in India and that licentiates are sent out from these schools?

Sir Gurunath Bewoor: What are the schools the Honourable Member is referring to?

Rao Sahib N. Sivaraj: I am referring to the Indian Schools of Medicine.

Sir Gurunath Bewoor: Are they Ayurvedic or Unani schools?

Rao Sahib N. Sivaraj: I do not know?

Sir Gurunath Bewoor: If the Honourable Member does not know them, I am afraid I cannot answer.

Mr. Jamnadas M. Mehta: Is it a fact that the Indian Medical Council of Graduates as against licentiates have recommended that the distinction between them and the licentiates may be done away with?

(After putting the question, the Honourable Member did not resume his seat and was still standing.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must resume his seat when he has put his question.

Sir Gurunath Bewoor: I am not aware of it. The question should really be addressed to the Honourable Member in charge of the Department of Education, Health and Lands.

PROVINCIAL CIVIL MEDICAL SERVICE OFFICERS IN CIVIL LINE REQUIRED TO SIGN BOND FOR MILITARY DUTY.

204. *Bhai Parma Nand: Will the Defence Secretary be pleased to state if it is a fact that P. C. M. S. officers in the Civil Line are required to sign a bond for military duty, while there is no such bond for P. M. S. officers?

Sir Gurunath Bewoor: Provincial Civil Medical Service Officers are the same as Provincial Medical Service Officers. The Honourable Member is apparently referring to the distinction between Provincial Civil Medical Service and Provincial Subordinate Medical Service. If so, the answer is that members of the latter are required to sign a bond for military duty. In certain provinces, however, (e.g., Madras and Orissa) such bonds have also to be signed by Provincial Medical Service Officers.

INCOME-TAX DEPARTMENT BRIBERY CASE IN BENARES.

205. *Mr. Muhammad Azhar Ali: (a) Has the attention of the Honourable the Finance Member been drawn to a letter appearing in the *Pioneer* of the 4th October, 1941, under the caption "Bribery Case" about an Income-tax Officer of Benares? If so, will he please state the result of the enquiry, if made?

(b) Will Government be pleased to place the records of the case on the table of the House?

(c) Is it a fact that there is an affidavit on the record of the case in which it has been clearly stated that the Income-tax Officer who initiated the enquiry proceedings put undue pressure on an important witness to compel him for making a false statement about payment of bribe? If so, what action was taken against the said Income-tax Officer?

(d) Is it a fact that the said Income-tax Officer has since been promoted to the post of Assistant Commissioner? If so, was any report about his conduct in the case made by the Commissioner to the Government of India? If not, why not?

(e) Is it a fact that all the Income-tax Officers are appointed by the Commissioner of Income-tax? If so, why in contravention of the Provisions of the Government of India Act, was the Income-tax Officer (being lower in rank than the appointing authority) permitted to conduct the inquiry proceedings against the clerk?

(f) Is it a fact that the whole case originated from communal hatred?

(g) Will the Honourable Member please state whether he would be prepared to entrust the case to a Court of Law in order to purge the Department of similar communal aggrandisement in future?

The Honourable Sir Jeremy Raisman: (a) Yes. The proceedings were dropped in the absence of conclusive evidence against the accused.

(b) No. It will not be in the public interest to do so.

(c) Yes. No action was taken against the Income-tax Officer since Government were satisfied that no action was required.

(d) Yes. The reply to the latter part is in the negative. There was no need for a report regarding the officer in question.

(e) Yes. The reply to the latter part of the question is that there has been no contravention of the provisions of the Government of India Act and that it is open to the appointing authority to entrust the enquiry to any officer superior in status to the accused.

(f) There is no foundation for this suggestion.

(g) No.

Pandit Lakshmi Kanta Maitra: With reference to the answer to part (a) of the question, do I understand the Honourable Member to say that no proceedings were initiated against this gentleman?

The Honourable Sir Jeremy Raisman: No, Sir, I said the proceedings were dropped in the absence of conclusive evidence against the accused. That implies that some proceedings were started.

Pandit Lakshmi Kanta Maitra: At what stage the proceedings were dropped?

The Honourable Sir Jeremy Raisman: They were dropped at the stage at which it was clear that there was no sufficient conclusive evidence.

Pandit Lakshmi Kanta Maitra: Do I take it that no charge was framed on the evidence recorded?

The Honourable Sir Jeremy Raisman: A charge was framed and the inquiry proceeded. In fact, it was like a trial in which the accused was acquitted.

Dr. Sir Ziauddin Ahmad: Were the Government satisfied that it was not a true case?

The Honourable Sir Jeremy Raisman: No, it was a case in which there was no sufficient evidence to substantiate the charge. They were not satisfied of the contrary.

Qazi Muhammad Ahmad Kazmi: If the charge had been proved, why was the accused acquitted?

The Honourable Sir Jeremy Raisman: There was no formal charge. There was sufficient material on which proceedings could be begun, but the Inquiring Officer came to the conclusion that there was no sufficient evidence to establish the charge against the accused.

Pandit Lakshmi Kanta Maitra: Do I take it that the gentleman in this case was summoned before the court, evidence was recorded in the court, a charge was framed and a judgment was ultimately delivered on this case?

The Honourable Sir Jeremy Raisman: Except that there was no court because these were departmental proceedings, all the stages mentioned by the Honourable Member were gone through.

Mr. Jamnadas M. Mehta: May I ask what did actually happen?

The Honourable Sir Jeremy Raisman: What happened was that the officer who made the inquiry carefully went into the evidence and submitted a report which came to a conclusion. The conclusion was that there was no sufficient evidence to substantiate the charge.

Pandit Lakshmi Kanta Maitra: Was the inquiry held by the departmental officers?

The Honourable Sir Jeremy Raisman: Yes, these were departmental proceedings.

Dr. Sir Ziauddin Ahmad: Did Government refer the matter to the Legal Remembrancer also?

The Honourable Sir Jeremy Raisman: No.

Mr. Muhammad Azhar Ali: Is there any very great reason why Government are not prepared to place the record of these proceedings on the table of the House?

The Honourable Sir Jeremy Raisman: Certainly; it would be most undesirable to do so.

REFUND OF FINES OF SATYAGRAHIS CONVICTED. MERELY FOR GIVING NOTICE OF INTENTION.

206. *Qazi Muhammad Ahmad Kazmi: In view of the rulings of High Courts that mere giving notice of one's intention to offer satyagraha did not constitute an offence, will the Honourable the Home Member please state the attitude of Government regarding the refund of fines of those who were convicted of the alleged offences and subsequently let off due to said interpretation of law?

The Honourable Sir Reginald Maxwell: There was only one such case in the Delhi Province. In that case the fine imposed had not been paid, but it was remitted when the person concerned was released. In the Punjab I understand that the procedure was to order the refund of fines. In the United Provinces I understand that fines already paid were not refunded but that those not paid were not realised. These were the only Provinces concerned.

Qazi Muhammad Ahmad Kazmi: In view of what the Honourable Member has said just now, may I ask for the reasons why the fines were not remitted when the conviction had been found to be illegal?

The Honourable Sir Reginald Maxwell: I am not aware of the reasons. The matter rests with the Provincial Government to decide.

Pandit Lakshmi Kanta Maitra: Do I take it that the initiative for this refund was in the hands of the Provincial Governments or was it in the hands of the Central Government?

The Honourable Sir Reginald Maxwell: The initiative in the matter of refunds rests with the Provincial Governments.

Qazi Muhammad Ahmad Kazmi: Will the Honourable Member be pleased to refer to the United Provinces Government the practice of the Punjab Government for their approval?

The Honourable Sir Reginald Maxwell: No, Sir.

Qazi Muhammad Ahmad Kazmi: Why not?

The Honourable Sir Reginald Maxwell: Because it is not my business.

NEXT EXODUS TO AND FROM SIMLA.

207. *Bhai Parma Nand: (a) Will the Honourable the Home Member kindly say what are the Departments of the Government of India with their Attached Offices going up to Simla next summer season, and with what percentage of their respective strength?

(b) What are the non-essential Departments which are not moving to Simla and the reasons therefor?

(c) What is the number of officers and clerks who are at present residing in tents and private houses in Delhi and how many of them will be allotted Government quarters for the forthcoming summer season?

(d) What is the number of Officers and clerks who will move to Delhi from Simla for the winter season of 1942-43 and the reasons therefor?

(e) What is the number of officers and clerks who are coming to Delhi from other stations and where will their offices be located and the staff accommodated?

(f) Is there any truth in the rumour that only such offices shall be moved to Simla which have not been to Simla for several years past? If the reply be in the affirmative, do Government propose to keep in view the special difficulties and inconveniences to the employees in the matter of carrying their goods and arranging for residences in Simla?

The Honourable Sir Reginald Maxwell: (a), (b) and (d). Final decisions have not yet been taken as regards the officers and staff of Departments and Attached Offices who should move to Simla this summer. Government do not regard any of its Departments as non-essential.

(c) The information is not readily available and the advantage to be gained from collecting it would be out of all proportion to the labour and time involved in doing so.

(e) None. There is therefore no question at present of locating such offices or accommodating such staff in Delhi.

(f) No. The second part of the question does not therefore arise.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to unstarred questions Nos. 48 and 52 asked by Qazi Muhammad Ahmad Kazmi on the 11th November, 1941.

OFFICIATING APPOINTMENTS OF MUSLIMS TO GAZETTED POSTS IN THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

No. 48.—(a) and (b). Officiating appointments to gazetted posts are generally made from amongst the members of the staff, with due regard to seniority and merit.

It may be explained that it is not necessary to consult the Commission in regard to the selection for appointment to a Central Service Class II by promotion from a subordinate service, or to a temporary post in a Central Service Class I or Class II, if the post is not likely to last for more than one year, or in the case of an appointment for a period of more than an year but less than three years, if the Commission advises that the appointment may be made without consulting them.

(c) and (e). Such appointments have been made on 54 occasions since 4th July, 1934. They relate to short vacancies, and in some cases, the same individual got an officiating appointment more than once. These 54 appointments went to 24 individuals, 4 of whom were Muslims and 20 non-Muslims (Hindus, Sikhs and Europeans). Four were outsiders and two others held permanent Government posts outside the Imperial Veterinary Research Institute.

(d) Two of these posts, viz., the Class I posts of Assistant Serologist and Entomologist, were filled by the Director of the Institute after advertisement. These two posts were advertised because candidates with special qualifications not possessed by officers already on the staff of the Institute and available to officiate in the posts were required.

CHANGE IN PROCEDURE FOR APPOINTMENT TO CLERICAL VACANCIES IN THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

No. 52.—(a) and (b). The rule referred to by the Honourable Member was made by the Director to ensure that the claims of men who have temporarily worked at the Institute satisfactorily for at least one year may receive due consideration for appointment to permanent vacancies. A copy of the rule is attached herewith for information of the Honourable Member.

(c) 5 Hindus (including 1 member of the scheduled casts) and 3 Muslims awaiting substantive appointments to permanent clerical posts were in employment at the institute in January, 1938.

(d) 3 Hindus and 2 Muslims.

(e) Yes. The second part does not arise.

(f)–(j). Do not arise.

Copy of rules, No. G.12368, dated the 3rd December, 1936.

In order that all applicants for permanent posts at this Institute shall be treated as fairly as possible, a return showing the names of the candidates, who have been tried for at least a year in temporary and officiating appointments and shown themselves to be satisfactory, should be submitted to this office once a year.

The first return should be submitted by 15th January, 1937, and should show:

1. Name and age of applicant.
2. Qualifications.
3. Date of first appointment at this Institute.
4. Kind of post for which recommended.
5. Other remarks.

Information promised in reply to unstarred question No. 22 asked by Qazi Muhammad Ahmad Kazmi on the 18th February, 1942.

UNITED PROVINCES SUBORDINATE MEDICAL SERVICE MEN DECLARED UNFIT BUT ORDERED FOR OVERSEAS MILITARY DUTY.

(a) Only one member of the Provincial Subordinate Medical Service of the United Provinces was examined by the Civil Surgeon, Jaunpur, and was declared unfit for military duties.

(b) He appeared before the Provincial Medical Board, Lucknow, on the 14th August, 1940. The Board did not declare him unfit for military duties, but recommended two months' leave for treatment.

(c) On the expiry of the leave he was examined by the Civil Surgeon, Jaunpur, who declared him unfit for military duties.

(d) The Inspector General, Civil Hospitals, United Provinces, on the recommendation of the Provincial Medical Board, Lucknow, which examined the abovementioned member of the Provincial Subordinate Medical Service of the United Provinces, subsequent to the Civil Surgeon's report, declared him fit for military duties in category "C".

(e) Yes.

(f) Yes; on the 5th September, 1941.

(g) The reply to the first part is in the affirmative. As regards the second part, the Specialist's opinion was that the Sub-Assistant Surgeon was fit for service overseas.

(h) Yes; he was suffering from a chronic disease—duration 2½ years.

(i) Yes; he has been detailed for duty with a Field Unit proceeding overseas.

(j) Medical Categorisation is constantly under review, according to the progress of the disability. The Sub-Assistant Surgeon in question has been placed in Category "B" and he has, therefore, been rightly detailed for duty overseas.

(k) Does not arise.

Information promised in reply to parts (b) and (c) of unstarred question No. 33 asked by Mr. N. M. Joshi on the 6th March, 1942.

EXTENSIONS TO ENGINEERING DEPARTMENT OFFICERS ON RAILWAYS.

(b) As far as can be readily ascertained there are nine Engineering Graduates at present receiving training on the North Western, Bengal and Assam, East Indian and Great Indian Peninsula Railways, and all of them are Indians, the number of Engineering Graduates serving as subordinates on the Bengal and Assam and Great Indian Peninsula Railways is 24 and all of them are Indians.

(c) Seven of the nine Engineering Graduates referred to in the first part of the reply to part (b) are being given practical training with a view to confirmation in the Indian Railway Service of Engineers.

MOTION FOR ADJOURNMENT.

CLOSING OF CERTAIN LATRINES TO THE CLERKS OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion of adjournment from Mr. Jamnadas Mehta who seeks to adjourn the business of the Assembly today to draw attention to a definite matter of urgent public importance, namely: the grave danger to the health and safety of seven hundred clerks of the Railway Clearing Accounts Office in Delhi created by the action of the Railway Board in closing to the clerks of the office the use of four out of the six latrines formerly available to them.

What is the reason given for the closing of these latrines to Indian clerks?

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadian Rural): That is not known.

Mr. President (The Honourable Sir Abdur Rahim): When were they closed?

Mr. Jamnadas M. Mehta: This matter became public yesterday at a meeting of the Railway Clearing Accounts Office clerks.

Mr. President (The Honourable Sir Abdur Rahim): But when were they closed?

Mr. Jamnadas M. Mehta: That was not disclosed. They were closed some time ago. But the fact was not published till yesterday.

Mr. President (The Honourable Sir Abdur Rahim): The closing of these latrines may have caused inconvenience to the clerks, but the question is whether it is a matter of public importance within the meaning of the

rules in order to justify the adjournment of the business of the Assembly which certainly is of public importance. I rule that the motion is out of order.

Mr. Jamnadas M. Mehta: May I make a submission, Sir?

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

ELECTION OF MEMBERS TO THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that the following members have been elected to the Standing Finance Committee for Railways:

- (1) Mr. Muhammad Muazzam Sahib Bahadur,
- (2) Sir F. E. James,
- (3) Sir Muhammad Yamin Khan,
- (4) Pandit Lakshmi Kanta Maitra,
- (5) Sir Abdul Halim Ghuznavi,
- (6) Khan Bahadur Mian Ghulam Kadir Muhammad Shahban,
- (7) Rao Sahib N. Sivaraj,
- (8) Mr. Muhammad Nauman,
- (9) Mr. Lalchand Navalrai,
- (10) Maulvi Syed Murtuza Sahib Bahadur, and
- (11) Nawab Siddique Ali Khan.

HOME DEPARTMENT DECLARATION OF EXEMPTION ISSUED UNDER THE REGISTRATION OF FOREIGNERS ACT.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table a copy of the Home Department Declaration of Exemption No. 1/7/42-Political (E), dated the 10th March, 1942, issued under the Registration of Foreigners Act, 1939.

No. 1/7/42-Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 10th March, 1942.

Declaration of exemption.

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, Monsieur J. Schim van der Loeff, Trade Commissioner for the Netherlands East Indies in India, so long as he holds that post.

V. SHANKAR,

Deputy Secretary to the Government of India.

THE INDIAN FINANCE BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Indian Finance Bill.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, when I moved the motion for consideration of the Finance Bill, I appealed to the Honourable Members of this House to have regard to the circumstances of the present emergency and to regulate their speeches accordingly. My Honourable friend, Mr. Jammadas Mehta, thought that that was not a very happy appeal, but I consider that his own speech was an example of the fact that my appeal did meet with a measure of response. Although the debate has now proceeded for five days, I would like to say, if I may Sir, that it has revealed a considerable volume of opinion on many matters which are of urgent consequence at the present moment, and that it has emphatically not been a debate on the ordinary peace time topics which are accustomed to be ventilated on the general discussion on the Finance Bill. I would say, Sir, that the points which have been brought out in the speeches of Honourable Members have been of the very greatest interest and concern both generally and to the Government, and they have furnished an opportunity to Members on these Benches to explain the policy of the Government in regard to many matters which are a subject of contemporary criticism, and in regard to which public opinion has not always been very well informed.

Now, Sir, as regards my own part in this debate, I have found comparatively little which calls for any considerable reply by me, but I will endeavour to deal with such points of substance as have been raised in the course of the debate.

My friend, Sir Frederick James, was good enough to observe that the general reception of my budget proposals in the country had been such that it was unnecessary for him to make any considerable comments on the financial proposals. Well, Sir, there have been comments of two kinds. The greater volume of comment has taken the usual line about the weight of the burdens which are being imposed on the country, but there has also been a note of criticism that the sacrifice which the country is being called upon to bear at the present time is, if anything, disproportionate to the needs of the present situation. Sir, I find myself much more impressed by the latter type of criticism than by the former, and I feel under a greater necessity to defend myself against those few but enlightened critics who think that more should have been demanded of the taxpayer at the present time. I can only say that the Budget takes some time to prepare. The process lasts weeks, if not months, and it will rarely be found that the Budget reflects the actual situation in which the country finds itself on the day when the Budget speech is made. I am free to admit that events were moving exceedingly rapidly during the time when these proposals were being formulated, and that if I had had to deal a few weeks earlier with the situation which actually existed at

the end of February, I should probably have been disposed to make more drastic proposals than are actually included in the Bill now before the House. However, I have a message of encouragement; there is still time, and there is hope

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Second Finance Bill?

The Honourable Sir Jeremy Raisman: Now, Sir, I come to the actual points which have been raised in connection with the Budget, and in particular, I want to try and clear up some of the misunderstanding which exists on the question of Lease-Lend Supplies. There has been criticism in certain quarters that if these Lease-Lend Supplies were dealt with in a different way, there would be no deficit whatever either in the current year or in the forthcoming financial year. The suggestion is that all we have to do is to credit eleven crores in the current year and 34 crores in the year 1942-43 and *hey presto* the deficit has vanished. This illusion is something like the illusion which beset people in Great Britain, at one time, when they thought that Russia might win the war for them. In this case the critics seem to think that America can balance the Budget for us. Now, Sir, I am afraid that I must dispel that illusion, but in order to do so I must take the House a little further into the details of this subject than I did in the course of my Budget speech. I think the best introduction would be to deal with a question which was addressed to me by my friend, Sardar Sant Singh. He asked, how is it that the portion of the defence expenditure debitable to His Majesty's Government is so much larger than that debitable to the Government of India seeing that presumably the number of troops in India is considerably larger than the number of troops actually in service overseas. Well, Sir, the answer to that question is that the main expenditure is incurred under the head of military stores, and under the arrangement with His Majesty's Government all expenditure on the purchase, manufacture and storage of these articles is charged to His Majesty's Government while India bears only the cost of stores issued to troops in India or to specific Indian reserves. In other words, at the present time, His Majesty's Government carries the residual liability for the large volume of stores which are produced or purchased or stored in India before they are actually issued for use.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): For use where?

The Honourable Sir Jeremy Raisman: For use wherever it may be, but until they have actually been issued for the use of Indian troops serving in India or reserved for use by such troops, they are at the charge of His Majesty's Government, and that amounts to a very large sum. In addition, it is, of course, obvious that forces engaged in active operations overseas are much more expensive to maintain than forces which are under training and are on a more or less peace time basis in this country. It is the actual operations of war which are so wasteful and so expensive, and since so far happily no operations have actually taken place within the borders of India, the cost of troops, even though more numerous on Indian

[Sir Jeremy Raisman.]

soil, is much less than the cost of the troops sent overseas and actually engaged in operations. Well, I answer that question of Sardar Sant Singh, because it clears the ground for an understanding of the Lease-Lend position.

Now, I must first explain that in order to assist India in expanding her defence forces, His Majesty's Government have agreed hitherto to provide free of cost to India, with one important exception, the equipment needed for those expansions to the extent to which it cannot be found from indigenous sources. In other words, we raise the troops at our own charge and we equip them with whatever can be provided in India. The remaining equipment which cannot be provided in India is provided by His Majesty's Government, but hitherto His Majesty's Government have not charged us for that equipment. That has, besides saving us crores of money, saved a lot of accounting because much of that equipment is not produced in commercial conditions and cannot be priced in the ordinary way. But, as I said, there was one exception to that arrangement. The exception concerns vehicles of all kinds, lorries, tanks, armoured cars, etc., and for the provision of such of these as are not obtained from the United Kingdom, India is liable. It will thus be clear that, excluding vehicles of all kinds, the extension of lease and lend facilities to India has, generally speaking, hardly affected her defence budget, since she has all along been receiving equipment and stores obtained from the United States of America for the equipment of her expanded army, navy and air forces free of charge. In respect, therefore, of these supplies the relief which is provided by the Lease and Lend arrangements is felt entirely by His Majesty's Government. I hope I have made that clear.

Sir Cowasji Jehangir: The Honourable Member said that all vehicles, armoured cars, etc., are paid for. But he has just now concluded by saying that in the case of those that do come from America the cost is borne by England.

The Honourable Sir Jeremy Raisman: I said the position in the case of vehicles was that any vehicles that did not come from the United Kingdom we had been liable to pay for hitherto; and, therefore, except for those vehicles, there is really no change in the position as a result of Lease and Lend, because all the equipment which we used to get from abroad was furnished to us by His Majesty's Government free of charge.

Sir Cowasji Jehangir: Even from America?

The Honourable Sir Jeremy Raisman: Even from America,—anything which we did obtain via His Majesty's Government. Properly speaking, therefore, it is only in the case of vehicles for the defence services supplied from the United States of America that India could expect any benefit from the Lease and Lend arrangements.

Now, the sum of Rs. 34 crores mentioned in my budget speech represented a very rough estimate indeed of the value of stores that may conceivably be received in India during 1942-43 under the Lease and Lend arrangements. Approximately, three-fourths, that is to say, about 25 crores of this sum represents vehicles of all kinds. Of the vehicles covered by this sum of 25 crores the great bulk will, it is anticipated, be required

for the maintenance and initial equipment of troops from India serving overseas in the Middle East, Iraq, Burma and Ceylon. The whole cost of it is borne by His Majesty's Government. A relatively small number of these vehicles is expected to be needed for the use of troops serving in India, and provision has been made in our revenue estimates for the value of these vehicles notwithstanding the fact that they may, if our anticipations are not falsified, be received without cash payments under Lease and Lend. The amount so provided in respect of vehicles that may be received on Lease and Lend terms during the current year and the next year are Rs. 50 lakhs in the current year and Rs. 150 lakhs in the next year. That is the total amount that can possibly be affected by Lease and Lend, and it has been included in our defence estimates. It may happen that owing to changed developments in the war situation, substantially larger numbers of the Lease and Lend vehicles may have to be retained for utilisation with troops in India. If that happens the amounts which I have mentioned would, of course, be correspondingly increased, and in that case it might be necessary to reconsider our policy in this matter.

I hope I have made it clear that in the circumstances, and in view of the amounts which have actually been included in the budget on this account, the manner of the treatment of these Lease and Lend receipts could not possibly have made any substantial difference to our budgetary policy. In fact, I would say that the amounts are so small as to be within the margin of error, and therefore, they affect neither our taxation nor our borrowing proposals.

Sir Cowasji Jehangir: May I put one question? My Honourable friend mentioned that about $1\frac{1}{2}$ crores worth of vehicles have been debited to Indian revenues for the purpose of accounting. Then our war effort is increased to the extent of Rs. $1\frac{1}{2}$ crores. My Honourable friend said that our effort will cost us Rs. 133 crores. It is not only Rs. 133 crores, but it is Rs. $1\frac{1}{2}$ crores more because it is Lease and Lend and it has not been paid for and he has not included it in the 133 crores which he has asked us to sanction.

The Honourable Sir Jeremy Raisman: The Honourable Member has in mind the position in the United Kingdom.

Sir Cowasji Jehangir: That is so.

The Honourable Sir Jeremy Raisman: In the United Kingdom if we say that the budget is 4,500 millions sterling, then it has been pointed out that that is not the complete measure of Britain's war effort, because there is a large sum in addition for which payment is not made and which does not appear in their budget. In the case of the United Kingdom that is true, and in reply to a question the Chancellor of the Exchequer admitted the correctness of that. In the case of India, on the basis of accounting hitherto adopted, that would not be correct. Strictly speaking, the sum of Rs. 133 crores for India's defence expenditure includes Rs. $1\frac{1}{2}$ crores worth of goods, which we expected to receive from America. But I must point out if, for instance, those vehicles are received from Canada, then we shall not get them free of charge and, therefore, provision in the budget will be necessary. In the circumstances we decided that we should not, at this stage, assume any credit for that $1\frac{1}{2}$ crores worth of vehicles.

[Sir Jeremy Raisman.]

I would again remind Honourable Members that it is possible that a very large volume of stores and equipment and weapons from America will arrive in India in the course of the forthcoming year. I have no doubt that it will be quite a considerable amount, but the majority of that will represent stores, etc., which were formerly provided at the cost of His Majesty's Government and which entered into the figure of Rs. 400 crores or so which I mentioned in my budget speech. The financial relief on that account will be felt by His Majesty's Government, though, of course, India will benefit from the equipment and weapons, etc., utilised for the equipment of forces required for the defence of India. I hope, Sir, that I have disposed of the major uncertainty in regard to this subject because I have made it clear that there could be no question of the taxpayer or even the lender to Government being asked to make a greater sacrifice on account of the way in which we are at present treating the accounting of these Lease and Lend stores.

Sir Cowasji Jehangir: May I ask the Honourable Member one question? He only mentioned vehicles of the value of 1½ crores. There must be other articles too. Am I to understand that although there is a chance of getting all these materials on credit—you call it Lease and Lend but in ordinary language it is credit—you have still included that in your budget of 133 crores which you asked this House to sanction in anticipation of your having to meet other expenditure of which you are not at present aware. Is that the position?

The Honourable Sir Jeremy Raisman: The position is that at least 131½ crores of military expenditure is anticipated, whatever happens, whether we get articles on credit or whether we do not, out of this 133 crores. It is in any case at our charge whatever happens. Therefore, the only amount that can possibly be affected by a different treatment of Lease-Lend is 1½ crores.

Mr. Huseinbhai Abdullabhai Laljee (Bombay Central Division: Muhamadan Rural): Up to now all that we have got is with our own monies?

The Honourable Sir Jeremy Raisman: I am afraid the Honourable Member has not understood me. We have received certain Lease-Lend equipment but since it is equipment which would have been paid for by His Majesty's Government if it had been paid for at all, it has made no difference to us. In fact, you may say that we were already on a better than Lease-Lend basis with His Majesty's Government and, therefore, the stepping in of America as a supplier on a Lease-Lend basis could not greatly improve our position.

Sir Cowasji Jehangir: What you are nervous about is that instead of getting it as a gift you may have to get it on credit and want to make an allowance for that. That is the position.

The Honourable Sir Jeremy Raisman: I will now turn to another point and I will allay the anxiety of my Honourable friend, Sir Henry Richardson, that I might in the press of debate have overlooked the

points which he raised. I must apologise to him for having omitted to answer those points in the previous discussions. The first point which he raised was in regard to the conditions to be attached to Government's share of the amount to be put into what I might call the re-equipment reserve for industry. He suggested that it was rather difficult to ask companies, etc., to decide whether they would put in their share without knowing more clearly what Government's intentions were about the smaller share which they would put in. Well, Sir, I realised this difficulty at the time when I formulated the scheme and I, therefore, attached conditions or features to the assessee's contribution which were calculated to make it a more or less reasonable investment on its own and entirely apart from the contribution which Government would make. I said that it would be repayable within 12 months after the end of the war and also I was prepared to pay a rate of interest which in relation to the presumable period for which that sum would be invested was fixed at two per cent. which may be said to be the reasonable rate for short to medium term money, say, four or five year money. But my Honourable friend, Sir Henry Richardson, is not satisfied with that. He has got his eye on the other piece of cake which we have promised to put on the plate and he wants to know how much of that is really jam. Well, Sir, I am prepared to meet his doubts to this extent. I am not at this moment in a position to state what conditions Government can reasonably attach to this refund. My feeling is broadly that Government would be anxious to see that such money should not be dissipated in ordinary current consumption. It should not, for instance, merely be used to increase dividends to shareholders but that it should be utilised in order to strengthen the position of the industry concerned after the war. I am not in a position to formulate those conditions precisely and that is why I said that I would refer the matter to the Post-war Reconstruction Committee but I am prepared to do this. I am prepared to keep the offer open for a longer period, that is up to the 30th June. In the meantime I would ask my Honourable colleague, the Commerce Member, to have the matter dealt with as expeditiously as possible in that Committee, so that we may be in a position to give some more precise indication of what we have in mind to the assessee and enable them to see that it is really worth their while to take advantage of the scheme. I do not think I can do anything more at this stage.

Sir Cowasji Jehangir: May I ask the Honourable Member for an assurance rather than a question? Will it ever happen that the contribution paid by Government may be put into a general fund for the advantage of the whole industry and not of the individual concern that pays the original contribution?

The Honourable Sir Jeremy Raisman: That is a very interesting point and I think that in the course of the time which will be available, Government may be able to elicit the views of industry itself on the best way of treating these sums. I cannot say that the idea actually entered our heads

Sir Cowasji Jehangir: It is so in England.

The Honourable Sir Jeremy Raisman: It may be so in England.

Sir Cowasji Jehangir: If there is any chance of that, then I am afraid his whole object will be frustrated. The only condition on which he would succeed would be that the Government's portion will go back to that individual concern which pays the original sum.

The Honourable Sir Jeremy Raisman: As a matter of fact, I had assumed that myself but I said that the Honourable Member's suggestion was an interesting one.

Sir Cowasji Jehangir: I put a question. I did not mean to suggest that. But if it is in the mind of the Government, then let us know from now that you are going to consider it.

The Honourable Sir Jeremy Raisman: I made it quite clear, I think that that was not actually in our minds but then I have also made it clear that we have not attempted to formulate any precise or rigid conditions. We will have an open mind on the subject and we should be glad to receive the suggestions of commerce and industry on this very important matter.

The other point which Sir Henry Richardson raised and which was also raised by Sir Abdul Halim Ghuznavi was in regard to the liability to tax of the Government's contribution. Well, Sir, I am afraid that I cannot give him any comfort. It must be remembered that this sum since it has been treated as Excess Profits Tax has been exempted from income-tax and super-tax and, therefore, the moment it ceases to be Excess Profits Tax and, if as is made clear by my Honourable friend, Sir Cowasji Jehangir, it then becomes the income of the individual concerned, then it must obviously be liable to income-tax and super-tax at that time. My Honourable friend, Sir Henry Richardson, said that the tax to which it became liable should be in some way limited to the tax to which it would be liable at the present time or in the financial year, 1942-43. I have had that suggestion examined, but I am afraid that it is quite impracticable. After all, the provision now included in the Finance Bill does not by itself make that contribution liable to tax. What happens is that on the contribution being refunded, it then becomes ordinary income and I cannot see how anything we can reasonably do just now could prevent it from being the income of the year in which it is received by the assessee.

Sir Cowasji Jehangir: Is it not a gift from the Government?

The Honourable Sir Jeremy Raisman: Even if it were a gift, it seems to me it must be part of the ordinary business income of the firm in question and must be liable to tax. Of course, that does not mean that in every case, the tax would be levied. In the case of a concern, for instance, which had made a loss and which needed this amount for ordinary financing, the sum, unless it was greater than the loss incurred, would not be liable to tax. On the other hand, in the case of a concern which had already made much profit, it is clear that the amount would be liable to the maximum rate of tax. I am afraid that nothing that we can do can bind either the Government or the Legislature at the time when these monies are paid out to refrain from treating those sums as taxable receipts of the year in which they are paid out.

Dr. Sir Ziauddin Ahmad: I hope the Government will not forget that money paid by them is the taxpayers' money and the profit is the profit on account of the consumers of India.

The Honourable Sir Jeremy Raisman: I am not likely to forget that.

Now, Sir, I proceed to another matter and that is the unfortunate position of the Chettiars and other businessmen who have been the victims of heavy loss during the military operations in Malaya and Burma. I have not had the opportunity in the last few days to receive and discuss this matter with the deputation which is here to wait upon me and that is why I deprecate the use of strong expressions on this subject in this House before I had really had time to go over the matter with the persons affected and make up my mind what relief is reasonably possible.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): May I ask the Honourable Member to take note of the fact that it is not only the Chettiars who have suffered loss of their assets and their income, but there are others also, Hindus and Muslims, who have invested crores in Malaya and Burma and nothing is left for them? Everything is gone.

The Honourable Sir Jeremy Raisman: I merely mentioned the case of Chettiars as one class whose case has been mentioned in this House. I realise there are others who are affected, but I do deprecate the attitude which says

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): On a point of personal explanation, Sir. Will the Honourable Member point out the strong language used by me?

The Honourable Sir Jeremy Raisman: I have not got the verbatim record before me, but I think the Finance Department, which after all includes myself, was accused of being very stony-hearted or of being hard as stone.

Dr. P. N. Banerjea: That was said after the intervention of the Honourable Member. What occasion was there for the Honourable Member to interrupt me and tell me that?

The Honourable Sir Jeremy Raisman: The interruption was provoked by the suggestion that the Honourable Member thought that not only the local officials, the Commissioner of Income-tax and the Income-tax Officers were pursuing the ordinary processes of law, as they were bound to do under the Act, but also that the headquarters here was pursuing a callous policy. That was what evoked my interruption. That was entirely untrue.

Dr. P. N. Banerjea: Will the Honourable Member find out whether I said that.

The Honourable Sir Jeremy Raisman: I have not got a record in my hand.

Dr. P. N. Banerjea: It is wholly incorrect.

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Dr. P. N. Banerjea: The Honourable Member says that I made an untrue statement. I must say that it is wholly incorrect. It is unworthy of the Honourable the Finance Member to make such an assumption.

The Honourable Sir Jeremy Raisman: I shall leave the matter to the record. My impression was that he said that the Central Board, which after all operates immediately under my charge and the headquarters organisation here, was not prepared to make any allowance for the unfortunate plight of these people. That did seem to me an unjustifiable suggestion, since we are currently dealing with the matter and I am prepared to hear all that these people have to say and to try to devise the most suitable measures of relief, but I must point out

Dr. P. N. Banerjea: Why was the Honourable Member so impatient then yesterday?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): You are impatient now.

The Honourable Sir Jeremy Raisman: It is just like a person who has been hurt saying 'do not come near me'. How can the Income-tax Department know what exactly is the plight of these people, unless it can get into contact with them and hear what they have lost and what exactly is the damage, what form of relief is the most suitable. It is just like dealing with a burnt child which will not allow you to find out and look at the damages it has suffered. One cannot come into contact with the question unless one discusses and asks whether a certain course will be suitable, or whether a certain other course will be suitable and, finally, one must decide what is fair both to these unfortunate people themselves and also to the general taxpayer.

Dr. P. N. Banerjea: Who asked you not to take these steps?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member must not go on interrupting.

The Honourable Sir Jeremy Raisman: I proceed now to another matter which was mentioned by other speakers and particularly by my Honourable friend, Mr. Jamnadas Mehta, and that was about the large sterling balances which are accumulating in the Reserve Bank. My Honourable friend, Mr. Mehta, seemed to think that because these represent a very large percentage of the assets of the Bank, therefore, some damage was being done to Indian commerce and Indian industry. But, surely, he realises that no matter in what form the reserves may be held, the thing that matters is the monetary policy pursued by the Bank. Now, Sir, all these sterling reserves are represented by rupees in circulation in India, and, therefore, even if the whole of these reserves were held in gold and even if the whole of them were held in India, it would make no difference to the amount of monetary facility which is available for industry in this country. Actually, the Reserve Bank, although it has

been criticised once or twice in the course of the discussion, has, in consultation with the Government of India, pursued a policy which has been highly advantageous to industry since the outbreak of war. It has resisted any tendency to depart from a cheap money policy and has throughout secured the conditions which would make cheap finance available to industrial development during this period. That, I consider is the greatest service which the Central Banking Institution can possibly render to the country, at a time like this. I do not understand in what form the Honourable Member would prefer to hold those sterling balances having regard particularly to the way in which they arise, namely, by payments to us from His Majesty's Government.

Dr. P. N. Banerjea: What is the exact amount of these balances at 12 Noon, present? Can the Honourable Member tell us now?

The Honourable Sir Jeremy Raisman: I regret I have not with me at this moment the actual figure of the amount, but can tell him this that last Friday the percentage of the assets, gold and sterling, to the total amount of notes issued was 61.

Dr. P. N. Banerjea: What is the amount of gold?

The Honourable Sir Jeremy Raisman: The amount of gold stands at 44 crores, valued according to the Reserve Bank Act, which is the old value. Strictly speaking, of course, that gold is worth now at least double that amount, viz., 88 crores.

Dr. P. N. Banerjea: Is that held in London?

The Honourable Sir Jeremy Raisman: No, in India.

Dr. P. N. Banerjea: And no gold is held in London?

The Honourable Sir Jeremy Raisman: No, not now. So that, the percentage is not quite as large as my Honourable friend thought. But I would point out that it is precisely at the present moment that the percentage has been changing rapidly because of the payments which have had to be made in connection with the repatriation of our sterling debt. It is this sterling which has to be used in order to repay the bond-holders. Therefore, the amount of these sterling assets is very sharply affected by the repatriation payments and there are more to be met before the end of the next financial year.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Is there any other country in the world which maintains its central banking balance outside the country to this extent?

The Honourable Sir Jeremy Raisman: As far as I understand it, every country in the world maintains a reserve for its currency outside its country in the financial sense. In other words, the only reserve you can have for your currency, apart from gold, is foreign exchange. That is what you can call upon in time of emergency in order to maintain the value of your currency.

Mr. Jamnadas M. Mehta: I said, to this extent.

The Honourable Sir Jeremy Ralsman: External reserve, which is the usual way in which economists refer to this kind of reserve, must be external. The extent of it I am not in a position at the present moment to say. But if the Honourable Member will refer to the publications of Geneva on this subject I think he will find that the position of India is, if anything, very satisfactory compared with most countries at the present time.

Dr. P. N. Banerjea: Is it meant that other countries place 60 or 70 per cent. of their reserves in foreign countries?

The Honourable Sir Jeremy Ralsman: I mean that there are too many countries at the present time which have no reserves either inside or outside the country.

Dr. P. N. Banerjea: That is a different matter altogether.

The Honourable Sir Jeremy Ralsman: Whereas, India has a large reserve, first of gold which is held at a value considerably less than its true value and, secondly, of sterling. And after all we are in the sterling area and we cannot hold our external reserves in any other form.

Sir Vithal Chandavarkar asked me what we were going to do with our sterling balances. That is a question to which I cannot give an answer at this moment. What we have done hitherto is to use them in the best possible way for the advantage of the country, namely, by extinguishing external debt, by buying up railways and so on; and we shall endeavour to continue to use them, as opportunities present themselves, in the best possible way. But it is not easy to know how opportunities can be utilised during the war. The obvious use of these sterling balances would be, when the hostilities are over, for the importation of all the plant, machinery, arrears of physical depreciation of railways and so on, which have been occurring during the war, to replace all these. In fact this is the re-equipment and rehabilitation reserve for the whole country. But we must wait on the development of events. We cannot foresee what the morrow may bring forth, and it may even be that India's liabilities may rise in a form which will tend to reduce the extent of these sterling balances. However, it is interesting that Honourable Members are disposed to complain of the size of them; I hope they will not be disposed to complain if the size should begin to diminish.

Maulana Zafar Ali Khan: May I ask one little question? Under the Lease-Lend arrangements have we to pay for the supplies from America in gold?

The Honourable Sir Jeremy Ralsman: The answer is, no.

I now go on to another point. My Honourable friend, Dr. Banerjea, thought that I had not dealt with the suggestions for economy in administration. On the contrary, Sir, I think that I gave a full reply on that point at the time of the debate on the budget. I pointed out that, after all Government was a machine consisting of human beings, that Government were being asked to do far more than they were

ever being asked to do before, and that the human beings comprising it could not, therefore, undertake further duties and yet be reduced in numbers; so that you cannot reduce the numbers of the staff. As regards his proposal for a salary cut I have only this to add to what I said before. I do not pretend that Government officials in receipt of salaries could not possibly be asked to make further sacrifices. That was not my position; but what I do say is that there is no reason why they alone should be asked to make further sacrifices. If my Honourable friend, Dr. Banerjea, is prepared to recommend that in addition to the income-tax and super-tax included in the Finance Bill there shall be levied on every person receiving from Rs. 250 upwards, whether he be a Government official or a businessman or anybody else, a cut ranging from one per cent. of his income to ten per cent., then I would welcome his suggestion; and will he obtain sufficient support from his Party to enable me to carry that out? But that is entirely a different matter. What I said was,—and I do not care how many newspapers misrepresent me,—that of people in particular income classes at the present moment you will find that the Government servant had a better case for not being subjected to a cut than the other occupants of those particular groups; in other words, that a far larger number of the non-Government servants in those groups would consist of war-time profiteers and men whose incomes had been increased as a result of the war.

Dr. P. N. Banerjea: Try to reach them, if possible.

The Honourable Sir Jeremy Ralsman: I would be very glad if I could reach them. But I would welcome it if my Honourable friend, instead of concentrating his attack on those who had been most adversely affected by developments since the war, would ask that greater sacrifices be called for all round.

There is one other point in regard to economy in administration which I should like to touch on, and that is in regard to the placing of contracts. There have been accusations thrown out throughout the debate regarding the reckless way in which contracts are placed and my Honourable friend, Sir Homi Mody, has dealt with his side of that business. But I want to draw the attention of the House to the fact that the whole of these transactions is done with the concurrent scrutiny of members of the Finance Department. One of the heaviest strains which has been placed on my Department is the finding of personnel to man the various ramifications of the Supply Department. To hear Honourable Members speak, you would think that the Supply Department simply throws money at people who are almost ashamed to take it. You would never imagine the scene which is actually the case, namely, the officer of the Supply Department and his Financial Adviser sitting at the table for long and weary hours opposite a man who claims that he is already making a tremendous sacrifice in offering Government the goods at the price which he is suggesting. It takes a long time, it takes a lot of patience, it takes a lot of nervous energy before the gap which exists between the supplier's idea of a fair and reasonable price and our idea of that price can be bridged, and I can assure you that the point at which they finally meet is a good deal nearer where we started off than where the supplier started.

[Sir Jeremy Raisman.]

Whilst I am on this subject, there is one point of general importance which I would like to make clear. Businessmen who supply goods to Government are apt to think that if they suggest a price which is lower than that ruling in the bazar then they are making a very fair and generous offer. They want to know what we mean by a fair and reasonable price. If an article is selling in the bazar for Rs. 10 and they offer it to us at Rs. 9-8-0 or Rs. 9-4-0 then they think that they are making a great gesture and a great sacrifice. But now the horrible hard-faced Finance Officer says "but what did it cost you?". He says to the supplier, "I want to see your accounts. I have an idea that this only costs you Rs. 7 and, if so, my idea of a fair and reasonable price is not Rs. 9-4-0 or Rs. 9-8-0 but something based on Rs. 7." He may say, "I consider that if you get Rs. 7-8-0 you will be doing very well." Now, I want to make it clear here that our conception of a fair and reasonable price has no relation to the conditions ruling in the bazar, because we know that in many cases our own demands have created those abnormal bazar conditions. It is because we are the biggest consumer in the field that the prices for the civil consumer may go very high, and, therefore, we are not interested in what is the price in the bazar. When the supplier says that the price is Rs. 10, we are not interested. Our conception of a fair and reasonable price in war time is a price which is based on the cost of production or the cost of acquisition of the article with some reasonable percentage of profit. It is not based on the speculative cost or the bazar cost of the article minus a concession which the supplier thinks he ought to make to us.

Sir Cowasji Jehangir: May I ask the Honourable Member, while admitting his theory, whether he is sure he is putting it into actual practice?

The Honourable Sir Jeremy Raisman: Well, Sir, I am making this statement here and now because it is with me a question of policy and that is what we seek to achieve. I do not say that, in every instance, in every purchase which has to be made, sometimes under very heavy pressure, of some comparatively small quantity, I do not say that it is always possible to argue this out to its last conclusion, but I do say that that is our conception of what is a fair and reasonable price and that is the policy which we wish to enforce.

Sir Cowasji Jehangir: What about the middleman from whom Government buy? There are small things but large amounts of money are involved. Why go to the middleman? And has he heard that the middleman makes enormous profits?

The Honourable Sir Jeremy Raisman: I have heard this and we deprecate being put in a position in which we have to go to a middleman and to deal on the basis of a speculative price at which he could possibly acquire those goods, and that is why such a burden of planning and looking forward is thrown on the Supply Department. It is only by having a plan for the obtaining of your requirements that you can possibly avoid or attempt to avoid that situation, but, of course, if the emergency

arises and if it is absolutely vital that a limited quantity of certain goods should be obtained immediately for purposes of the war, then we sometimes. . . .

Dr. Sir Ziauddin Ahmad: Very often.

The Honourable Sir Jeremy Raisman: have either to submit to extortion or requisition the goods. (Interruption). We do make use of the power of requisition too.

Now, I would like to go on to the next point on which I wish to make a few observations, and that is the subject of silver which was touched upon by my friend, Sir Yamin Khan. He seemed to imply that it was a mistake to increase the tax on silver because the price was already very high. While, as a matter of fact, we have not made a substantial increase, so to speak, in the tax on silver, what happened was that silver being included in the general tariff it was necessary as a formal matter to equalize the excise on silver with the custom duty, because those two have always been equal. But he also made some remark on the control of price of silver. He seemed to think that it was a hardship for the poor man that the price had gone so high. Our policy in the past in regard to silver when it was threatened by the opposite process, namely, that the price was falling very low, our policy was to attempt to support it because we regarded silver as being the store of value of the masses throughout India and there is no doubt that a very large amount of silver is in the hands of the people of this country. Therefore, to the extent that the price of silver has gone up the value of that asset in their hands has been increased. But, says my Honourable friend, if they want to obtain any more now they have to pay a very high price. Well, Sir, I do not know that I can entirely help that. I do not consider that that is a serious hardship on the poor man which Government is called upon to provide a remedy for. We have been providing silver in response to demands in order to attempt to prevent sharp and speculative rises in the price of this metal. But we are not prepared to follow the market to all heights. The speculators get the bit between their teeth and they run this metal up to a most ridiculous price. Now, anybody who knows anything about the world position of silver knows that the outlook in normal conditions of this metal is what is known as a very heavily bear outlook. America is full of silver which it does not know what to do with. The world production of silver in the years before the war was greater than the world demand, and the future before silver was a steadily downward one. Now, owing to the circumstances of the war, owing to restrictions on exchange and so on it has become inevitable that a ring fence should be placed round our Indian markets for the time being and within this ring fence the speculator has found a wonderful opportunity to play his games. Well, I am glad to say that many of these gentlemen will burn their fingers very badly. . . .

An Honourable Member: They have already.

The Honourable Sir Jeremy Raisman: Some of them have already received severe burns in the last few days. . . .

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): May I point out to the Honourable Member that when I spoke about silver the price was Rs. 94 and even 95 per hundred tolas, and today it is Rs. 82-8-0?

The Honourable Sir Jeremy Raisman: Exactly; that only illustrates what I was saying. I may say that although the Finance Department is a very large holder of silver, I am very gratified to see the fall in price, and I have very little sympathy for those who have been affected by it. I only hope it will teach them a lesson. . .

An Honourable Member: Why not sell the stock now?

The Honourable Sir Jeremy Raisman: I have to keep silver for coinage purposes. I cannot use all my silver in order to defeat the tricks of the speculators; but my point really is that this is not a matter of hardship to the poor man because, if anything, the extent of the rise by increasing the value of his existing holdings more than neutralises the hardship which he is placed in if he wishes to increase his stock.

There are only two or three other points I would like to deal with. I would deal in one or two sentences with the point raised by Sir Henry Gidney about matches. I am afraid he got hold of the wrong end of the stick—in so far as it was the match stick, he was also in danger of burning his fingers, because he had insufficient knowledge of the subject! What I said last year in this House was that I was prepared and anxious to make it possible for the box of 40 sticks to be sold at $1\frac{1}{2}$ pice, that is, two boxes for three pice. I also said in response to a suggestion in regard to boxes of fifties, that I would do what I could to make it possible for such boxes to be marketed at two pice, that is, half an anna. I pursued that subject and I did so adjust the duty that the manufacture of boxes of fifties became possible and the firm to which the Honourable Member made reference assisted me in those efforts. What happened subsequently was that the retail price control machinery which is in the hands of Provincial Governments did not function as it should have done. Not all the Provincial Governments took advantage of the circumstances I had created to insist that the box of 40 should be sold at $1\frac{1}{2}$ pice and no more and that the box of 50 should be sold at $\frac{1}{2}$ anna; and what is more many dealers were not interested in the box of 50, although the firm in question proceeded to manufacture 50's at once and practically greatly reduced, if it did not cease, the production of 40's. The dealers were more interested in trying to sell a box of 40's at $\frac{1}{2}$ anna, and they were, as I say, not prevented by the Local price control arrangements. That has been rectified now. . . .

Sir Cowasji Jehangir: Can the Honourable Member tell us who suggested making these boxes of fifties in this House first?

The Honourable Sir Jeremy Raisman: I think it was either my Honourable friend, Sir Cowasji Jehangir, or Sir Homi Mody, or Mr. Huseinbhai Laljee; but in any case the suggestion was taken up and was accepted by the very firm on which my friend, Sir Henry Gidney, thought fit to cast aspersions.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): No, Sir, I did not cast any aspersions. I repeat again I did not. I said that by introducing the 50's you threw open the flood gates of dishonesty by the small vendor charging the same for 40's as he should have done for 50's.

The Honourable Sir Jeremy Raisman: On the contrary, by introducing the 50's we tried to close the flood gates of dishonesty. The swindle was when the box of 40 was being sold for $\frac{1}{2}$ anna instead of $1\frac{1}{2}$ pice. By introducing 50's we made it possible for the retail dealer to give full value to retail purchaser of a single box. If a man wanted to buy one box then formerly he could only get a box of 40 for $\frac{1}{2}$ anna. By introducing 50's we made it possible for him to get full value for his half anna. . . .

Mr. Huseinbhai Abdullabhai Laljee: May I ask one simple question whether at the last Budget Session, this company supported the suggestion of 50's or 40's?

The Honourable Sir Jeremy Raisman: I am in a position to state that at that very time the company were prepared to assist in the marketing of a box of fifties.

Sir Abdul Halim Ghuznavi (Dacca Mymensingh: Muhammadan Rural): The capital of the company is 50 per cent. Indian.

The Honourable Sir Jeremy Raisman: My Honourable friend, Mr. Jamnadas Mehta, has referred to a certain discrepancy in the figures. I wish he had not referred to it in the course of the debate, because I could easily have dealt with it in personal discussion with him. But since he has raised it, I must endeavour to dispose of it. He was unable to understand why, when I said that the yield of taxation at the existing level was 140 crores, he was unable to reconcile that figure with the figure given in statement 13, at page 20 of the Explanatory Memorandum, where the total net revenue in 1942-43 is shown as 144 crores odd and the cost of tax collection at 426 lakhs. If my Honourable friend had looked at the last column of that statement, he would have seen that the deficit was shown as 35 crores, which would have made him realise that the figures on this line are the figures, after the new taxation included in the Finance Bill is taken into account. The estimated yield of taxes at the existing level is 140 crores, and the additional taxation imposed in the Finance Bill is estimated to yield 12 crores, so that the gross revenue would be 152 crores. From that you have to deduct not merely the cost of collection of taxes, which is shown as 426 lakhs, but also certain other charges with which I will not bother the House at this moment—but the total deductions amount to nearly 767 lakhs and that is how the figure of 144 crores is arrived at. . . .

Mr. Jamnadas M. Mehta: On what page can I find this Rs. 7 crores?

The Honourable Sir Jeremy Raisman: I shall be glad to indicate privately to my Honourable friend exactly the information he wants.

My Honourable friend, Sir Henry Gidney, raised a point which I am afraid I am not in a position to deal with at this moment, but I am

[Sir Jeremy Raisman.]

having it examined; and that is the question regarding the rate of interest allowed by courts on decrees. I am not sure exactly what our position is or what our powers are; but it is a suggestion which I will take up and have looked into.

There is only one point more with which, I think, I need detain the House, and that is the frequent remarks which Honourable Members made about what they regarded as a mythical or invisible increase in the national income, because they were not able to see where this increase occurred. I can assure Honourable Members that by every index by which national income can possibly be measured certain factors show large increases. We know that payments are being made by Government themselves on a scale far larger than before. We know that production has been tremendously stepped up; we know that a very large increase has occurred in the number of persons employed, and it is not merely the payments which we make on our own behalf or on behalf of His Majesty's Government to capitalists or millionaires, as some of my friends said, which go to swell the national income, but the wage Bill has very greatly increased. The income of the classes which cater for these wage-earners has again increased throughout the scale. In fact, it is almost solely the unfortunate people whom my friend, Professor Banerjee, wishes to subject to a special cut who have not been affected by the tremendous increase in the economic activity which has resulted from the war. I realise that in many cases the increases in income have been largely neutralised or out-balanced by increases in the cost of living. That is another matter, but when I was talking of an increase in the national income, I was referring to additional rupees which are being earned by this country at the present time as compared with the pre-war position.

Well, Sir, I have done. I can only, in conclusion, add my support to those Honourable Members who have appealed to this House and to the country generally to face the realities of our present situation and to summon up their reserves of confidence, courage and persuasion in order to make the country more fit to face the ordeal which it must undergo in the coming months. I myself see great signs of hope on all sides. I have no doubt whatever that the forces, that the resources on our side are capable of ensuring the ultimate victory, and that the main requirement at this moment is to keep the hearts of the people high and to keep their gaze fixed on the sun lit uplands beyond, as Mr. Churchill so happily phrased it, and not on the darker features of the landscape. I hope, Sir, that every Honourable Member of this House will do his best, will take his place in that national war front for which His Excellency the Viceroy so eloquently appealed and will help this country to play a worthy part in the great struggle which is facing humanity. (Applause.)

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

"That the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary the rate of the excise duty on motor spirit leviable under the Motor Spirit (Duties) Act, 1917, to vary the rate of the excise duty on kerosene leviable under Section 5 of the Indian Finance Act, 1922, to vary the rate of the excise duty on silver leviable under the Silver (Excise Duty) Act, 1930, to levy customs duties in addition to the duties of customs leviable under the

Indian Tariff Act, 1934, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax and super-tax and to continue the charge and levy of excess profits tax and fix the rate at which excess profits tax shall be charged, be taken into consideration."

The Assembly divided:

AYES—49.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ayers, Mr. C. W.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chandavarkar, Sir Vithal Narayan.
Chettiar, Dr. Rajah Sir S. R. M. Annamalai.
Clow, The Honourable Sir Andrew.
Daga, Seth Sunderlal.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Dam, Mr. Ananga Mohan.
Datta, Mr. Akhil Chandra.
Dehejia, Mr. V. T.
Deshmukh, Mr. Govind V.
Ghiasuddin, Mr. M.
Ghuznavi, Sir Abdul Halim.
Gidney, Lieut.-Colonel Sir Henry.
Gopalaswami, Mr. R. A.
Griffiths, Mr. P. J.
Haider, Khan Bahadur Shams-ud-Din.
Imam, Mr. Saiyid Haider.

Ismail Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jehangir, Sir Cowasji.
Kamaluddin Ahmed, Shams-ul-Ulema.
Khurshid, Mr. M.
Khushalpal Singh, Raja Bahadur.
Laljee, Mr. Huseinbhai Abdullahi.
Lawson, Mr. C. P.
Maxwell, The Honourable Sir Reginald.
Mehta, Mr. Jamnadas M.
Miller, Mr. C. C.
Mody, The Honourable Sir Homi.
Muazzam Sahib Bahadur, Mr. Muhammad.
Parma Nand. Bhai.
Pillay, Mr. T. S. S.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Sarker, The Honourable Mr. N. R.
Scott, Mr. J. Ramsay.
Sheehy, Mr. J. F.
Sivaraj, Rao Sahib N.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir.
Symons, Mr. N. V. H.
Thakur Singh, Captain.

NOES—16.

Abdoola Haroon, Seth Haji Sir.
Abdul Ghani, Maulvi Muhammad.
Azhar Ali, Mr. Muhammad.
Essak Sait, Mr. H. A. Sathar H.
Ghulam Bhik Nairang, Syed.
Ismail Khan, Haji Chaudhury Muhammad.
Kailash Behari Lal, Babu.
Liaquat Ali Khan, Nawabzada Muhammad.

Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi Syed.
Nanman, Mr. Muhammad.
Siddique Ali Khan, Nawab.
Umar Aly Shah, Mr.
Yamin Khan, Sir Muhammad.
Zafar Ali Khan, Maulana.
Ziauddin Ahmad, Dr. Sir.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed to consider the Finance Bill clause by clause. The question is:

"That clause 2 stand part of the Bill."

Mr. Jamnadas M. Mehta: I move:

"That in clause 2 of the Bill, the words 'and four annas' be omitted."

I raise my voice of protest against the maintenance of the poor man's burdens in this hour of war. The Government must be carried on in such a manner that the civil population should suffer the minimum hardship. So long as food grains, salt, kerosene and other bare necessities of life are taxed, I say that the Government are neglecting the most important part of their duty during the war. It has been admitted that salt is a very

[Mr. Jamnadas M. Mehta.]

necessary article of human existence and one of the Secretaries of State for India himself admitted eighteen years ago in Parliament that salt tax is a pernicious tax. I, therefore, cannot support this provision in the Bill that the salt tax must be maintained at Rs. 1-4-0. Salt enters into every day requirements of the poor, and it is, therefore, necessary that when the earnings of the poor have remained low, when the agricultural prices are being controlled in the interests of the conduct of the war and of the consumer, it is necessary that those who bear the biggest burden in all walks of life should be relieved to some extent. And this salt tax is the burden which the poorest of the poor bear and which they must not be allowed to bear any more. There is some irony in the increase of this salt tax during the last ten years. It was one rupee in 1931, and I am surprised that after 1931 Government should have added to the burdens of the poor, and except for two or three years, in every succeeding year the cost of living has slowly and slowly gone up until it is in the present stage, the height of which is known to every one of us. In 1931, Government on the one hand promised to make salt cheaper for the poor.

The House knows that in 1930 there was a great campaign of breaking the Salt Act. At that time the burden was one rupee per maund, and the Government came to a compromise with those who had broken the Salt Act, that they themselves believed that the poor of this country should have free salt and Government allowed certain parts of the country everyone to collect salt without payment even of one rupee per maund. That was the position which Gandhi-Irwin Pact of 5th March, 1931 disclosed. Strange to say, within 26 days after that Pact when 75,000 people had gone to jail to have repeal of the Salt Act, when the Government themselves had agreed that the poor man's salt should not be taxed,—the self-same Government, within 26 days, imposed an addition of four annas in the rupee, which means increasing the salt tax by 25 per cent. The same protestants who broke the Salt Act have never seen the irony, the anomaly of their conduct, that for 75,000 people going to jail, they got an addition to the taxation on salt by 25 per cent. If the voice of the country was to count, these 75,000 people who went to jail for the repeal of the Act should have obtained this consolation at least that the salt tax will not be increased. Instead, after ten years we find that the Government are maintaining this tax which is a great burden on the poor, particularly, when the latter's income has diminished in its purchasing power. The Finance Member gets very warm when somebody like my friend and Leader, Dr. Banerjee, calls upon him to tax the better paid Government servant by a salary cut. He gets warm. He says, "Look at the people who are making money in the war and the largest incomes are made by them. On the other hand, Government servants are bearing all the taxes. You are objecting to the rich men being taxed and you are asking for a separate independent additional cut on the salaries of the Government servants, which will not apply to the people who are making money with both hands by contracts and other methods during the war". May I suggest to my Honourable friend that it is comparing like with unlike? I understand his warmth when he stands up the Government servants against people who are making money by

contracts and other ways. Compared to them, the Government servant must be protected. But the Honourable the Finance Member swallows a camel and strains at a gnat. That is what I do not understand. When he stands up for the Government servant on 250 as against the contractors and businessmen who are making money, I am entirely with him but he forgets his own principle that the people who bear the largest burden should not be mulcted. There he forgets what he has been establishing himself with a considerable degree of cogency and warmth. You cannot swallow camels and strain at gnats. As against the contractors and other money makers during the war, the Government servant is to be sympathised with. If you tax Government servants over 250 they are not going to starve. They are not going to live in a stable instead of in a bungalow which they are doing at present. They are not going to give up any of their ordinary amenities to which they are accustomed and which they should be assured as public servants, but what I cannot understand for my life is the Honourable the Finance Member's very exuberant sympathy for the Government servant as against the money maker, his indifference to the poor man's salt. Why does he forget the very scanty budget of these people whose salaries are Rs. 16, 25, 30 and 50. Are they better off than the Government servants on 250? Look at the contrast. Look at the way you treat the Government servant on Rs. 250 and over and the way in which you treat these poor people who have to put up with already very enhanced prices of the necessities of life. The purchasing power of their salaries has gone down and you are imposing other taxes on top of that and you still maintain the salt tax at Rs. 1-4-0. For all these reasons I submit to the House that they should accept my amendment. The poor man should not be taxed any further, at a time when prices have risen all round. Therefore I move this amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 2 of the Bill, the words 'and four annas' be omitted."

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): I rise to join my voice to that of Mr. Mehta. My contention is that Mr. Mehta has made some concession regarding the cut on the salaries of Government servants. I am not for showing even that much of concession. It is true that Government servants have to bear taxes just as businessmen have. But Government servants owe some duty greater than that of businessmen. The businessmen are not paid to see the Government running. It is primarily the concern of those who have to see that the Government is carried on and they should be more charitable and set an example to the businessmen as a whole and then the time will come for us to tell the businessmen that in the interest of the country they should also make a sacrifice. Our Government which is carried on so lavishly have made some concession up to Rs. 1,000.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must really not go into all that now. This subject has been discussed before. The Honourable Member must confine himself to the amendment.

Babu Kailash Behari Lal: My point is that whatever amount Government expect to get out of this salt tax can be got by a cut in the salaries of Government servants who get over Rs. 1,000 per month. They could have made some sacrifice to set an example to others.

Mr. President (The Honourable Sir Abdur Rahim): That is not the amendment. The Honourable Member must not go into that.

Babu Kailash Behari Lal: I am supporting my friend, Mr. Jamnadas, that whatever relief Government wants may be got by showing sacrifice

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that very often.

Babu Kailash Behari Lal: It is apparent that the Government servants cannot justify their high salaries and tax the poor man's salt. With these words I support the amendment.

Mr. Ananga Mohan Dam (Surma Valley cum Shillong: Non-Muhammadan): Sir, I rise to support the amendment of my friend, Mr. Mehta, and to record my emphatic protest against the salt tax imposed by the Government. The four annas increase in the poor man's salt is a great burden, which the Honourable the Finance Member is not expected to understand. These people cannot take their morsel of rice without salt and they have not enough to buy clothing, and yet they have to pay this salt tax. Public opinion in the country is for the removal of the salt tax altogether. The Congress agitated for this for years and years, and Mahatma Gandhi himself led a movement against the salt tax. It is a vehement protest against the imposition of the salt tax by the Government of India. This tax cannot at all be justified in consideration of the other sources of income and the other sources of expenditure before the Government of India. They could easily avoid taxing the poor man's salt, and moreover they could ensure the sympathy of the people who are asked to fight this war, because it is the common people who will provide the labour necessary for the prosecution of the war. It is up to the Government to remove this tax and give as much relief as possible to the poor people as they are entitled to. Their hardships have been increased on account of the rise in prices due to the war, and, over and above this, a primary necessity of life such as salt has been taxed. It is a very sad irony of fate that our people cannot see eye to eye with Government. Whatever the people want, the Government will refuse. Whatever the people would like to have, the Government will refuse. It is sad that we have no control over the financial policy

Mr. President (The Honourable Sir Abdur Rahim): That is a political question, and so the Honourable Member cannot discuss it now.

Mr. Ananga Mohan Dam: We pay the piper, and we are, therefore, entitled to call for the tune. However, I hope the House will remember the fate of the poor people due to this burden of taxation. Sir, I oppose the provision introduced by the Government in this measure.

The Honourable Sir Jeremy Raisman: Sir, when I saw this amendment on the paper, I thought that my Honourable friend was indulging in the kind of move which people make when they move a cut in a grant in order to draw attention to the inadequacy of the sum provided by Government for that particular purpose. I thought that my Honourable friend, Mr. Jamnadas Mehta, was going to remind me that at a time like this, you could not possibly get the maximum war effort, unless you called on every man, woman and child in the country to make his or her or its contribution, however small, to the cost of that effort. Instead of this, what do I find? I am surprised that my Honourable friend seriously meant that at the present time, we should reduce the duty on salt and that we should, by distributing about one anna per head per annum to the whole population of India, give up at this time, a sum of two crores of revenue. In order to support his amendment, he had to awaken the echoes of old, unhappy, far off things and battles long ago. I think it is a pity that he should try to revive those echoes at this present time. He had to go on and to talk about other irrelevant matters. The simple fact is that salt is one of the few items in regard to which Government, being itself the main producer, has maintained the price. It is true that certain elements which affect the retail prices of salt, such as cost of transport have increased, but Government have made no increase whatever in the price of salt and I myself have not made any increase in the duty since the beginning of the war. I think my Honourable friend may well rest content with that position. I think if he were able to secure an equally satisfactory position in regard to the other essentials which enter into the cost of living of the poor man, he would be very fortunate. I entirely realise that in the poor man's budget, even a pie may count, but I do think that at a time like the present we cannot be criticised for pursuing a policy of indifference to or oppression of the poor man when we maintain the level of the salt duty at the same level at which it has been for the last ten years. Sir, I oppose the amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That in clause 2 of the Bill, the words 'and four annas' be omitted." (The Chair asked "Ayes" and "Noes" to stand in their places.) The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 2 stand part of the Bill." (The Chair asked "Ayes" and "Noes" to stand in their places.) The motion was adopted. Clause 2 was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 3 stand part of the Bill." (The Chair asked "Ayes" and "Noes" to stand in their places.) The motion was adopted. Clause 3 was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 4 stand part of the Bill."

Dr. P. N. Banerjea: Sir, I move:

"That clause 4 of the Bill be omitted."

Clause 4 of the Bill seeks to impose an excise duty on kerosene at a higher rate than prevails at the present moment. By another amendment I shall propose later on that a similar proposal of the Honourable the Finance Member to add to the customs duty on kerosene be also omitted, but that is not before us now.

Sir, kerosene is one of the prime necessities of life to the poor,—to the poorer section of the middle class and to the poorest classes of the population. It is almost as necessary as wheat, barley, pulses or bajra, to the poorest classes. As such, it is undesirable to impose a further burden on the poorer section of the middle class and the poorest classes of the population. In this connection, Sir, I wish to point out that this is not the first time that the duty on kerosene is being raised. It was a few years ago that a similar increase was imposed. We all know that the poor people at the present moment are subject to many hardships. The cost of living has gone up very much.

The Honourable Sir Jeremy Raisman: To what increase is my Honourable friend referring? There was no increase in duty on kerosene two years ago.

Dr. P. N. Banerjea: Was there no increase at all?

The Honourable Sir Jeremy Raisman: I think my Honourable friend is mistaken.

Dr. P. N. Banerjea: Was not kerosene coupled with petrol a few years ago?

The Honourable Sir Jeremy Raisman: No, Sir.

Dr. P. N. Banerjea: Perhaps my memory is wrong. I would withdraw that remark. But I am not sure as yet whether the Honourable the Finance Member is right. Let him find out from his records whether he is right or whether I am right. For the present I will suspend my expression of views on this point.

Sir, it is a fact well known to everybody that the prices of foodstuffs have gone up very high and that the prices of other necessary articles such as cloth and fuel have also gone up. Now, the poorer section of the middle classes has a fixed income and this income has not substantially increased along with the rise in prices. As regards the poorest sections of the community, those who are producers of certain agricultural commodities have to a certain extent benefited by the rise in prices. But among the poorest classes also, there are some who have not benefited. They are the landless labourers on the fields, and also the cultivators who cultivate crops other than food crops.

So we must take into consideration the difficulties to which these classes of people will be put by a rise in the price of kerosene. Kerosene is the thing which lights the lowly homes of these poor people and it is also needed to light their hearths. To seek to impose an additional burden on the poor people by this means is extremely unfair and extremely unreasonable. Sir, I pointed out the other day that there are other ways

by which the required amount can be obtained. I will not repeat what I said on those occasions but I will again point out that if those other proposals are accepted by the Finance Member the hardships on these people would be much less than the hardship on the poorest sections of the population. Therefore, I once more appeal to him to spare the poor people on this occasion as they have been subjected to various measures of taxation during the last two years and a half. I appealed to him twice before and this is my third appeal to him. If there is any feeling of sympathy or pity left in Government I hope the Finance Member will give a willing ear to this appeal.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That clause 4 of the Bill be omitted."

Mr. Jamnadas M. Mehta: Sir, I move:

"That in clause 4 of the Bill, for all the words occurring after the words 'the words' in the third line, the words 'of two annas and four pies shall be substituted,' be substituted."

The reason why I move this is not that I want it to be increased by even one pie, but I thought that a direct negation might perhaps not be in order; and, therefore, after my friend's amendment this also has, in my humble opinion, a value that if we cannot succeed in omitting the clause altogether we may be able to persuade the House that something less than what is proposed by Government might be imposed. Sir, referring to the Annual Statement of Sea-borne Trade of British India, Vol. I, page 3, we find that the total imports of all kinds of oil, vegetable, mineral and animal, in 1939-40 were Rs. 18,64,40,431 in the financial year which closed on the 31st March, 1940. No figures thereafter are available and I take it that that is at least the amount which has been imported into this country in the subsequent two years. In spite of the difficulties of shipping and other things during two years of the war, the increase of the imports of oils of all kinds is evident, and, therefore, as oil is one of the very essential articles, possibly Government will manage to produce the necessary amount of shipping for carrying oil. I, therefore, submit that this figure may be taken as the figure which will be worked up to in the year 1942-43 and that we shall have about Rs. 18,64,40,431 worth of oils of all kinds imported into this country. How much of that is exactly kerosene I do not propose to consider. But I find from the accompanying to the budget that the expected Government income by customs duties on the imports of kerosene oil is three crores in the year 1942-43. The result is that if the last year's income is borne out even in the current year, the additional money that the poor people will have to pay will be somewhere near one crore of rupees.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may continue after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. Jamnadas M. Mehta: Sir, I was saying that the customs duties on kerosene are budgeted at three crores of rupees in the Explanatory Memorandum, and total duties on oils of all kinds seem to be somewhere near eight crores. This shows that very nearly half of the customs duty are coming from the poor man's pocket, and when you take it in conjunction with other items of taxation on the poor man's budget you will feel that the Government's method of financing the budget are in great need of revision. Besides, there is no principle. A general increase of 20 per cent. is taken, whether the article is a luxury, or an amenity or an essential necessity, there is consideration given to the capacity of the people to bear that and, therefore, I estimate, even if the budget estimates are correct, that they will conceal 60 lakhs of additional burden on the poor man. But I am not sure at all that this three crores is the real income on the customs duty. In the current year although Rs. 3,50,00,000 were shown in the budget, the revised figure is four crores. Further, I am afraid that this is an under-estimate and conceals the total burden of taxation on kerosene oil. For these reasons, Sir, I suggest that the House should not countenance any additional burden in this respect, however small. We have already disposed of the salt duty. The Honourable the Finance Member said that it comes to only one anna per head per annum of the whole population of India. That may be so, but one anna means four days' milk for the poor man's child. Now, has he or has he not some obligations to those who are working and assisting in the production of necessary supplies for the prosecution of the war? I ask him in all seriousness and make an earnest appeal that there are ways and ways of financing the huge expenditure on the war but that should not ignore that those who can least afford it should be least subjected to it. 60 lakhs on the one hand, two crores of rupees on salt and several other crores which we shall consider when we reach other items—in that way the total burden on the poor this year will be in excess of what they can stand to the extent of several crores. If you take into account all these, you will be disposed to consider that the Finance Member must use his talents for finding out better methods of taxation than taxing the slender resources.

I say this in particular, because this year it is proposed to pay three crores of rupees towards debt. It is necessary really to pay back that three crores of debt this year? Can you not postpone the repayment of debt when on the one hand you are borrowing? If this three crores of repayment of debt was postponed immediately, you will get a relief of three crores. It is not required for the purposes of the war; it can wait. India has been discharging its indebtedness at a rapid pace. In England almost all the burden of debt is unproductive and yet the necessities of the life of the poor are religiously considered because there is sure to be a great deal of discontent if the poor worker is starved. You may take work from him, you may increase his hours of work, but if you deny him the bare elements that make for his very small living, then you are not behaving squarely with him. The burden of this war must be equitably borne, and those who are giving their lives should be spared against those who may be paying whatever amount of income. That is the equitable way of distributing the burden. The life of the worker is given to the war. He expects that his essential elementary needs shall not be made more costly. For these reasons, Sir, I agree with Professor Banerjee's amendment, but

for fear that it might be ruled out altogether. I have proposed that something less than what is proposed by Government might be imposed. It is only if his amendment is defeated that I shall press for this. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta) Amendment moved:

"That in clause 4 of the Bill, for all the words occurring after the words 'the words' in the third line, the words 'of two annas and four pies shall be substituted,' be substituted."

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadian Rural): Sir, I know it is difficult to have an amendment passed by this House. Yet when the Honourable the Finance Member wants to levy a tax on articles which are so necessary for the very existence of the poor man, we cannot but move these amendments. Sir, in support of Dr. Banerjee's motion, I will speak a few words which I know will fall flat. But, however, as a matter of duty I shall do it.

Sir, in our country it was generally the custom in all the villages to use castor oil. That castor oil has been ousted and has been replaced by kerosene. In the cities—practically everywhere—we find electricity but in villages where we had castor oil, we find every home, every cottage, using kerosene oil. In 1938-39 we find that 225,705,000 gallons of kerosene have been used by Indian people. Sir, the customs duty was three crores and today we are going to have it increased by another 60 lakhs. It is true Government require more money. The war is there and Government require more and more money, but, Sir, the Honourable the Finance Member might have found out other sources of taxation than taxing these poor people. The whole burden of this kerosene falls practically on the villagers who are mostly agriculturists and partly industrial workers. These agriculturists have been doing their best and their hardest to prepare the food for the soldiers who are fighting on the battle-fields; and if they are handicapped in this way,—the soldiers will not be able to carry on in the field. The prices of food have gone up already—it should be the duty of the officers in charge of finance to find out how these people should be relieved of further burdens and those burdens should be put on those shoulders which can bear those burdens. We do not know anything about finance here except what has been discussed and how this taxation is calculated and on what principles. It should be the paramount duty of the Finance Member always to avoid controversies regarding these taxes which will fall on the poor people, particularly industrial labour and agricultural labour, without whose help it is not possible to carry on this war work. We appeal to him now to consider at least this tax on kerosene, and to find out in what way he could avoid this tax and shift it to some other place. It is on the contentment of labour, industrial and agricultural, that the future progress of the war depends. Do not make them discontented on any ground. I know war requires mints of money, and His Majesty's Government has got these Lend-Lease arrangements and has been trying to get all financial help as far as possible from America but for India to bleed and to be bled is absolutely impossible. We have man power; our men will die and suffer; but our men have no money. They cannot really supply money to the Government but they can give their

[Mr. Amarendra Nath Chattopadhyaya.]

blood. Under the circumstances I propose that this clause 4 be deleted; and if the Finance Member cares to create another item of taxation he may consider it hereafter. For the present, let these poor agriculturists and labourers who live in the 700,000 villages of India be free from this burden of taxation. With these words I support Dr. Banerjea's amendment.

Babu Kailash Behari Lal: Sir, I must raise my voice of protest against this taxation and support the amendment moved by Dr. Banerjea. Already the price of kerosene oil has risen high and perhaps the Honourable Member may not be aware that even before the proposed excess taxation there is a scarcity of kerosene oil in villages. I can narrate the experience of my district, where poor people could not get this oil for days together and the spectacle was like that of a black-in. We have got accustomed to black-outs in big cities where there are amenities of electric supply. But in the poor man's villages there is no electric supply and this is the only source which could light their homes; and in the absence of kerosene oil what can be the condition of the poor people can be better imagined than described. In spite of price control in the districts as the Government officials are very strict in the matter of price control, there has been a rise in the cost; and of all the things for which the people have suffered most, this kerosene oil is a thing which must be considered. I have got the experience that in the grocers' shops where kerosene oil and salt are sold, there was a rush to purchase kerosene oil when they heard that the oil had arrived after a dearth of several days. There was such strict control that poor people could not get it. There was a lot of protest and afterwards the middle class people could get some supply with great difficulty. If this is the condition even when there is no proposed taxation, what can be the fate of the poor people when there is taxation and increase in price due to that? So this must be considered and the Government should withdraw their hands from taxation of the poor man's salt and kerosene oil.

The Honourable Sir Jeremy Raisman: Sir, anybody listening to these discussions would think that this was a budget in which new burdens had been laid heavily on the poor. I claim that I have throughout kept before me in my budgetary policy the aim of avoiding as far as possible the laying of excessive burdens on the poor man. It is impossible in any reasonably broad-based system of taxation entirely to avoid the taxation even of the poor. My Honourable friend, Mr. Jamnadas Mehta, seemed to imply that in England taxation on the necessities of the poor is non-existent. I can assure my Honourable friend that that is not the case. The necessities of life in England—the poor man's cup of tea and the poor man's glass of beer, which in a country such as England is virtually a necessity—are taxed; and what is more, taxation on them has been further increased during the war. There is, in addition, a system of purchase taxes which has been imposed since the beginning of the war which applies to a very large range of commodities. It is not possible in any country, however much one may dislike it, entirely to avoid taxing commodities which, whilst they are used by the upper and middle classes, are also used by the poor. But I would like to clear the minds of Honourable Members a little on the subject of kerosene.

In the first place, let me dispose of the suggestion by Professor Banerjea that this is the second time since the war that I have touched this tax. The position is that the excise duty on kerosene has remained the same until now since the Indian Finance Act, 1931. That is the last occasion on which this duty was increased, and no increase has been made by me since the beginning of the war. Now, the excise duty on kerosene is of course leviable on the indigenous supply, and broadly speaking, in normal times the indigenous supply is only about one-fifth of the whole. Previously, when Burma was part of India, the kerosene which was subject to the excise was a considerable part of the whole; it probably was more than half. At that time it was a frequent subject of controversy in this House that the excise duty which was leviable on Burma kerosene, as well as Indian kerosene should be equated to the customs duty, that there should not be two different rates of duty, one on imported kerosene from other countries and one on Burma and Indian kerosene. It was constantly urged in this House that the excise duty should be equated. I know that the reasons for that were that it was felt that this differential gave an advantage to the oil companies which marketed the Burma oil. But the present position is that under the trade agreement which we made with Burma last year we obtained freedom, at any rate for the period of the war, to levy on Burma kerosene the ordinary import duty which is levied on all imported kerosene. So that the only kerosene which remained subject to a specially low rate of duty was that small fraction of the total supply which is produced in India. Now, Sir, it has never been regarded as a duty which had a protective aspect; there has never been any such suggestion. On the contrary, there has been the strongest objection to any suggestion that the oil industry in India required to be protected against foreign imports, and therefore it is purely a question of revenue policy that the excise duty should be equated to the import duty, and that increase, as I say, only applies to a fraction, normally speaking, of the total supply. It is true that the general increase in the customs duty which is dealt with in another clause also affects kerosene, and it is against that increase, I understand, to which my friend, Professor Banerjea, wishes to register his objection. That does not strictly arise on this particular clause, and I submit that the effect of this clause by itself is not very substantial and that the Honourable Member's objection arises more relevantly on the clause which increases the customs duty.

Dr. P. N. Banerjea: The two will have to be taken together.

The Honourable Sir Jeremy Raisman: If my friend succeeded,—not that I hold out any hope that I could assist him to do so,—but if he succeeded in exempting kerosene from the increase in the import duty, then he would have gained the major part of what he seeks to gain.

Dr. P. N. Banerjea: That depends upon you.

The Honourable Sir Jeremy Raisman: But I regret I cannot hold out any hope to him. I must be quite firm on this, because I do claim that this is a Budget in which we have shown the utmost regard for the poorest classes, but it is quite impossible in a country of this size where 99 point something per cent. of the population belongs to what can be called the poorest classes, it is impossible at any time and particularly in war time,

[Sir Jeremy Raisman.]

to budget on the basis that no burden whatsoever shall fall so broadly as to affect all classes of the population. With the best will in the world, it is not possible to secure that ideal. For these reasons, Sir, I must oppose the amendment.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That clause 4 of the Bill be omitted."

The Assembly divided:

AYES—11:

Banerjea, Dr. P. N.
Dam, Mr. Ananga Mohan.
Deshmukh, Mr. Govind V.
Joshi, Mr. N. M.
Kailash Behari Lal, Babu.
Laljee, Mr. Husenbhai Abdullahai.

Maitra, Pandit Lakshmi Kanta.
Mehta, Mr. Jammadas M.
Muhammad Ahmad Kazmi, Qazi.
Neogy, Mr. K. C.
Parma Nand, Bhai.

NOES—33.

Ahmad Nawaz-Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ayers, Mr. C. W.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chandavarkar, Sir Vithal Narayan.
Clow, The Honourable Sir Andrew.
Daga, Seth Sunderlal.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Dehejia, Mr. V. T.
Gopalaswami, Mr. R. A.
Ismail Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jehangir, Sir Cowasji.
Kamaluddin Ahmed, Shams-ul-Ulema.
Khurshid, Mr. M.

Khushalpal Singh, Raja Bahadur.
Lawson, Mr. C. P.
Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Pillay, Mr. T. S. S.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Scott, Mr. J. Ramsay.
Sheehy, Mr. J. F.
Sivaraj, Rao Sahib N.
Spence, Sir George.
Symons, Mr. N. V. H.
Thakur Singh, Captain.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That in clause 4 of the Bill, for all the words occurring after the words 'the words' in the third line, the words 'of two annas and four pies shall be substituted,' be substituted."

The Assembly divided:

AYES—11:

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Mehta, Mr. Jammadas M.
Muhammad Ahmad Kazmi, Qazi.
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Parma Nand, Bhai.

NOES—36.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.

Aiyar, Mr. T. S. Sankara.
Ayers, Mr. C. W.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chandavarkar, Sir Vithal Narayan.
Clow, The Honourable Sir Andrew.
Daga, Seth Sunderlal.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.

Dehejia, Mr. V. T.
Ghuznavi, Sir Abdul Halim.
Gopalaswami, Mr. R. A.
Ismail Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jehangir, Sir Cowasji.
Kamaluddin Ahmed, Shams-ul-Ulema.

Khurshid, Mr. M.
Khushalpal Singh, Raja Bahadur.
Lawson, Mr. C. P.
Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Pillay, Mr. T. S. S.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Scott, Mr. J. Ramsay.
Sheehy, Mr. J. F.
Sivaraj, Rao Sahib N.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir.
Symons, Mr. N. V. H.
Thakur Singh, Captain.

The motion was negatived.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That clause 4 stand part of the Bill."

The Assembly divided:

AYES—34.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.

Aiyar, Mr. T. S. Sankara.
Ayers, Mr. C. W.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chandavarkar, Sir Vithal Narayan.
Clow, The Honourable Sir Andrew.
Daga, Seth Sunderlal.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.

Dehejia, Mr. V. T.
Ghuznavi, Sir Abdul Halim.
Gopalaswami, Mr. R. A.
Ismail Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jehangir, Sir Cowasji.

Kamaluddin Ahmed, Shams-ul-Ulema.
Khurshid, Mr. M.
Khushalpal Singh, Raja Bahadur.
Lawson, Mr. C. P.
Maxwell, The Honourable Sir Reginald.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Scott, Mr. J. Ramsay.
Sheehy, Mr. J. F.
Sivaraj, Rao Sahib N.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir.
Symons, Mr. N. V. H.
Thakur Singh, Captain.

NOES—9.

Banerjea, Dr. P. N.
Dam, Mr. Ananga Mohan.
Deshmukh, Mr. Govind V.
Kailash Behari Lal, Babu.
Maitra, Pandit Lakshmi Kanta.

Mehta, Mr. Jammadas M.
Muhammad Ahmad Kazmi, Qazi.
Neogy, Mr. K. C.
Parma Nand, Bhai.

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That clause 6 stand part of the Bill."

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I move:

"That after clause (c) of the proviso to clause 6 of the Bill, the following new clause be inserted, and the subsequent clause be re-lettered accordingly:

"(d) machinery comprised in Items Nos. 72, 72(1), 72(2), 72(3), 72(6), 72(7), 72(8), 72(9) and 73 of the said Schedule."

Clause 6 of this Bill reads:

"Where any goods chargeable with a duty of customs under the First Schedule to the Indian Tariff Act, 1934, or under the said Schedule read with any notification of the Central Government for the time being in force, are assessed to duty there shall up to the 31st March, 1943, be levied and collected as an addition to and in the same manner as the total amount so chargeable, a sum equal to one-fifth of such amount."

Sir, this clause refers to the First Schedule of the Indian Tariff Act and my amendment refers to certain items in this Schedule to which I propose to make a reference. I will not mention in detail all the items which are covered by the amendment. Item 72 of the Tariff Act refers to machinery not driven by manual labour and animal labour. In other words, it refers to machinery driven by power, may be electric power or any other power. But such machinery is not driven by animal or manual labour. Then item 72(1) makes no distinction between power machinery and labour machinery or machinery which can be driven by animals. Item 72(1) says:

"The following textile machinery and apparatus by whatever power operated, namely, healds cords and heald knitting needles, etc."

There are several items under item 72(1), some relate to hosiery machinery, cord machines and so on.

Then item 72(2) refers to printing and lithographic material, namely, presses, lithographic plates, composing sticks, chases, imposing tables, lithographic stones, stereo blocks and so on.

Then item 72(3) refers to component parts of machinery as defined in Items Nos. 72, 72(1) and 72 (2). In other words, the component parts of such machinery which is driven by manual or animal labour.

Then items 72(4), 72(5) and 72(6) refer respectively to passenger lifts and component parts and accessories thereof, domestic refrigerators and machinery and component parts thereof, meaning machines or parts of machines to be worked by manual or animal labour, not otherwise specified.

Then item 72(7) refers to water lifts, sugar mills, sugar centrifuges, sugar pug mills, oil presses and parts thereof constructed so that they can be worked by manual or animal power and pans for boiling sugar cane juice.

Then item 72(8) refers to agricultural implements such as winnowers, threshers, mowing and reaping machines, binding machines, elevators, seed and corn crushers, ploughs, cultivators, scarifiers, harrows, seed drills, agricultural tractors and so on.

Then item 72(9) refers to dairy and poultry farming appliances.

Item 73 refers to electrical instruments, apparatus and appliances not otherwise specified, excluding telegraphic and telephonic.

I do not like to waste the time of the House by referring to all the items. I have referred only to such items as are the basis of agriculture and which will help the agriculturists. As regards cottage industries, I refer to such items as hosiery machines, cord machinery and all those things which go to help the cottage industry and which would go to make a man utilise his spare time to earn a little more money—may be through agriculture or some other form such as hosiery manufacture and so on. In hosiery, women also can work and thus get some extra money. By taxing these things, you are making it more difficult for the agriculturist or for the women to use their spare time and earn money. It may be argued that these articles are taxed on the same principle as you tax kerosene or you impose a salt tax. You say there is a precedent in England also where the necessities of life are taxed. Well, my answer is that no doubt the tax is there. But look at the margin of saving which the wage-earner in England has after paying taxes as compared to the margin of saving of an Indian workman. In England there is a government which is solicitous about the welfare of the poor people. Is there a government here in India which is solicitous of the welfare of the masses and which wants to leave a small margin between what he earns and what he pays as tax? I submit there is no such Government. I cannot understand the mentality of a Government which taxes the necessities of life, which taxes the implements used by the agriculturists on which his livelihood depends. I do not know whether there is any precedent in any other part of the world for this. Even if there is any precedent, I do not want that to be followed in this country, particularly when you find that the Government here are not solicitous about the comforts and welfare of the poor. The question of deficit in budget on account of increasing the war efforts was brought out. I said, I am prepared to support war efforts. I said that I would support all measures that are necessary for making India fit for defence. I also said that the civil defence of the country as much as military defence should be self-sufficient. I know even my money is wanted. I see the reasonableness of this. But what is the sense in taxing the poor man and depriving him of the implements of agriculture on which his livelihood depends. I am not able to follow this argument.

The Honourable the Finance Member expressed the hope that after the war, India will be found to have reserved funds. He also said that India should exhibit fortitude and patience. Today the agriculturist has the fortitude and patience. But if things go on like this his fortitude may break down and he may lose his patience. Today his position is that he is left to fight with elements and you now impress upon him the necessity for fortitude and patience and the necessity of not yielding whatever the loss he might be put to. You want him to hold out till the very last moment. No doubt the poor man in this country has great patience and fortitude, but if the Government go on taxing the necessities of life as they are doing at present, if they go on taxing the agricultural implements, then he can no longer put up with it. I wish the Government adopt my amendment. What would be the effect of this amendment? If this amendment is accepted, what will happen? The proviso to clause 6 of the Bill excepts from the condition of duty some of the things, salt comprised in item 25(1), motor spirit, raw cotton and some other things.

[Mr. Govind V. Deshmukh.]

In other words, if Government accept this amendment it will help the agriculturist, the poor middle class man and the women who want little things at home to eke out their very existence. The acceptance of this motion will mean that they exempt under this proviso customs duty on these articles and it will be a great relief to the poor agriculturist. I hope Government will see the reasonableness of this amendment and accept it. In these days they want to promote war efforts and they want equipment and food to maintain their army. Can there be any equipment if you tax power machinery and textile machinery in such a way that the import of machinery will be made impossible and the food production will be greatly curtailed? You are after a drive for food production. If the agriculturist has no implements how is he to produce food and how will you sustain your army? I plead in the name of the agriculturist that you should not add any duty to all these articles that I have named; and if your army is to be sustained you should not do it. The action of my Honourable friend just now is like that of man who stands on the branch of a tree and lops off that very branch with an axe. This reduction in the income of the poor agriculturist and the putting of additional duty on implements will only mean that he will be thrown on the streets. I have already warned Government that you cannot expect infinite funds of patience and fortitude in a man who is starving, whose life has been made miserable for years together. You cannot expect him to live on nothing. He is your blood bank, he sustains you; be not ungrateful to him and do not hinder him from earning his bread. I again appeal to you that the implements he needs should not be saddled with this additional duty. After the agriculturist gets his corn threshed he has to winnow it; and if he does not possess a winnower he has to wait for days together for a strong breeze to blow with the help of which he can separate the two, the chaff and the grain. Even months are spent in anticipation of a breeze, and if that does not come he stands on a *charpoy*, takes a little basket and some grain and two men stand in front with a piece of cloth creating some sort of a breeze. You will realise that if you provide them with these things so much man power will be saved which can otherwise be utilised. For utilising man power you have raised the age in all branches of the army; why should you waste all this man power waiting for months for God to take compassion on the poor fellow and send him a strong breeze? It is, therefore, in Government's own interest to accept this amendment. Let these men survive and help you to fight your battles by producing food and sustaining your army. It will be also in the interest of the refugees and evacuees who will have to be provided with food when they come here. Therefore in Government's own interest I ask them to accept this amendment.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That after clause (c) of the proviso to clause 6 of the Bill, the following new clause be inserted, and the subsequent clause be re-lettered accordingly:

"(d) machinery comprised in Items Nos. 72, 72(1), 72(2), 72(3), 72(6), 72(7), 72(8), 72(9) and 73 of the said Schedule."

Dr. P. N. Banerjee: Sir, I rise to support this amendment. Two of the most urgent needs of the country just now are industrial development and

agricultural improvement. How can the industry of the country be developed and agriculture improved? The answer is. By the use of machinery. Therefore, it is necessary that machinery should be made available to a greater extent than is the case now. At present a great deal of difficulty arises in the importation of machinery by reason of the lack of shipping facilities. But it is unfortunate that Government are adding to these difficulties by imposing an additional import duty of 20 per cent. That is not right. The country has cried out again and again for industrialisation and agricultural improvement. At this time for Government to come forward and hinder the development of industries and improvement of agriculture is a very wrong policy to adopt. I therefore hope that the Finance Member will see his way to accept this amendment, and I may assure him that there will not be much loss of revenue if he accepts it; it may be a few lakhs which he can easily afford to spare.

Sir Vithal Narayan Chandavarkar (Bombay Millowners' Association; Indian Commerce): Sir, I support this amendment and in doing so I may assure the Finance Member that I am not resiling at all from the position that I took up when I spoke on the Finance Bill. I wish Government had not added this item to the list of items in respect of which they have imposed a surcharge. The position is this: there is, as Dr. Banerjee said, a considerable amount of control over imports. As far as the textile industry is concerned, we can only get a priority certificate and license to import if we get a certificate from the Supply Department to the effect that the machinery ordered is required for executing Government contracts. I had myself ordered out some winding machinery for which I could not get freight space. When the Supply Member told us in September last that Government were in urgent need of increased production of *Dosuti*, I wrote to Government that I can supply more *dosuti* if I could get out the winding frames which I had ordered; and after that I got a license, and the machinery came in, and I was able to give more *dosuti* to Government. We cannot import any machinery accessories or stores now unless they are required for war effort, and I feel that the proposed increase in duty might prevent or restrict that war effort and, therefore, Government should not have included the item relating to machinery etc., in the Bill. There is another aspect of the question. If there was an industry in this country which manufactured machinery, accessories, spare parts and other stores incidentally required for the manufacture of textiles, which are included in the Schedule under discussion, I may not have opposed the proposed surcharge.

I do not know whether the Finance Member knows that as early as in or about June, 1937, the Defence Department sent us a Circular saying that a national emergency might arise and they wanted to know exactly what the position would be with regard to such articles as were imported from abroad. They did not think in terms of encouraging local manufacture of such articles. They only referred to the question of storage of such imported articles. Our Association, in a reply sent to the Defence Department about September or October of that year, wrote a very exhaustive note classifying all our requirements into various categories: those which could be easily manufactured here, those which could be manufactured with a certain amount of difficulty, and those which we thought ought to be manufactured but for which we wanted Government support. We further wrote to the Defence Department that we were prepared to discuss further

[Sir Vithal Narayan Chandavarkar.]

the ways and means of manufacturing such articles, so that if a national emergency arose, there would be no need for importing them. I know it is a fashion, even among some of my own millowner friends, to criticise us for not taking action in these matters, but, as you know, nobody will take the risk of starting a new industry in respect of which there is severe competition from foreign countries, unless Government were prepared to give an assurance of adequate tariff assistance. Recently, in regard to the Aluminium industry, Government came forward and gave such assurance and, I believe, there has been a fair response—at least that is my information. We wrote our letter in the autumn of 1937, and even now we have not received any response from the Defence Department or the Commerce Department or any other Department of the Government of India. So, I do not think that Government are proceeding in the right way and, as pointed out by Professor Banerjea, Government will not be able to get a large revenue from the proposed surcharge on the item under discussion. On the other hand, it is going to restrict our freedom in regard to the import of machinery which we may require for war purposes. I do not know how far the handloom industry is affected by the shortage of beads and other stores. If Government had responded to us in 1937, I would not have been surprised if enterprising industrialists had come forward and started industries for the manufacturing of spinning machinery and accessories. It is true that certain factories for the manufacture of looms have been started—I give the instance of Kirloskar's factory. But we cannot get even their looms freely, because the supply of raw material is also restricted; and for almost everything, as I have said, we have to ask for priority certificates—and rightly so; I do not blame the Government; for war is now our main concern. In these circumstances, if a surcharge is levied, people will think twice before launching on new schemes even if such schemes are necessary to help in the war effort, and, therefore, I submit that Government should not persist in their proposal to impose an additional levy.

Sir, I forgot to mention one matter. In the letter we wrote to the Defence Department in the autumn of 1937, we suggested that, with the co-operation of the iron and steel industry and Government, we were prepared to consider the possibility of starting enterprises in this country for the manufacturing of accessories, spare parts, etc., used in cotton mills which would prove helpful in the case of a national emergency. But no action was taken in that matter, and now it is being proposed to raise the duty. Sir, I do not think the Honourable the Finance Member has realized our difficulties and how the proposed increase might discourage war effort, or at least make people think twice before importing machinery from abroad even if the ordering of such machinery is going to help the war effort.

We are not making any fabulous profits as the Honourable the Finance Member told us this morning. His representatives sit opposite the representatives of various manufacturers and cut down the prices. And if it is true—and I have no doubt it must be true—that they cut down the price from Rs. 10 to Rs. 7/8/-, the cost price being Rs. 7, I do not think there can be any scope for making any fabulous profits. Such being the case, there can be no temptation for increasing the output even if it helps

the war effort. It is from this point of view, Sir, that I would like to support the amendment moved by my Honourable friend, Mr. Deshmukh.

The Honourable Sir Jeremy Raisman: Sir, the Government are sympathetic to the object of this amendment. Particularly we are influenced by the consideration—in addition to the arguments mentioned by my Honourable friends, Mr. Deshmukh, Professor Banerjea and Sir Vithal Chandavarkar—we are influenced by the consideration that machinery at the present time which may be imported for the establishment of a new industry will form the capital of this industry and that owing to the conditions of the war there is no doubt that the prices of machinery are high and that freights, and shipping difficulties greatly increase the initial cost of establishing the plant, and, therefore, we are reluctant to add anything more to the initial capital cost of setting up industries. But my Honourable friend's amendment is technically incorrect. It is cast too wide in some respects. Now, items 72 (7), 72 (8) and 72 (9) are already free under the tariff. Therefore, the Finance Bill does not impose any additional duty in their case. So it is unnecessary to include those in the proviso. Then there are two more items: 72 (6) is an item which is at present subject to a revenue duty of 25 per cent. *ad valorem*. It is not subject to the machinery rate of 10 per cent. and for the same reason it is not treated on the same level as machinery proper and there is no particular reason why it should be exempted from the operation of the surcharge. Similarly, item 73—electric instruments not otherwise specified excluding telegraphs and telephones. That also is not subject to any special machinery rate. It is subject to 30 per cent. The standard rate is 30 per cent. and the preferential United Kingdom rate is 20 per cent. If my Honourable friend will exclude these items and will confine his amendment to what I call 'machinery proper' which is already admitted on our own principles under the tariff to the 10 per cent. rate, then I would be prepared to accept his amendment. The amendment would then run:

"machinery comprised in Items No. 72, 72(1), 72(2), and 72(3)."

Mr. Govind V. Deshmukh: Sir, I am prepared to accept it.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That after clause (c) of the proviso to clause 6 of the Bill, the following new clause be inserted, and the subsequent clause be re-lettered accordingly:

"(d) machinery comprised in Items Nos. 72, 72(1), 72(2), 72(3), of the said Schedule."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Datta): The next amendment is No. 1 on Supplementary List No. 1.

Dr. P. N. Banerjea: Sir, I beg to move :

"That after clause (c)—now clause (d)—of the proviso to clause 6 of the Bill, the following new clause be inserted and the subsequent clause be re-lettered accordingly :

'(e) kerosene as comprised in Item No. 27(4) of the said Schedule'."

I rise once again to plead the poor man's cause. I pointed out on the previous occasion, and my friends also pointed out, how the poor man was going to be affected by the increase in the duty on kerosene. I need not repeat those arguments; but I must say that the argument advanced in favour of the raising of the import duty and the excise duty on kerosene appears to me to be unsound. My Honourable friend, the Finance Member, said that the burden of additional taxation should fall on the poor as well as the rich. I pointed out several times before that he could on the present occasion spare the poor and leave them alone. I will not repeat what I said before, but I will urge once more the necessity for exempting from additional taxation one of the prime necessities of life for the poor man. The Honourable the Finance Member said a few minutes ago that the amendment which I moved then was not of much consequence, but if I succeeded in getting this amendment of mine accepted, then it would go a considerable distance in helping the poor people. He did not hold out any hope. I admit; but people do change their minds and people do change their hearts. So I appeal once again to him: I hope there will be a change in his mind and also a change in his heart and that he will accept this amendment.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That after clause (c)—now clause (d)—of the proviso to clause 6 of the Bill, the following new clause be inserted and the subsequent clause be re-lettered accordingly :

'(e) kerosene as comprised in Item No. 27(4) of the said Schedule'."

The Honourable Sir Jeremy Raisman: Sir, I have already indicated my attitude in this matter and I regret that I am unable to respond to Professor Banerjea's appeal. I was hoping that he might perhaps change his own mind or heart on this matter in order to assist me to deal with the tremendous difficulties with which I am faced at present. Mr. Jamnadas Mehta, in talking about kerosene, said that it would be quite simple to replace the whole of the kerosene revenue if I omitted from the budget the provision of Rs. 3 crores for the reduction or avoidance of debt. To omit that would produce no miracles whatever. That three crores is the amount which I am bound to set aside for various sinking funds and annual payments and so on. It is not a sum fixed by itself, which I deliberately set aside because that would not have very much meaning when I am running a deficit of 35 crores. It would be absurd to put three crores aside on the one hand and be short of 35 crores on the other. The position is that this three crores is actually required to be paid into certain sinking funds or certain annuities under the provisions of legislation or contract, and that is why it has to appear in the Budget. If my Honourable friend likes he may set that off against an increase of 35 crores in our debt which will result from the present budget, so that there is no money there which can be diverted to another purpose. For this reason, Sir, I must plead that I too am a poor man with regard to this matter and I regret that I must oppose the amendment.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is :

"That after clause (d) of the proviso to clause 6 of the Bill, the following new clause be inserted and the subsequent clause be re-lettered accordingly :

'(e) kerosene as comprised in Item No. 27(4) of the said Schedule'."

The Assembly divided :

AYES—10.

Banerjea, Dr. P. N.
Chattopadhyaya, Mr. Amarendra Nath.
Dam, Mr. Ananga Mohan.
Deshmukh, Mr. Govind V.

Kailash Behari Lal, Babu.
Maitra, Pandit Lakshmi Kanta.
Mehta, Mr. Jamnadas M.
Muhammad Ahmad Kazmi, Qazi.
Neogy, Mr. K. C.
Parma Nand, Bhai.

NOES—35.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ayers, Mr. C. W.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chandavarkar, Sir Vithal Narayan.
Chettiar, Dr. Rajah Sir S. R. M. Annamalai.
Clow, The Honourable Sir Andrew.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Dehejia, Mr. V. T.
Gopalaswami, Mr. R. A.
Griffiths, Mr. P. J.
Imani, Mr. Saiyid Haider.
Ismail Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jehangir, Sir Cowasji.

Kamaluddin Ahmed, Shams-ul-Ulema.
Khurshid, Mr. M.
Khushalpal Singh, Raja Bahadur.
Lawson, Mr. C. P.
Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Pillay, Mr. T. S. S.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Scott, Mr. J. Ramsay.
Sheehy, Mr. J. F.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Captain.

The motion was negatived.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Mr. Jamnadas M. Mehta: Sir, I move :

"That to the proviso to clause 6 of the Bill, the following be added at the end :

'(e) Protected articles'."

The effect of this amendment will be that among the exempted articles will be added "protected articles". These are mentioned at page 3 of the memorandum accompanying the Budget papers, and so far as I have been to roughly add them, they are expected to produce during the budget year about 75 lakhs of rupees. Sir, there is an unreality about this taxation. They have no value either to the industries or to the public, and whatever justification there may be when protection is needed, I see no good reason why, when the protection is unnecessary the Government should, in the name of protected industry, continue to levy taxation which has become unnecessary. If you note the articles, Item III, under Protective Duties, you will find that sugar is expected to produce two lakhs and three thousand. It is absolutely clear, after what has happened in the Netherland East Indies, whatever danger of competition that existed, if it did exist at all, apart from the difficulty of shipping, freight and other difficulties, whatever danger existed before, has altogether disappeared.

[Mr. Jamnadas M. Mehta.]

Our sugar industry does not need any protection today, because there is no other sugar which can under-sell it if the duty did not exist. What is the good then of keeping up a heavy rate of duty which is expected to produce very little, but which has another effect, which is not desirable at all, that effect is that to the extent that this duty affects the local manufacturers they will keep up the prices. They are now able to produce all that India needs. They will be enabled to add to their actual cost the whole cost of this duty which has ceased to be effective on account of the events which have occurred, and the only effect of it will be that the public who use the sugar will have to pay the element of duty to the manufacturers who will continue to sell sugar at the price of their cost plus duty. What is the advantage to anybody? Government get little

Sir Cowasji Jehangir: How much is it? What does it cost?

Mr. Jamnadas M. Mehta: The expectation is that if the duty is reduced by a few annas, and if it was enforced till 1946, it was expected to prevent foreign sugar from under-selling. That was the whole object of the duty. Now, is that object being served? To my mind, it cannot be served, and Government themselves by the figure of two lakhs and three thousand admit it cannot be served, so that the only people who gain by it are the manufacturers. These people are not compelled to increase the prices of sugarcane or to improve the wages of their employees or to improve their housing conditions or medical assistance which the workers need, and I know to some extent the conditions in which these workers are placed, and those conditions are simply distressing. Therefore, unless some conditions are imposed on people who enjoy this protection,—and today they enjoy it with a vengeance,—without a competitor they will add such cost of the duty as they can conveniently do to their sugar prices. Government are buying sugar on a large scale. The public have to buy that sugar because there is no other and cheaper sugar. In my opinion, therefore, these additional customs duties in the name of protection are unreal and ineffective so far as Government are concerned, but are a very powerful source of taxation on the consumers of sugar. Therefore, I would suggest that amongst the exempted articles such of those protective duties as are really ineffective today so far as the Government revenue is concerned but might be a burden on the poor consumer, without benefiting the State, without benefiting the worker, need not be continued for the sake of the war. I am not insisting that all these protective duties must necessarily disappear. A choice may be made out of this list, of those which have this consequence of not benefiting the State and of continuing to be a burden.

Sir Cowasji Jehangir: If the sugar does not come into the country, nobody pays.

Mr. Jamnadas M. Mehta: But the customs duty being there, the local manufacturer will, in addition to his cost of manufacture of sugar, always add as much of the duty as can be conveniently added.

Sir Cowasji Jehangir: Is there no duty on the sugar made here?

Mr. Jamnadas M. Mehta: He will see that even the small sugar that comes cannot compete.

Sir Cowasji Jehangir: Is that why he raises his price?

Mr. Jamnadas M. Mehta: Yes. I will tell Sir Cowasji what is likely to happen if there is no duty of this kind. The manufacturers themselves will have competition. What is the basis of protection under the Fiscal Commission's Report? That it will set up internal competition. That competition is not set up if you continue this thing. There is no advantage to the State, there is no advantage to the consumer, the only beneficiary of this duty will be the capitalist manufacturer for nobody's advantage. The same can be said about other articles. As regards iron and steel the Tatas have said from the housetops that they need no protection, and yet you are giving protection in the name of steel and iron industry. I was told by the Honourable the Commerce Member the other day that the Tatas were selling steel at a cheap rate and, therefore, they were not making any big profits there. If that be so, why maintain this duty? Nobody's purpose is served and therefore I suggest that such of the items as are under the protective duties list, which produce no revenue but constitute an unnecessary burden on the consumer, should be removed. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That to the proviso to clause 6 of the Bill, the following be added at the end :
'(e) Protected articles'."

The Honourable Sir Jeremy Raisman: There is much in what the Honourable Member has said with which I agree, and if I felt that these protective duties were at the present moment actually operative and that as protective duties they actually determined the level of prices of commodities in this country at this time, I should certainly consider that it was necessary to do something on the lines of the amendment moved by my Honourable friend. But the position is that in the abnormal conditions of today it is not the level of duty on imports of this kind which is affecting the prices of indigenous products of these classes. In fact, it may be said that at the present moment, whatever imports there may be under these heads, the duty on those is practically of a revenue character, and there is no reason why, if our object is to raise some additional revenue from such imports as are still able to reach this country, we should make an exception in the case of these duties. The point that my Honourable friend is concerned about is that the prices of indigenous products may be affected, that they may rise still further because of this increase in the protective duties. But that is not so. In the first place, we can deal with a movement of that kind by price control. In the second place, and this is more important, if we felt that the internal producer was taking advantage of this increase in the protective duty to raise his prices, we could easily by executive action reduce the protective duty again, because we have power to adjust protective duties from time to time if it seems necessary, to the level required to ensure as much protection as is necessary and no more. But as my Honourable colleague explained the other day when moving for the continuance of the *status quo* in regard to these protective duties, the whole of our former ideas on this subject are at the present moment completely inapplicable. There is in existence, owing to world circumstances, a measure of protection which is greater than anything which we ever intended or any Tariff Board would be prepared to concede, and, therefore, we have to deal with this question of internal

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prices on its merits as a separate problem. For these reasons, I do not think it necessary to go to the extent of exempting protective duties from this overall surcharge.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That to the proviso to clause 6 of the Bill, the following be added at the end: '(e) Protected articles'."

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 6, as amended, stand part of the Bill."

Sir F. E. James (Madras: European): This clause imposes a flat surcharge of 20 per cent. on all customs import duties with a few exceptions. I am glad to note that it is limited in its operation to one year, which seems to be a recognition of the emergency character of what, after all, is an indirect tax.

The Honourable Sir Jeremy Raisman: That is the intention.

Sir F. E. James: As the Honourable Member knows, we have had some unfortunate experience of some of these surcharges in the past. Indeed, I believe that the first import duty levied in this country was levied for the purpose of recouping the exchequer for the expenses of the Boer War; but that was never abolished. But this has got to be, and I accept it, although I am bound to say that, personally, I dislike a flat surcharge, because, as the Honourable Member himself would admit, it is thoroughly unscientific in its application. I take it that it was not possible to introduce a varied schedule of surcharge, levying heavier rates on imports which are not really as essential as others. But my point at the moment is that I would like my Honourable friend to state categorically that this is an emergency surcharge which will be removed as soon as the emergency disappears, whether that is at the beginning of the financial year or whether it is during the financial year.

I would also like him to tell the House whether the whole question of revision of the revenue tariff is one of the subjects to which the Post-War Reconstruction Committee will give some attention. At the same time, when the time comes—and it may come sooner than some people think,—when some of the present restrictions can be removed, and when the flow of trade begins again, it will be essential that the Government then in power should have some general plan in its mind as to the way in which the revision of the revenue tariffs will take place.

I fully realise that no one can foresee the conditions that will be present in the world after the present war stops. Indeed there may be a continuance of the emergency for many months after the actual signing of the armistice. But it is such an important matter that I would like to hear from my Honourable friend whether it is on the agenda of one of the Post-War Reconstruction Committees. After all, not only in the United Kingdom but in most of the other countries which are at war, certainly on the Allied side, there is machinery for making plans now to meet the conditions which will arise after the war, and I hope that this is one of the subjects which is under the Government's consideration.

The Honourable Sir Jeremy Raisman: I wish first to assure my Honourable friend, Sir Frederick James, that I entirely agree with him about the unsatisfactory and undesirable nature of the flat over-all emergency surcharge on the customs duties and that in specifying that this additional amount should be levied and collected up to the 31st day of March, 1943, it was clearly in our minds that unless this was re-enacted it would cease to exist; unlike the previous surcharges which have taken the form of an amendment of the tariff which had definitely to be repealed before the previous level of duties could be restored, this will *ipso facto* lose its force unless it is re-enacted.

On the second point which really more directly concerns my Honourable colleague, the Commerce Member, in whose portfolio the Post-War Reconstruction Committees fall, I understand, and of course it is quite clear that it must be so, that the question of trade and tariff policy after the war is one of the main matters to be considered and I think there is a special committee to deal with that subject. It is quite clear that nothing could be of greater importance for the reconstruction of the world after this war than a clarification and revision of all our ideas on this subject and I have no doubt that it will figure very prominently not only in national but also in international discussions. I trust that this is what my friend wished to know.

Sir F. E. James: There is only one point which I referred to and which has not been touched upon. I take it that should the circumstances warrant, the Government would be prepared to revise or remove the surcharge by executive action, if necessary.

The Honourable Sir Jeremy Raisman: The position really is that if the war were suddenly to collapse and if trade began to resume anything like its former volume it would be possible to remit this surcharge because in those circumstances the revenue available would be larger than our estimates.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clause 7 was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 8 stand part of the Bill."

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That sub-clause (5) of clause 8 of the Bill be omitted."

Sir, this amendment is a consequential amendment to amendment No. 14. The object of this amendment is to exempt incomes from Rs. 1,000 to Rs. 2,000 a year from taxation. Incomes below Rs. 2,000 came in for taxation probably in 1915, and in 1919 the limit of taxation was raised to Rs. 2,000. In 1931 again the Government after 12 years lowered the limit of taxation to Rs. 1,000. Then after continuous protests from this

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House for a long period it was removed and again in the 12th year, that is, in 1942-43 it is being suggested again. So this disease seems to be recurring every 12th year and I submit that the Government have to consider whether this recurrence every 12th year is justified either by previous experience or the present condition. In 1926 the Government appointed an Income Tax Inquiry Committee and the question was thoroughly agitated before that committee and the committee came to the conclusion that the lowest limit which can be rendered liable to taxation would be Rs. 2,000. That is a recommendation against which we find no other recommendation of any expert or any body of experts to the contrary. That continues to be the recommendation of the experts but the Government in 1931 thought of bringing about this taxation as an emergency measure on account of the conditions prevailing at that time. But it is remarkable that in 1931 when this tax was proposed a salary cut was also proposed and this time the salary cut is not to be found but only this taxation has been proposed. In 1933 the results of this taxation seemed to have appeared to Government so attractive that Sir George Schuster in this House proposed that this tax may be made a permanent tax and this limit was made a permanent one. It is to be remembered that in 1931 when this tax was passed as an emergency taxation it was not with the consent of this House. The House rejected that and it was by the use of certification that this taxation was brought in. Now, Sir, after 1933, the suggestion of Sir George Schuster does not seem to have been confirmed by this House and so in 1936 or 1937 the Government seem to have thought of dispensing with this tax. Now, Sir, there are many points from which tax has got to be considered. I made an enquiry from the Finance Department as to what benefit this tax would bring to the Government. I have not been able to find and I think the Finance Department has not worked it out as to what will be the enhanced income on account of this taxation. Unless we know the real amount by which the Finance Department will suffer on account of the acceptance of this amendment, how can we know the demerits or merits of the amendment. I, however, have looked up the previous debates and find that in 1935 when this question was raised, the then Finance Member, Sir James Grigg said that the Government would lose about 50 lakhs.

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member now speaking to sub-clause (5).

Qazi Muhammad Ahmad Kazmi: Sub-clause (5) is only consequential.

Mr. President (The Honourable Sir Abdur Rahim): But the Honourable Member has no amendment to the other sub-clauses.

Qazi Muhammad Ahmad Kazmi: Yes; I submit that this amendment will follow from the amendment No. 14. The Government have here brought the main amendment in Schedule II, and sub-clause 5 of clause 8 is only consequential and relates to that.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to confine himself to sub-clause (5).

Qazi Muhammad Ahmad Kazmi: Sub-clause (5) is nothing by itself. It is only consequential to Schedule II.

Mr. President (The Honourable Sir Abdur Rahim): If it is nothing in itself, then why does he not omit it?

Qazi Muhammad Ahmad Kazmi: If it is passed at this stage, then it cannot be touched again when we discuss Schedule II. If the Government are prepared, I am quite ready to move the other amendment to Schedule II, and both may be discussed together.

The Honourable Sir Jeremy Raisman: Perhaps it would be better if the Schedule also can be taken.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That Schedule II stand part of the Bill."

The Honourable Member can now move his amendment.

Qazi Muhammad Ahmad Kazmi: Sir, I move:

"That clause (a) of part I-A of Schedule II to the Bill be omitted."

Sir, I think it would further facilitate the procedure if, with your permission, I can move amendment No. 15 also, so that there may be no necessity to make any further speeches.

Mr. President (The Honourable Sir Abdur Rahim): Very well.

Qazi Muhammad Ahmad Kazmi: Sir, I move:

"That for clause (a) of part I-A of Schedule II to the Bill, the following be substituted:

"(a) Where the total income exceeds Rs. 1,000 but does not exceed Rs. 2,000, a sum of Rs. 10 in six monthly instalments of Rs. 5 each shall be payable by the assessee."

Sir, I submit that in the absence of figures, the House is in a disadvantageous position, not only the House but also it is difficult for the Finance Department to justify this particular addition of taxation. But any way looked at from my point of view, it was rather difficult for me to proceed without figures and so that I looked up the debates of 1935 when this question was agitated in this House. Sir James Grigg who was then the Finance Member in defending the retention of this lower limit of Rs. 1,000 suggested that the loss to the Finance Department by the acceptance of the amendment would amount to fifty lakhs of rupees. In that fifty lakhs, he did not in any way deduct the large sums of money that were to be saved to the Department by the abolition of the extremely large staff that had to be employed for collecting and assessing the tax on incomes between Rs. 1,000 and Rs. 2,000. That was only an approximate amount with which this House, in the absence of figures, cannot agree. The point is that with a view to get these fifty lakhs of rupees the Government propose to harass a very large number of people. Now, Sir, who are the persons who would pay this tax. Government have justified their position time and again, regarding the hardships that will be done to the people getting Rs. 10,000 to Rs. 20,000, a year if any cut in salaries were to be imposed. I submit that when this tax limit was lowered on the previous occasion, there was the cut in salaries simultaneously in force. But this time the Government say that the cut in salaries cannot be imposed because people who are drawing more than Rs. 2,000 up to Rs. 80,000 a year, a cut on their salaries will be a hard blow in the present circumstances. They say that this tax will be light in the case of people drawing between Rs. 1,000

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and Rs. 2,000. This kind of logic passes my understanding. I know the Finance Members change every fifth year and therefore the statements made by the previous Finance Members do not bind the present Finance Member. There is no doubt that sometimes old Finance Members got muddle headed. . . .

The Honourable Sir Jeremy Raisman: I am not an old one.

Qazi Muhammad Ahmad Kazmi: I admit that. Any way, with their clear brains in these days they think that this salary cut has nothing to do with the taxation of incomes between Rs. 1,000 and Rs. 2,000. Who have got to pay this tax? People who have got large families. Unfortunately in every country and probably in this country the number of family members increase with the decrease in income. The lower the income the larger the family.

The Honourable Sir Jeremy Raisman: Varies inversely.

Qazi Muhammad Ahmad Kazmi: I am now reminded of a case in which I appeared in the court. A poor man brought a suit for restitution of conjugal rights. The judge asked him whether he had another wife. To this he replied in the affirmative. The court then asked him what he was earning. He replied he was earning eight annas a day. The court then questioned him as to how he could maintain two wives with only eight annas a day. I then just brought to the notice of the court that if poor men are prohibited from having two wives, and the rich people hardly have one, how will there be a future generation in this country. So you have to help them to maintain a progeny; and if rich people are not capable of reproducing so lavishly as the world requires the poor people will have to do it, and you must create circumstances in which they can do it. From the reports of different foreign countries you find that they are encouraging large families by providing special prizes for children, special loans for people who want to marry, remission of these loans with the birth of children, etc. That is how they look at the question and help to increase their population and promote family life. Here in our present circumstances we need more and more man power and you have got to encourage large families. For that I say the Income-tax Department should consider such remissions or exemptions from taxation as are to be found in other countries. In England itself they allow remissions of taxation in the case of certain families. No such provision is found here, and the income-tax limit is being lowered for these people. For a man earning Rs. 1,000 a year a family of ten will be found to be the average, because ideas here are different from ideas in the West where husband and wife make the family; here you find a family consisting of not only husband and wife, but sisters and their sons, cousins and their sons, father and mother and so on. You have to realise these things and then consider whether a man earning Rs. 1,000 is in a position to pay the tax.

There is one thing more, that the income-tax authorities have to be satisfied as to the amount of the income; otherwise they cannot assess as to what amount of tax you will be payable by the assessee. Section 23(4) of the Income-tax Act was enacted with a view to afford convenience to the Income-Tax Department and to the public at large. It runs thus:

"If any person fails to make the return required by any notice..... and has not made a return or a revised return.....or fails to comply with all the terms of a notice.....or, having made a return, fails to comply with all the terms of a notice.....the Income-tax Officer shall make the assessment to the best of his judgment and determine the sum payable by the assessee on the basis of such assessment," etc.

Evidently it was intended that in the case of accounts not being available the Income-tax Officer would make the assessment to the best of his judgment. But in actual practice this section is thoroughly misused; and I am sure the Finance Member and those members of the Board of Revenue who have knowledge of its working know that it is misused in a hundred per cent. of cases. This section is construed by the Income-tax Officer as a penal section and made a handle to raise the amount of taxation to anything they like.

The Honourable Sir Jeremy Raisman: Sir, I submit that the Honourable Member is going far beyond the scope of the amendment.

Mr. President (The Honourable Sir Abdur Rahim): Yes, I think the Honourable Member should confine himself to the amendment.

Qazi Muhammad Ahmad Kazmi: The relevancy of my point will appear from the next two sentences. What I maintain is that there is no provision in the Income-tax Act under which when a person does not submit proper accounts a just and proper assessment can be made. I think that is relevant to the point I am making that there is no means by which people with incomes between Rs. 1,000 and Rs. 2,000 can satisfy the income-tax Officer that the accounts that they have maintained during the year are correct accounts; and they cannot maintain accounts of the standard which is required by the income-tax authorities. To say that there is Section 239(4) which would come to his aid as the assessee can reasonably expect the Income-tax Officer to just enquire about his income and assess him to the best of his judgment but when the Income-tax Officer uses this section for penalizing the assessee in case he doubts the accuracy of the accounts that he has maintained throughout the year, then how can this section help. If the Income-tax Officer finds a mistake of Rs. 5 and assesses my income at Rs. 3,500 or Rs. 4,000 whereas the income as shown by my accounts book is Rs. 2,000, then I say that it is absolutely making a bad use of the section, and it would be nothing but stone-heartedness to act in that manner.

Now, Sir, as to accounts. I do not know, but I presume that the Honourable the Finance Member must have got a considerable staff for keeping details of his household expenses, because I think that with all the manifold duties that he has to discharge in this House and elsewhere he would find very little time to note down the details of his accounts. And if he does note down the details of his account, then he is really a marvelous man. Sir, if we just were to look into the accounts of most of the gentlemen who have come to this place, you will find that nobody will be able to tell you how much he has spent during his stay at Delhi or whether he has not already overspent. . . .

Mr. President (The Honourable Sir Abdur Rahim): That relates to the administration of the Department. That does not come within the scope of the amendment. The Honourable Member must confine himself to the amendment.

Qazi Muhammad Ahmad Kazmi: Sir, I will confine myself to the amendment. I was saying, Sir, that nobody can keep proper accounts, and . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must discontinue that part of his speech. It is surely a matter of administration, and it applies as much to tax on incomes of higher level as well.

Qazi Muhammad Ahmad Kazmi: That is how the Government is going to enforce those Acts without providing for the accounts. Section 22 of the Income-tax Act provides. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is still harping on accounts.

Qazi Muhammad Ahmad Kazmi: What else can I do? The amendment relates to. . . .

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member must not do that. My ruling is that it is not necessary.

Qazi Muhammad Ahmad Kazmi: Sir, I am prepared to submit to your ruling, but my point is that the law requires that accounts must be produced.

Mr. President (The Honourable Sir Abdur Rahim): However, it is not relevant at this stage.

Qazi Muhammad Ahmad Kazmi: Anyway, Sir, it is admitted by us all, and even the Government, I think, would admit that the ordinary type of people who are to be taxed and who have got incomes between Rs. 1,000 and Rs. 2,000 cannot produce before the Income-tax Department proper accounts which can be relied upon. This is a thing on which I doubt very much even if the Honourable the Finance Member. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that more than once.

Qazi Muhammad Ahmad Kazmi: Now, Sir, after making that submission, I would like to draw the attention of the Honourable Member to one thing more. The system under the previous Act—when the incomes between Rs. 1,000 and Rs. 2,000 were liable to taxation—was that the Income-tax Officer was required to make a summary assessment and the assessee had a right to produce his accounts and satisfy the Income-tax Officer to the contrary.

Mr. President (The Honourable Sir Abdur Rahim): Again the Honourable Member is really harping on that. It is only a question whether this levy of income-tax is justified or not.

Qazi Muhammad Ahmad Kazmi: I submit that the previous practice of the Government of India, in the enactment of this particular amendment, of assessing the income between Rs. 1,000 and Rs. 2,000 was not so hard as the present one.

Mr. President (The Honourable Sir Abdur Rahim): That question does not arise now.

Qazi Muhammad Ahmad Kazmi: And, therefore, it is absolutely unjustifiable. Sir, there is one thing which I have got to say. . . .

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Sir, I rise to a point of order. When certain changes in the Income-tax are made in this House and when those proposed changes as embodied in the Finance Bill involve changes in procedure for realization of those taxes, is it not. . . .

Mr. President (The Honourable Sir Abdur Rahim): I believe there are other provisions in the Income-tax Act relating to that matter which are not under consideration now.

Pandit Lakshmi Kanta Maitra: I am submitting to the Chair that these Finance Act proposals relate to scale of taxation. Section 24 of the Income-tax Act and what follows after that lay down certain procedure by which those taxes are to be realized, and those specific provisions there do not fit in well. . . .

Mr. President (The Honourable Sir Abdur Rahim): That is not part of this Bill.

Pandit Lakshmi Kanta Maitra: As some part of this Bill and proposals made thereunder do not fit in with the existing scheme of the Income-tax Act, is it not open to an Honourable Member to refer to it.

Mr. President (The Honourable Sir Abdur Rahim): You cannot amend anything which is not part of the Bill.

Pandit Lakshmi Kanta Maitra: I am only asking whether it is open to a Member of this House. . . .

Mr. President (The Honourable Sir Abdur Rahim): It is open to any Honourable Member to say that the realization of income-tax of this character will entail hardship, but to discuss the provisions of enactments which are not before the Assembly is not relevant.

Pandit Lakshmi Kanta Maitra: I am sorry I could not make myself understood to the Chair. I am basing my case not on the basis of hardship. My point is that the present proposal involves considerations of certain provisions in the body of the Income-tax Act as it obtains at present, and it will be difficult, if this financial proposal is adopted, to make it fit in with the existing scale of taxation under the Income-tax Act, and I ask if in those circumstances it is not open to a Member of this House, while discussing that amendment, to refer to it.

Mr. President (The Honourable Sir Abdur Rahim): There is no amendment to that effect. I have pointed out to the Honourable Member that

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it is open to any Member of this House to point out that to realize incomes down to that level may entail special hardship. To that extent the Honourable Member is perfectly at liberty to commend his proposal.

Qazi Muhammad Ahmad Kazmi: Sir, I would not go beyond that. What I mean is that under the present conditions this amendment will cause very great hardship and when a similar amendment was previously proposed or enacted in 1931 it had certain safeguards by which that hardship was not felt and I say that the Honourable the Finance Member ought to have at least included those safeguards which would have lessened the hardships. Now, Sir, the question is that under some provisions we are only asked to deposit certain sums of money, and the relevancy of all the talk that I have made in this Honourable House would appear when I will show you, Sir, from the proposed amendment itself that every word of that amendment involves question of accounts...

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member cannot make his speech without referring to irrelevant matters, I shall have to ask him to sit down.

Qazi Muhammad Ahmad Kazmi: Sir, this is a separate matter to which I wish to refer. I will draw your attention to that. The amendment runs:

"Notwithstanding anything contained in sub-section (1) or sub-section (2) no tax shall be payable in cases to which sub-paragraph (a) of paragraph A of Part I of Schedule II applies where the assessee deposits with the Central Government in such manner and in accordance with such conditions as the Central Government may by rule prescribe for the purposes of this sub-section an amount representing not less than one rupee for every complete unit of twenty-five rupees by which his total income exceeds seven hundred and fifty rupees."

It is a pure and simple question of accounts. Unless he proves that his income was 1,150 rupees and deposits a certain prescribed sum, say, Rs. 16, he will not be safe. If it is proved on an inspection of the accounts that his income, instead of being 1,150, was 1,200, and the amount he has deposited in the bank is one rupee less, the result will be that he will be liable to all the penalties that are open. . .

Mr. J. F. Sheehy (Government of India: Nominated Non-Official): That is not correct.

Qazi Muhammad Ahmad Kazmi: I just inquired about it, and I am prepared to submit, if any satisfactory explanation is given . . .

Pandit Lakshmi Kanta Maitra: You can call for the accounts for three years!

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will carry on.

Qazi Muhammad Ahmad Kazmi: Then the question is. . .

Mr. President (The Honourable Sir Abdur Rahim): The Assembly is adjourned till tomorrow.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 19th March, 1942.

LEGISLATIVE ASSEMBLY

Thursday, 19th March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

AMBASSADOR FOR INDIA IN CHINA.

208. *Sardar Sant Singh: (a) Will the Secretary for External Affairs please state whether any Ambassador for India in China has recently been appointed? If so, when?

(b) Was no Indian available for this appointment?

(c) Who made this appointment, and on what salary?

Mr. O. K. Caroe: (a) The answer is in the negative.

(b) and (c). Do not arise.

DEBARRING GRADUATES FOR CERTAIN POSTS OF GUARDS ON NORTH WESTERN RAILWAY.

†209. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if it is a fact that qualifications for recruitment to the post of Guards Class I, grade I, on the North Western Railway, were laid down in notification No. 132 appearing on page 342 of the North Western Railway Gazette No. 16, dated the 8th August, 1941, as Intermediate in Arts or Intermediate in Science?

(b) Is it a fact that Bachelors of Arts or Bachelors of Science were debarred from applying for posts referred to in part (a) above? If so, why?

(c) If the reply to part (b) above be in the negative, is it a fact that applications from Arts Graduates (Bachelors of Arts) received by the Divisional Superintendent, North Western Railway, Karachi, were rejected on the plea that the candidates did not possess "requisite qualifications"? If so, why?

(d) Will the Honourable Member please state which officer passed the orders referred to in part (c) above? Was he a member of the Selection Board? If not, why are applications accepted or rejected by officers other than those who form the personnel of the Selection Board?

(e) What action do Government propose to take in the matter?

†Answer to this question laid on the table, the questioner being absent.

The Honourable Sir Andrew Clow: (a) Yes.

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

(c) No application from Graduates Art or Science, received by the Divisional Superintendent, North Western Railway, Karachi, was rejected on the plea that the candidate did not possess the requisite educational qualifications. The second part does not arise.

(d) As no such orders referred to in part (c) of the question were passed, as stated in (c) above, the question does not arise.

(e) No action is called for.

EXTENSIONS TO SUPERANNUATED STAFF ON NORTH WESTERN RAILWAY.

†210. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if it is a fact that protests have been addressed by North Western Railway staff to the authorities against the policy of giving extensions to superannuated staff? If so, how the same have been disposed of?

(b) If it is not proposed to abandon the policy of extensions, is it proposed to sanction supernumerary posts of the grades in which extensions are given? If not, what other methods do Government propose to adopt to ensure that the chances of promotion of the subordinate staff on the railways are not stifled by extensions to superannuated persons?

The Honourable Sir Andrew Clow: (a) Yes, as regards the second part I have no information.

(b) The answer to the first part is in the negative. As regards the last part, Government's policy of granting extensions is designed to meet the requirements of the present emergency; requirements which cannot be met in any other way. Extensions have always been permissible and Government have never accepted the view that the grant of an extension created a right to compensation on the part of any one who expected to succeed to the post. Any hardship arising does not appear likely to be of such magnitude as to justify special steps being taken.

WAGON ALLOTMENT SUPERVISORS ON EAST INDIAN RAILWAY.

†211. *Shaikh Rafiuddin Ahmad Siddiquee: Will the Honourable Member for Railways be pleased to state:

(a) the number and the scale of pay of the posts of Wagon Allotment Supervisors on the East Indian Railway, Division by Division;

(b) the class of staff who are eligible for those posts;

(c) the methods usually adopted by the respective Divisional Superintendents of the East Indian Railway for finally selecting staff for these posts; and

(d) any rule in the Rules for the Recruitment and Training of Non-gazetted Staff on State-managed Railways by which the classes of Staff included in the Commercial Group can be exceptionally considered suitable and selected for the said post?

†Answer to this question laid on the table, the questioner being absent.

The Honourable Sir Andrew Clow: I would refer the Honourable Member to the reply given to Khan Bahadur Shaikh Fazl-i-Haq Piracha's unstarred question No. 71 on 28th February, 1941.

CLAIMS OF MUSLIMS FOR SELECTION POSTS ON EAST INDIAN RAILWAY.

†212. *Shaikh Rafiuddin Ahmad Siddiquee: (a) Is the Honourable Member for Railways aware that on all the Divisions of the East Indian Railway, deserving Muslims are lost sight of when candidates for the posts, for which Selection Boards are contemplated to be held, are recommended by immediate and branch officers for the said Selection Boards?

(b) Will the Honourable Member be pleased to state the number of Muslims on all Divisions of the East Indian Railway who are drawing pay between Rs. 80—800?

The Honourable Sir Andrew Clow: (a) No.

(b) As regards officers, I would refer the Honourable Member to the classified list of railway officers. As regards non-gazetted staff, the information available with Government is contained in Appendix C-II of Vol. II and the statements at pages 69 and 70 of Vol. I of the Report by the Railway Board on Indian Railways for 1940-41, copies of which are in the Library of the House.

MUSLIMS DRAWING CERTAIN SALARIES ON EAST INDIAN RAILWAY.

†213. *Shaikh Rafiuddin Ahmad Siddiquee: Will the Honourable Member for Railways be pleased to state:

(a) the percentage of Muslims on all the Divisions of the East Indian Railway drawing pay between Rs. 80 to Rs. 200 in comparison with the percentage of staff of other communities drawing pay between Rs. 80 to Rs. 200;

(b) the percentage of Muslims on all Divisions of the East Indian Railway drawing salaries between Rs. 201 to Rs. 500 as substantive pay; and

(c) the percentage of Muslims drawing salaries between Rs. 501 to Rs. 750 on all Divisions of the East Indian Railway as substantive pay?

The Honourable Sir Andrew Clow: (a), (b) and (c). I would refer the Honourable Member to my reply to part (b) of the preceding question. I regret that our statistics are not maintained in a form which enables me to extract figures for the ranges suggested in the question.

CLAIMS OF MUSLIMS FOR SELECTION POSTS ON EAST INDIAN AND EASTERN BENGAL RAILWAYS.

†214. *Shaikh Rafiuddin Ahmad Siddiquee: (a) Is the Honourable Member for Railways aware that Anglo-Indian, Domiciled European and Hindu candidates were sent up in good number before the Divisional, District, and Head Office Selection Boards held for the selection posts during the years 1936-40 on both the East Indian Railway and the Eastern Bengal Railway?

†Answer to this question laid on the table, the questioner being absent.

(b) Is the Honourable Member aware that the question of seniority was relaxed in most of the cases of non-Muslim candidates appearing before the Divisional, District and Head Office Selection Boards held on the East Indian Railway and the Eastern Bengal Railway during the years 1936-40 for selection posts?

(c) Is the Honourable Member aware that the Divisional Personnel Officer and Executive Officers of the Transportation and Commercial Departments of the Howrah Division, East Indian Railway, did not even send up efficient and senior Muslims before the Head Office Selection Committee appointed for the selection of candidates for the Lower Gazetted service, Transportation Inspectors during the period, 1936 to 1941, though several Muslims were examined by the Divisional Selection Committee during that period?

(d) Will the Honourable Member be pleased to state whether the Divisional Selection Committee, referred to in part (c) above, mentioned anything against those candidates? If so, what?

The Honourable Sir Andrew Clow: (a) and (b). I would refer the Honourable Member to my replies to Mr. H. M. Abdullah's starred questions Nos. 252 and 253 respectively asked on 25th November, 1940.

(c) and (d). Transportation Inspectors are not part of the Lower Gazetted Service; on the assumption that the question relates to this service, I would refer the Honourable Member to the reply given to Mr. H. M. Abdullah's question No. 254 on the 25th November, 1940, and would add that on inquiry it was found that a Muslim candidate was sent up.

CASH AND PAY CONTRACTORS ON NORTH WESTERN RAILWAY.

215. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Railways please state if it is a fact that the Cash and Pay Department work on the North Western Railway is run on contract basis, while that of the Great Indian Peninsula Railway and the East Indian Railway is run on departmental basis? If so, why is there no uniform system adopted on State-owned Railways?

(b) Is it a fact that the contractors on the North Western Railway for cash and pay work are a firm of Messrs. Dina Nath Sheo Parshad of Lahore who have got the contract since 1917?

(c) Is it a fact that when the contract was placed with the said firm in 1917, the rate accepted was about -/15/- per open mile per month and since then the rate has been gradually allowed to rise and once it rose to the highest level of Rs. 2/10/- and which now stands at Rs. 2/4/-? Will the Honourable Member please state reasons for this abnormal rise in rate, off-and-on, without calling for fresh tenders?

(d) Is there any instance on the North Western Railway or other State Railways in which rates are increased from time to time without calling for tenders, as has been done in the case of Cash and Pay contractors on the North Western Railway?

(e) When the rates were revised in 1936, was any time limit fixed for the re-examination of the rates? If so, what was that time limit? Have these rates since been examined? When are these rates to be examined again or fresh tenders called for?

Mr. T. S. Sankara Aiyar: (a) The answer to the first part is in the affirmative.

As regards the second part, uniformity is not the overriding consideration in this matter.

(b) Yes.

(c) Increases were sanctioned in 1919, 1920, 1923 and 1924. The first two increases were due entirely to rises in the rates of wages in other departments of the railway. The increase in 1923 was due partly to a rise in the rates of wages and partly to an increase in work. The increase in 1924 was due to the decentralisation of Pay Offices on the introduction of the Divisional system.

(d) It is not proposed to undertake a special investigation of the kind suggested. It is enough to state that the rules on railway codes do permit of the variation of rates, or the giving out of contracts, without inviting tenders when circumstances so require.

(e) The rates were revised in April, 1937, and were liable to revision as from the 1st of April, 1940. No change was recommended by the General Manager. The rates have not been re-examined since, as it is obvious that in the present circumstances no such re-examination will result in any reduction. The contract does not specifically provide for any fresh examination of rates. It continues in force up to 31st March, 1943, and, thereafter, subject to six months' notice on either side.

CASH AND PAY CONTRACTORS ON NORTH WESTERN RAILWAY.

216. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Railways please state whether it is a fact that the Cash Contractors of the North Western Railway are paid separately for payment to the Clearing Accounts Office staff?

(b) If the reply to part (a) above be in the affirmative, why is this separate payment made when a very large number of the Clearing Accounts Office staff was transferred from Lahore on the establishment of the Clearing Accounts Office and the cost of payment to them was included in the flat rate per mile paid to the Cash and Pay Contractors?

(c) Is it a fact that payments to workshop staff on the North Western Railway are made by their own staff and not by the Contractors, who only hand over the total sum required for the payment to workshop staff? Was this concession notified in the tender?

(d) Is it a fact that the Cash Contractor is allowed contingent expenses, such as, Telephone Connection Charges, Telephone Trunk calls, tonga hire, stationery, etc? If so, what is the total amount debited to the North Western Railway for such expenses and what is the check over it as well as over the working expenses of his Office? Why are these expenses not included in the remuneration paid to the contractors? What are the other concessions allowed outside the contract and what are the reasons for allowing the same?

Mr. T. S. Sankara Aiyar: I have called for information and a reply will be laid on the table of the House.

UNSTARRED QUESTIONS AND ANSWERS.

SOLE MUSLIM FIRM OF SUPPLIERS OF MINERAL WATERS ON RAILWAYS.

56. Mr. M. Ghiasuddin: Will the Honourable Member for Railways be pleased to state whether it is a fact that only one Muslim firm is supplying mineral waters on the entire railways in India? If so, are Government prepared to consider the employment of any other Muslim manufacturers of mineral waters?

The Honourable Sir Andrew Clow: I am unable to say if it is a fact as neither Government nor the Railway Board maintain a list of the firms holding mineral water contracts on all the Indian Railways. As regards the second portion of the question, I would refer the Honourable Member to Sir Thomas Stewart's reply to part (c) of Maulana Zafar Ali's starred question No. 669 of 5th March, 1938.

REDUCTION OF THE NUMBER OF AERATED WATER CONTRACTORS ON NORTH WESTERN RAILWAY.

57. Mr. M. Ghiasuddin: Will the Honourable Member for Railways be pleased to state:

- (a) whether there is only one aerated water contractor on the entire Great Indian Peninsula Railway;
- (b) whether there are four aerated water contractors on the North Western Railway; and
- (c) if the answer to parts (a) and (b) above be in the affirmative, why the number of aerated water contractors is not reduced on the North Western Railway?

The Honourable Sir Andrew Clow: (a) and (b). I understand this is so.

(c) The matter is one primarily for the North Western Railway Administration, but I would remind the Honourable Member of the conclusion reached by the Central Advisory Council that contractors who have rendered satisfactory service should ordinarily not be replaced.

CASH AND PAY CONTRACTORS ON NORTH WESTERN RAILWAY.

58. Mr. Amarendra Nath Chattopadhyaya: Will the Honourable Member for Communications please state if it is a fact that on the North Western Railway, it was decided to run the Cash and Pay Department departmentally in 1936 and the post of Chief Cashier was advertised for but at the last moment the policy was changed and the previous Pay Contractors again got the contract on reduced rates?

Mr. T. S. Sankara Aiyar: Yes.

GUARDS ON NORTH WESTERN RAILWAY.

59. Sardar Sant Singh: Will the Honourable Member for Communications please refer to the information given on the 5th November, 1940, to my unstarred questions Nos. 26 (c) and 27 asked in the Legislative Assembly on the 23rd February, 1940, viz. "26 (c). None, for the reason

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stated in reply to part (b). But in accordance with an undertaking given in the House, the block in promotion of guards on the North Western Railway is being examined" and "27. The classification of grades of guards on the revised scales of pay as equivalent to grades on the old scales of pay and the allotment of the existing posts under the revised scales of pay is under consideration", and state the result of the consideration?

The Honourable Sir Andrew Clow: As a result of the investigations and careful consideration, Government reached the conclusion that no action was necessary as the men were not deprived of any avenue of promotion that they previously enjoyed.

GUARDS ON NORTH WESTERN RAILWAY.

60. Sardar Sant Singh: Will the Honourable Member for Communications please refer to the reply given to my unstarred question No. 103 (b), dated the 10th March, 1941, and state the sanctioned and actual strength of guards in each grade on the North Western Railway in years 1932 to 1940?

The Honourable Sir Andrew Clow: I regret that the information available does not enable me to add to the particulars already supplied to the Honourable Member in reply to part (b) of his unstarred question No. 103 and to question No. 109 asked on 10th March, 1941.

PROMOTION OF GUARDS ON NORTH WESTERN RAILWAY.

61. Sardar Sant Singh: Will the Honourable Member for Communications please refer to the reply given to my unstarred question No. 110, dated the 10th March, 1941, and state the action taken by Government to remove the hardship caused by not promoting any grade II guard to grade III from 1928 to 1940? If no action has been taken, do Government now propose to take any? If not, why not?

The Honourable Sir Andrew Clow: No action was or is being taken by Government who cannot accept the view that special measures are called for when changes in organization and in traffic tend to retard the promotion of staff. I understand, however, that 58 guards were promoted from Grade II to Grade III in 1940 and 1941.

PROMOTION OF GUARDS ON NORTH WESTERN RAILWAY.

62. Sardar Sant Singh: (a) Will the Honourable Member for Railways please state if some guards were selected and placed on the waiting list in the Headquarters Office on the North Western Railway in the year 1928 and promoted to grade III in 1940?

(b) Is it a fact that the list of selected guards suitable for grade promotions made in Delhi Division on the North Western Railway was replaced by a fresh list in 1940?

(c) Is it a fact that some guards who were declared fit in the first selection were declared unfit in the second, and those who were unfit in the first selection were considered fit in the second? If so, what were the reasons for the change?

(d) Will the Honourable Member please state the reasons for the difference in the procedure adopted by Headquarters Office and Divisional Offices, viz., keeping a list valid for twelve years by the Headquarters Office and changing it after two years by Divisions?

The Honourable Sir Andrew Clow: (a) Yes.

(b) The list of selected guards is maintained by the Headquarters Office and not by the Divisional Offices.

(c) When recommendations are sent up from divisions they are based on the up-to-date records of the men's work and efficiency, changes in the recommendations from year to year are, therefore, possible.

(d) Does not arise in view of the reply to part (b).

PASSES TO RAILWAY EMPLOYEES ON RETIREMENT.

63. Sardar Sant Singh: (a) Will the Honourable Member for Communications please state what passes are given to railway employees who retire from Railway service to take their luggage and livestock to their home stations if situated on home lines or foreign lines on each State-managed Railway and reasons for the difference, if any, between home and foreign lines?

(b) Is the Honourable Member prepared to issue the same class of passes for foreign lines as on home line for employees who retire and whose permanent residence is on foreign Railways? If not, why not?

The Honourable Sir Andrew Clow: (a) I understand that it is the general practice on both State and Company-managed Railways to issue such passes to staff on retirement over their own home lines. Railways party to the Conference Association have not agreed to the interchange of such passes over foreign lines.

(b) No, because I consider that the present pass concessions are adequate.

GUARDS WORKING BRANCH LINE TRAINS IN RAWALPINDI DIVISION.

64. Sardar Sant Singh: Will the Honourable Member for Communications please state if the Branch line trains are worked by senior grade II guards in some Divisions on the North Western Railway? If so, why is this privilege denied to senior guards of the Rawalpindi Division?

The Honourable Sir Andrew Clow: Government have no specific information but are prepared to take the Honourable Member's words for it. The allocation of Grade II guards to work of this kind must depend on administrative considerations; it is not a privilege inherent in the holding of such appointments.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR ROADS.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that upto 12 Noon on Friday, the 13th March, 1942, the time fixed for receiving nominations for the Standing Committee for Roads ten nominations were received. Subsequently four candidates withdrew

their candidature. As the number of remaining candidates is equal to the number of vacancies I declare the following Members to be duly elected, namely:

- (1) Haji Chaudhury Muhammad Ismail Khan,
- (2) Sardar Bahadur Captain Dalpat Singh,
- (3) Mr. Saiyid Haider Imam,
- (4) Captain Thakur Singh,
- (5) Raja T. Manavedan, and
- (6) Sardar Sant Singh.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMUNICATIONS.

Mr. President (The Honourable Sir Abdur Rahim): I have also to inform the Assembly that upto 12 Noon on Friday, the 13th March, 1942, the time fixed for receiving nominations for the Standing Committee for the Department of Communications eight nominations were received. Subsequently the candidature of one member was withdrawn by the proposer and three members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected:

- (1) Maulvi Muhammad Abdul Ghani,
- (2) Mr. C. C. Miller,
- (3) Mr. Muhammad Muazzam Sahib Bahadur, and
- (4) Bhai Parma Nand.

ELECTION OF MEMBERS TO THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

Mr. President (The Honourable Sir Abdur Rahim): I have also to inform the Assembly that upto 12 Noon on Wednesday, the 18th March, 1942, the time fixed for receiving nominations for the Central Advisory Council for Railways ten nominations were received. Subsequently four members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected, namely:

- (1) Haji Chaudhury Muhammad Ismail Khan,
- (2) Dr. Sir Batanji Dinshaw Dalal,
- (3) Mr. H. M. Abdullah,
- (4) Mr. H. G. Stokes,
- (5) Mr. Kailash Behari Lal, and
- (6) Lieut.-Colonel Sir Henry Gidney.

THE INDUSTRIAL STATISTICS BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): Sir, I present the Report of the Select Committee on the Bill to facilitate the collection of statistics of certain kinds relating to industries.

ELECTION OF A MEMBER FOR THE CENTRAL COMMITTEE OF THE TUBERCULOSIS ASSOCIATION OF INDIA.

The Honourable Mr. N. R. Sarker (Member for Education, Health and Lands): Sir, I move:

"That the Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, one person from among their number to sit on the Central Committee of the Tuberculosis Association of India."

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

"That the Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, one person from among their number to sit on the Central Committee of the Tuberculosis Association of India."

The motion was adopted.

ELECTION OF MEMBERS FOR THE STANDING COMMITTEE FOR THE DEPARTMENT OF LABOUR.

Mr. H. C. Prior (Labour Secretary): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects with which the Labour Department is concerned."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects with which the Labour Department is concerned."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of members for the Central Committee of the Tuberculosis Association of India and the Standing Committee for the Department of Labour the Notice Office will be open to receive nominations up to 12 Noon on Monday, the 23rd March, 1942, and that the elections, if necessary, will take place on Wednesday, the 25th March, 1942. The elections, which will be held in the Assistant Secretary's room in the Council House between the hours of 10-30 A.M. and 1 P.M., will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE INDIAN FINANCE BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Indian Finance Bill, clause by clause. I believe Qazi Muhammad Ahmad Kazmi is in possession of the House. Will he come down nearer, so that the Chair may be able to follow him?

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Very well, Sir. (After coming down nearer.) When I was speaking last evening, I submitted that in case a person who alleges that his income is Rs. 1,150 and in accordance with that allegation deposits a sum of Rs. 16 which is to cover that amount, and later on, on an inspection of his accounts, it is found that his income was really Rs. 1,200 the result will be that all the consequences and penalties will follow. Mr. Sheehy gave an emphatic denial to that. With the experience and learning of that Honourable Member, I felt nervous and at once I said that if he could satisfy me, I would withdraw. At that time I was speaking from memory only. I have seen the law now, and though I am still afraid on account of his experience and learning that I may be wrong and he may be correct, I think that before he gives me a reply he will just look at two provisions of the Income-tax Act.

The Honourable Sir Jeremy Raisman (Finance Member): It might perhaps shorten the discussion if I inform the Honourable Member that we do contemplate a special simplified procedure for dealing with these low income cases, which I shall explain in replying to this discussion.

Qazi Muhammad Ahmad Kazmi: I personally did not want to deal with this matter at length, and before I started speaking on this subject I approached Mr. Sheehy as to what they think of the hardship of this section but I was not satisfied and no satisfactory explanation was given to me.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got the assurance now.

Qazi Muhammad Ahmad Kazmi: The Department is under a wrong impression, on account of which this interruption was made by Mr. Sheehy. The point is that once you call upon a person with an income of between Rs. 1,000 and Rs. 2,000 to produce the accounts, the whole trouble of accounting under section 22 and the penalties under section 28 arise and for that very reason, in a further amendment, amendment No. 15, I propose this. If the Government is so very anxious to realise something from people who have got incomes between Rs. 1,000 and Rs. 2,000, let there be a uniform rate of Rs. 10 for every person without any accounting. You may increase that, but so long as it is to be based on accounting, the result will be mere harassment and trouble to the people and a great amount of work for the employees of the Income-tax Department and I shall just make out that point by referring to section 22 of the Income-tax Act. I would not read the whole of it but only the relevant portion.

[Qazi Muhammad Ahmad Kazmi.]

It provides that a certain notice is to be given by the Income-tax Officer for asking people to send returns. Then it says:

"The Income tax Officer shall give notice requiring every person whose total income during the previous year exceeded the maximum amount which is not chargeable to income-tax to furnish within such period not being less than sixty days as may be specified in the notice a return in the prescribed form and verified in the prescribed manner, setting forth (along with such other particulars as may be required by the notice) his total income and total world income during that year."

The maximum has now been lowered to Rs. 1,000. All persons having incomes between Rs. 1,000 and Rs. 2,000 will be covered by this. As soon as the notice is issued, they are bound to send returns. What is the result. A person in pursuance of this notice sends a return of Rs. 1,150. Then under this very section the Income-tax Officer calls for the account books of the man and he examines them and he says: 'Your estimate is incorrect. Your income ought to be Rs. 1,200'. Then, according to my submission, all the subsequent penalties would follow. I would draw your attention in this connection to section 28 of the Income-tax Act. That is the section which provides penalties for wrong accounts. Even in this case I would not bother you with the whole section but only refer to the relevant portions thereof:

"If the Income-tax Officer, the Appellate Assistant Commissioner or the Appellate Tribunal, in the course of any proceedings under this Act, is satisfied that any person... has concealed the particulars of his income or deliberately furnished inaccurate particulars of such income, he or it may direct that such person shall pay by way of penalty... in addition to any tax payable by him, a sum not exceeding one and half times the amount of the income-tax and super-tax, if any, which would have been avoided if the income as returned by such person had been accepted as the correct income."

Then comes the proviso. I have got to see whether a case of this kind is covered by the proviso and is exempted from the penalty. The very first proviso says:

"Provided that:

'no penalty for failure to furnish the return of his total income shall be imposed on an assessee whose total income is less than three thousand five hundred rupees unless he has been served with a notice under sub-section (2) of section 22'."

The case with which I am dealing is a case in which the return has been furnished and the return has been found to be inaccurate and as such he is liable under sub-section (c) of section 28 and it is not correct to allege that these people who are to be taxed will not be put to the worries to which any person who keeps slipshod accounts, as is the case with these people, will be subjected and that was the reason why I suggested that if really the Government are bent on having something from this class of people—and I have maintained again and again that this is not the type of people from whom you ought to realise any tax—then I have suggested an amendment No. 15. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has moved that amendment.

Qazi Muhammad Ahmad Kazmi: Yes, with your permission, I have moved both, in order to save time. What I say is—do away with this tax altogether. (After a pause and in reply to an Honourable Member.) It means Rs. 10 per annum in two six-monthly instalments of Rs. 5.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): It is wrongly printed here.

Qazi Muhammad Ahmad Kazmi: Yes, it is wrongly printed. I read it rightly.

Mr. President (The Honourable Sir Abdur Rahim): I have got in my copy "six monthly instalments of Rs. 5 each".

Qazi Muhammad Ahmad Kazmi: It is a mistake, Sir,

As I was saying, the whole position is this. And in the end, I would only submit to the Honourable the Finance Member that while he was speaking, he threw a challenge to Dr. Banerjea that he was prepared to tax all incomes of salaries above Rs. 200 a month, on a graded scale, provided they were prepared to accept that challenge and provided also it was not to be confined only to Government servants. That was partly accepted by Dr. Banerjea, but I think the Honourable the Finance Member was discreet enough to throw the challenge to him and not to me, because, from the hesitation of Dr. Banerjea I started suspecting that he is either a rich man or he has got very rich friends. In my case, however, he will find that the acceptance of the challenge will be pure and simple and there will be no amendment to that challenge.

The Honourable Sir Jeremy Raisman: Do I understand the Honourable Member to say that he can bear with equanimity any tax levied on anybody's income that does not affect him?

Qazi Muhammad Ahmad Kazmi: Not necessarily; this tax would also affect my friends. But I am prepared to undergo that sacrifice for purposes of war and for strengthening your hands for the conduct of the war. The sacrifice must come from everybody. It is not only from the poor people that the sacrifice must come and not from the richer people, especially, in view of what I said in the beginning that the previous amendment to this effect was accompanied with a cut in salaries. Then, again, you will find that the cut in salaries was removed first and this tax was removed afterwards. This time they have been discreet enough not to bring in salaries at all.

The Honourable Sir Jeremy Raisman: I think the Honourable Member is mistaken in thinking that anybody was subjected both to a cut in salary and to the additional rates of income-tax. The objection of the community which my friend, Sir Henry Richardson, represents was that Government servants who were subjected to the cuts were not subjected to the additional income-tax. They were not subjected to both.

Qazi Muhammad Ahmad Kazmi: I stand corrected on that point. But what I do say is that both the component parts of the population were looked after at the time of the amendments,—the persons who were outside the scope of the salary cut and also persons who were within the scope of the salary cut. But now you are only considering the cases of those who are outside the scope of the salary cut and are leaving those who are inside that amendment. My argument has got all the greater force by this amendment of the Honourable the Finance Member. On the last

[Qazi Muhammad Ahmad Kazmi.]

occasion the amendment contemplated both those who drew salaries and also those who did not draw such salaries. So, it does not take away the force of my argument and I think in my own humble opinion that it has gathered a greater force.

(Lieut.-Colonel Sir Henry Gidney was talking to the Chair and the speaker stopped speaking.)

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): May I point out, Sir, that the Honourable Member has stopped speaking for the last three minutes?

Mr. President (The Honourable Sir Abdur Rahim): Then, the Honourable Member can go on. I am afraid, sometimes the Chair has got to listen to the Member who comes to him.

Qazi Muhammad Ahmad Kazmi: In the end, I would again appeal to the Honourable the Finance Member that it is not only the machine tools of Mr. Husenbhai Laljee or the coal wagons of Mr. Neogy or the short-staple cotton of Mr. Deshmukh that we need for the success in the war but we also need facilities for procreation, maintenance and physical development of the children of this country, and any hardships that are to be imposed on the class of people who are responsible mainly for the reproduction of the future generation will badly tell upon the future prospects of the country itself.

Mr. President (The Honourable Sir Abdur Rahim): I will put both the amendments to Schedule II. The first amendment moved is:

"That clause (a) of part I-A of Schedule II to the Bill be omitted."

The second amendment moved is:

"That for clause (a) of Part I-A of Schedule II to the Bill, the following be substituted:

"(a) Where the total income exceeds Rs. 1,000 but does not exceed Rs. 2,000 a sum of Rs. 10 in six monthly instalments of Rs. 5 each shall be payable by the assessee."

Mr. J. F. Sheehy (Government of India: Nominated Official): Sir, I interrupted my Honourable friend, Mr. Kazmi, yesterday when he expounded the case of a man who declared an income of Rs. 1,150 and was found afterwards to have an assessable income of Rs. 1,200—he said that such a man made himself liable to a penalty under section 28. I said that was not correct. In the first place, I quarrelled with his exposition of the law. Section 28 would only make such a man liable to penalty if he concealed the particulars of his income or deliberately furnished inaccurate particulars of his income. Now, there would be no question in a case like that of penalising a man for miscalculating his income by Rs. 50. However, leaving that aside, what I had chiefly in mind was—because Mr. Kazmi had mentioned the question of the deposit of Rs. 16 which that man makes—that the Income-tax Officer would not take any advantage of the deposit not being sufficient. We have worked out a scheme in draft so as to allow in a case precisely like that for the Income-tax Officer to say to this assessee, "your deposit is Rs. 16, this is not enough. I am going

to give you one month's time to make up the correct amount". That is why I said my Honourable friend, Qazi Muhammad Ahmad Kazmi, was not correct. We have these rules in draft and we have sent them for criticism to our officers who will have to administer this provision.

The Honourable Member, Mr. Kazmi, raised a point about accounts and the difficulties which these assesseees are going to have in this matter. This question of accounts arises also in the cases of assesseees with much bigger incomes than Rs. 2,000. It is a perennial question with the Income-tax Department. It does not arise only in the case of assesseees between Rs. 1,000 and Rs. 2,000. If they have not got accounts, the Income-tax Officer has got to do the best he can. In order to make things simple for these people, if they, as we expect them to do, elect to make the deposit instead of being assessed to income-tax, we have devised a draft form of return consisting of one sheet of paper. Anybody who knows the present form of income-tax return knows that it contains a great many sheets of paper. We have heard complaints from Mr. Lalchand Navalrai about the complexity of the form and so on.

Qazi Muhammad Ahmad Kazmi: Even Income-tax Officers find it difficult to understand this form.

Mr. J. F. Sheehy: We have devised a simple form of return of one sheet of paper. This is still in draft form, it is not yet final.

Sir Cowasji Jehangir: Only for these people?

Mr. J. F. Sheehy: In the case of my Honourable friend, Sir Cowasji Jehangir, he will be required to furnish some more particulars. This form runs as follows:

* * * * *

In compliance with the public notice under section 22(1) calling for returns of income by the.....194....., I hereby declare that—

my total income for the year endingamounted to Rs.....

the family's as follows:

Salaries	Rs.
Interest on securities	Rs.
Property	Rs.
Business, profession and vocation	Rs.
other sources	Rs.
* * * * *	
Total	Rs.

2. In discharge of my liability to be assessed, I have deposited on the of 194....., a sum of Rs. in the Defence Savings Bank Account at the Post office as per certificate attached.

Signature.....

Status....."

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muhammadan): Will that be accepted as it is or will the accounts be called for?

Mr. J. F. Sheehy: Normally it will be accepted. You must realise that these are the people who are not on our books. If a man who is now on our books as an assessee with an income of over Rs. 2,000 comes along with one of these forms, naturally the Income-tax Officer will grow suspicious. But if a man who is not on our books—mind you, you have got to realise that now every assessee and everybody who comes within the purview of this Finance Bill is, under the provisions of the Income-tax Act, as amended in 1939, liable to make a compulsory return of his income.

Sir Cowasji Jehangir: Have you not got a limit?

Mr. J. F. Sheehy: No; everybody must.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Has the Honourable Member calculated the income that is to be derived and the expenditure that has got to be incurred?

Mr. J. F. Sheehy: We have some idea of that. The Honourable the Finance Member will deal with that. We will not worry these assessee who are not on our books and whom we think are assessee with genuine lower incomes and we will not enquire too closely into their returns. That is all I have to say on the points raised by Mr. Kazmi.

Pandit Lakshmi Kanta Maitra: Sir, I rise to support amendment No. 14 which stands in my name also and reads thus:

"That clause (a) of part I-A of Schedule II to the Bill be omitted."

This amendment seeks to delete the provision for assessment to income-tax of all incomes below Rs. 2,000.

Sir, as one who with my Honourable friend, the Mover, tabled this amendment, I feel I should in a few words explain what was at the back of my mind in tabling this amendment. Fortunately the statement just made by the Honourable the Finance Member has clarified the position to a very large extent so far as the legal or rather the procedural aspect is concerned. I shall be spared the necessity of explaining in detail the provisions of the Income-tax Act which, in my opinion, do not quite fit in with the proposed taxation in the Finance Bill. It is a welcome relief to learn from my Honourable friend, Mr. Sheehy, that the income-tax return form which is a very complex and complicated document is going to be simplified in the case of poor assessee which I have in mind in this amendment. I would also suggest to the Honourable Member that the entries may be worded so clearly as to leave no room for doubt in the minds of either the Income-tax Officers or of the assessee as to their real import. I have complained very often in this House that the income-tax return forms are something not very intelligible to us. I had an occasion, very recently, to fill up an income-tax return form of a client of mine who was the trustee of a religious organisation holding certain Government securities. While filling the return, I could not fill one single item in the

whole document. At last I had to approach an officer of the Department who advised me to enter simply, "no, no, no, and so on". I said if I had filled up all the columns with 'nos', then I would get no refund of the tax. The Income-tax Officer said: "you do like that, because as it stands, you do not come under any category whatsoever". Well, Sir, this means at any rate a huge waste of paper in these days when we are being advised in season and out of season to use less paper. So let us have a clear simple and precise form for the benefit of the assessee as well as of the assessors.

Then, Sir, I am afraid I cannot agree with the interpretation put on section 28 just now by my Honourable friend, Mr. Sheehy. Mr. Sheehy seems to think that the penal provisions contained in section 28 are only applicable to cases where there has been a deliberate suppression of facts with regard to income or where there has been a deliberate mis-statement in order to dodge taxes. While these provisions are undoubtedly there for such cases, I would respectfully draw the attention of my Honourable friend, Mr. Sheehy, to the fact that section 28 also contemplates cases where there has not been any filing of return at all.

Mr. J. F. Sheehy: I know that quite well. I was only dealing with the particular case mentioned by Mr. Kazmi where a man filed a return declaring Rs. 1,150 and was then found on assessment to have an income of Rs. 1,200. I know all about these penal provisions.

Pandit Lakshmi Kanta Maitra: You are expected to know it, but I would not presume too much. Coming to the merits of this amendment I would like to point out to the Government that as an incidence of taxation, it will add substantially to the burden of the vast body of people who are known as middle classes of society. I have not been able to understand what substantial benefit Government are going to derive from it, so as to justify this violent departure from what has been the practice up till now. They propose to have different rates on different slabs of income with increased surcharge in cases where they were not applicable. Mr. Sheehy could not give us an idea of the number of persons likely to be trapped by this provision, nor is he in a position just now to tell us the amount of expenditure that would be involved in the collection of the tax and the nett gain. I hope the Finance Member will, in his reply, explain that in detail; but we have our experience of the past when income-tax was imposed on all incomes from Rs. 1,000 and upwards. Those were days of acute trade depression and there was tremendous fall of revenue of the Central Government under all heads; and the public had no other alternative at the time but to submit to that taxation. In actual operation of the measure it was found to work incalculable mischief and misery to the assessee. *Biriwalas*, *panwalas*, petty grocers,—all classes of people came to be roped in and were persecuted; and the result was that there was so much bitterness against the Department that I believe although there might have been some gain in money, there was considerable loss to Government in prestige. We heard from the Honourable the Finance Member's reply yesterday that though it was not possible for him to lay his finger on the visible increased spending power of the people, it was undoubtedly there; nevertheless, he in all fairness admitted that in a country where more than 99 per cent. of the people were poor, it was impossible not to add to their burden by any measure of taxation. How

[Pandit Lakshmi Kanta Maitra.]

far this war has improved the economic condition of the people at large is at best an academic question. The fact remains that those who had already been in service and in receipt of fixed and moderate incomes, without any additional emoluments accruing from the adventitious circumstances of the war, are a class which far out-number those who have got jobs or earned incomes on account of war production and supply.

If this tax were imposed on people who had been directly benefited as a result of the war, or who had got employment as wage-earners, technicians, mechanics, fitters or as contractors or in a thousand and other ways, there would certainly have been justification for this measure. But this tax will fall uniformly on the shoulders of all persons with modicum of income and in case of persons unconnected with any kind of war service, how can it be said that their incomes have in any way been enhanced or that their economic power of resistance increased? Now, Sir, it is well-known that since the outbreak of the war, in spite of the efforts of Government to keep down prices no appreciable success has been achieved. In September, 1939, immediately after the declaration of war, price control boards were set up and at that time Government permitted ten per cent. all-round increases in the cost of commodities. What is the condition now? In spite of the price control boards and of other agencies set up by the Government of India and the Provincial Governments, the prices of all kinds of commodities have gone up to an abnormal extent,—in some cases to cent. per cent., in others to 75 per cent. but in most cases ranging between 50 and 75 per cent. If the Government of India had a rough idea of the family budget of an average respectable Indian gentleman of the middle class they would have realised that as an incidence of taxation this would weigh far more heavily on that class than on any other classes of persons. And it is known to everybody that every conceivable thing that goes to make human life possible on this earth is now costing the people more and more. Sir, the recent international developments have further aggravated the situation and I ask Honourable Members of the Treasury Benches to realise that. Certain areas of the provinces of Bengal and Assam have been declared emergency areas from which there has been a large-scale exodus of the civil population. People in receipt of fixed salaries have had to shift their families to mofussil places at heavy cost. They have now got to maintain two distinct sets of establishments, one in the mofussil where their family had been shifted, and the other, in the cities where they have to remain to earn their livelihood. Then, again, lately in the urban areas so many factors have come into play that it is becoming almost impossible for them to carry on with their normal income. In the rural areas where they have shifted their families house-rent has gone up to such a high figure that Provincial Governments have been contemplating rent control Acts for them. But whatever may be the outcome of such measures, for the present at any rate, they must have to go in for these increased burdens.

But apart from all this you have to take another very vital factor into consideration, and that is, in certain provinces, such as Bengal and the Central Provinces, assessee of income-tax are automatically subjected to an additional Provincial Tax which is provided in their Finance Acts. For instance, any assessee of income-tax in Bengal is subjected to another tax of Rs. 30, which he has to pay in addition to the income-tax. Thus, a person in Bengal with an income of Rs. 1,050 will be assessed to Rs. 16

odd by the Central Government and he will also be called upon to pay, as soon as he is assessed here, another tax on a flat rate of Rs. 30 in accordance with the Finance Act of his own Provincial Government. That is a factor which has to be very carefully borne in mind. If it were possible in the Finance Bill,—and I do not know if it would be *intra vires* of this Legislature,—to make a provision that people assessed to income-tax on incomes up to Rs. 2,000 should not be liable to any other tax on income in Provincial Governments, that of course would have been something. But I am not certain if this Legislature has got any power to do anything in that direction. So this fact ought not to escape the consideration of the Honourable the Finance Member who is imposing this fresh burden on the middle-class people.

The Honourable Sir Jeremy Raisman: I am sorry I did not catch the last observation of the Honourable Member.

Pandit Lakshmi Kanta Maitra: Sir, I will repeat. The Bengal Government has got a provision in its Finance Act by which every assessee of income-tax is subjected to another income-tax at a flat rate of Rs. 30. In other words an assessee who has an income of Rs. 2,000 and is assessed to income-tax under the Central Finance Act is also subjected to an additional tax in the Province of Bengal of Rs. 30. In the Central Provinces and also perhaps in one or two other Provinces similar Finance Acts have been passed. I know agitation had been going on to bring this matter up to the Federal Court to have a decision of their Lordships whether such a special Provincial Income-tax was not *ultra vires* of the Provincial Legislature. This being the position, Sir, I think the Honourable the Finance Member should have made some provision in the Finance Bill to the effect that assessee of Income-tax with incomes upto Rs. 2,000 should not be subjected to any additional taxation in respect of their incomes anywhere. If there were a provision like that, I would have partially supported it, but, as it is, when a person is liable to double taxation one by the Central Government and the other by his Provincial Government, I have no other course left open than to oppose this taxation here.

Sir, in the past we contended that burdens should not be imposed on people to such an extent as would compel them to lower their standard of living. We do believe that the people of this country are over-burdened with taxes. We do feel that though it is incumbent on every one of us to make heavy sacrifices at the time of war, it is the duty of the Government also to see that the burden is not made too heavy for the people to bear it. And, personally, I do not understand why the amount which is sought to be raised by this tax should not be met by borrowing. If the Honourable the Finance Member could borrow to the tune of 35 crores of rupees, I do not understand why this 50 lakhs could not also be so met. But by taxing the poor man in order to raise this 50 lakhs, you do not seem to realise how much it would cost you? Do you realise how much bitterness you would create in the people of this country, especially at a time when goodwill is so much needed? Do you think by taking such steps you could keep up the morale of the people at a high level? If the impression gains ground that far from giving any relief to the people in any direction, you go on piling tax over tax on the poor, do you think that is going to create for you the kind of atmosphere you want? I think, Sir, this would be height of indiscretion on the part of Government to impose this tax.

[Pandit Lakshmi Kanta Maitra.]

The different Trade Union organizations in this country have submitted memorials to the Government for the consideration of their hard cases. The All-India Postal Union have also submitted memorials to the Government praying for consideration of the hard lot of the second-grade staff, the new entrants in service, the clerical staff, postmen and peons. Uptil now no relief has been given, but at a time like this when they are carrying on their duties to the Crown and to the country at tremendous risks to themselves, you impose this additional burden on them which they cannot at all bear. This new measure of taxation has come to them as a bolt from the blue. I have been flooded with representations from all parts of the country to bring to the notice of the House the grievances of these ill-paid people.

My Honourable friend, the Deputy Leader of my Party, the other day made an observation that in these hard days it was the duty of the Government to see that the labour force of the country was not discontented. So, from all points of view, this new tax on incomes ranging from Rs. 1,000 to Rs. 2,000 should not be supported by anyone.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-
12 noon Muhammadan Rural): Sir, we are now dealing with two amendments: one with regard to new imposition of income-tax on incomes between Rs. 1,000 and Rs. 2,000; and the other with regard to alternative of defence loan. I am not dealing with the administrative aspect of the question—as regards difficulty of accounting and difficulty of collecting and the expenditure to be incurred in collecting the tax. I do not propose to deal, either, with general arguments against this taxation which have been very ably dealt with by my Honourable friend, Pandit Lakshmi Kanta. I shall confine myself to the question as to whether this special imposition of tax is justifiable from the point of view of the capacity of the assessee to bear this new burden. In justification of this taxation, the Honourable the Finance Member has given us his ideas about the financial position of the assessee likely to be affected by this fresh imposition. He has given his definition of a poor man in this country. I speak subject to correction, if I understood him aright he has told us, on a previous occasion, that the poor man in this country is a man with an annual income of Rs. 100 or Rs. 200 a year and he has also told us that a man in this country with an income of Rs. 1,000 a year is not a poor man. I had some doubt. The proposition seems to me to be so devoid of any regard to actual facts that I had some doubts as to whether I really understood him properly, but now I am satisfied that that was his definition. Let us examine this position. He considers a man with an annual income of 100 to be a poor man. A man with Rs. 1,000 a year, what is his monthly income? A little over Rs. 75. My Honourable friend is not prepared to accept that man as a poor man and under that conception he does not feel any difficulty in imposing this new tax upon him. I can only say this that it is very unfortunate that the Honourable the Finance Member has got no clear idea about the financial position of a man in this country who enjoys only an income of say Rs. 80 a month. A man with an income of Rs. 80 a month, burdened with an average family of 4 or 5, especially in view of the customs and usages of our country—good or bad—unlike the people of any other country we have to incur a large expenditure on occasions of marriage, *shraddh*, and on a hundred

and one other things. Whether these institutions are good or bad is a different matter. The fact is that those are the customs and we have to meet all this extraordinary expenditure. In view of that, it is not correct to think that a man with a thousand rupees a year is not a poor man, but that he is quite able to bear this fresh burden. It is only betraying ignorance about the actual position of our people.

The Honourable the Finance Member has given us another proposition. He has said that 95 per cent. of the businessmen now enjoying an income of five to seven thousand rupees had an income of 2,000 to 3,000 before the war. I most emphatically challenge that statement. Will this proposition stand a moment's examination? Are we to forget that the income of our people has gone down in various directions during this war time? Export business has gone; import business has gone; we have lost our trade very substantially on account of the loss of the European market and several other markets. These are not isolated cases but they cover a very large number of people. From being trebled, as the Honourable the Finance Member seems to think, from 2,000 to 6,000, their income has been reduced from 6,000 to 2,000—quite the reverse. Any number of instances can be cited. Take the case of the taxi driver, the lorry drivers; take even the legal profession. I may perhaps inform the Honourable the Finance Member that the legal profession is practically doomed in all parts of India as their total income has been reduced—it will be no exaggeration if I say—by at least half; in fact I am making a most modest statement. Business in directions like coal, mining, timber, cotton, stock exchange, machinery and tools and even rice has gone down and the income of people in all these has been reduced, not increased. Therefore, there is no justification in fact for that proposition, that the income of 95 per cent. of businessmen has increased.

Then it is said that we are taxing only those persons who have benefited from the increase in national income as a result of war supply. That point has been discussed by various speakers. I shall not go into that exhaustively. Allow me, Sir, to make this one observation, that we must have a correct idea about the national income. The income of some people, of some industrialists, of some capitalists or of some who have been dumped into the Supply Department, may have increased; but that is no justification for saying that the national income has increased. I should like to give one illustration. It will not do to speak of the average income. Without meaning any disrespect may I give this illustration? The Honourable the Finance Member has an income of over half a lakh of rupees a year. He has got half a dozen servants in his house; their income is say 15 to 20 or even more per month. If he takes an average, then certainly the average income of those servants will be very considerably higher than 20 or 30 or 40 or 50 rupees. That is a very misleading idea, to talk of the general rise in national income and the rise in income of some isolated people.

We are told that only those are at present being assessed whose income has increased, and that it is in his contemplation to assess the masses of the people later on. Let us only hope that that time will not come. My submission is, that it is not a question of theory or of any principle of economics—the question is whether having regard to the actual position of this class of people, this taxation is justifiable or not. As regards the alternative of compulsory saving, anybody who has got any idea of the people of this country whose income was about 75 or 80 rupees a month

[Mr. Akhil Chandra Datta.]

ought to know that it is impossible for these people to make any savings at all. I have got something to do with a bank. My own experience as a banker is this, that those people who have got an income of Rs. 250 a month can never save anything. There may be a few isolated cases like bachelors and so on; but the average Indian family man with an average small family of four or five people, with an income of Rs. 250 or even Rs. 300 a month—I say it is impossible as a matter of fact for him to make any savings at all. Now, Sir, you are asking these people, men with say an income of Rs. 85 a month, to make savings. They may save by borrowing, and not by any other way. Therefore, Sir, I do hope that after a more dispassionate examination, not out of any political consideration, because I am not referring to the war situation,—you will agree to reconsider your proposals. Even apart from any political considerations, there are very good grounds why this question should be considered more carefully. Sir, I support the motion.

Mr. N. M. Joshi (Nominated Non-Official): Mr. President, in ordinary times I consider that an income between one thousand and two thousand rupees should not be exempt from income-tax. I had expressed my view several times before, that there was a good case for imposing income-tax on incomes between Rs. 1,000 and Rs. 2,000. But, Sir, so far as this class is concerned, the present times are not ordinary times. The cost of living has gone up between 25 per cent. and 35 per cent. at least, and the salaries of people who get say between Rs. 80 and above have not gone up at all during this war, and, therefore, on account of the rise in the cost of living, there is already a cut in the salaries of these people, and that is a very heavy cut, because a man with an income of between Rs. 1,000 and Rs. 2,000 will have practically a cut in his earning between 25 and 35 per cent. and he has already paid a very heavy tax. I, therefore, feel that this is not a time for imposing a further tax on this class of persons. The Honourable the Finance Member is anxious that people should not purchase more things and make their living more expensive. He wants to prevent them from purchasing certain things like luxuries. But, Sir, a man having an income between Rs. 1,000 and Rs. 2,000 has not got a larger purchasing power at all. His purchasing power is already reduced by 25 per cent. Therefore, I feel that there is no case at all at this time for imposing an income-tax on people whose incomes are between Rs. 1,000 and Rs. 2,000. Not only that, there is no case for the Honourable the Finance Member to say that this tax is only intended to prevent people from buying certain things which they should not buy at this time and add to the dearness which already prevails in the country. I hope, Sir, the Honourable the Finance Member will not insist on imposing this tax on this occasion.

Mr. K. C. Neogy (Dacca Division : Non-Muhammaḍan Rural) : Sir, I should particularly like to emphasise one of the points made by my friend, Pandit Maitra in support of the amendment moved by my friend, Mr. Kazmi. My friend drew the attention of the House to the fact that by the lowering of the exemption limit in respect of income-tax, we would be subjecting a large class of people, with comparatively small incomes, not merely to the incidence of the central income-tax, but also to the incidence of certain provincial taxation. I have in my hand the Bengal Finance Act, being Act No. IX of 1939, which is known as the Tax on

Professions, Trades, Callings and Employments Act, and I shall read out its operative section :

“As from the 1st day of April, 1939, every person who was assessed to income-tax under the Indian Income-tax Act, 1922, in the preceding financial year in respect of earnings on any profession, trade, calling or employment pursued either wholly or in part within the province either by himself or by an agent or representative, shall be liable to pay for each financial year a tax in respect of any such profession, trade, calling or employment at the rate of Rs. 30, in addition to any tax, rate or duty or fee which he is liable to pay under any other enactment for the time being in force.”

Now, Sir, take the case of a person in receipt of taxable income of Rs. 1,250. Under the Central Act he would be liable to pay Rs. 16 as the tax, but automatically he would be liable to pay another Rs. 30 under the Bengal Act. I do not know whether the Government have taken into account this circumstance before coming to their decision in regard to the lowering of the taxable limit. Nowadays the Provincial Legislatures exercise very much extended powers in respect of finance and other subjects, and it is very necessary for the Government of India to be more circumspect in such matters, particularly in matters relating to legislation, than they appear to have been in this particular case. I should like to be assured by my Honourable friend that he had actually had this point examined before coming to the conclusion that the taxable limit could be lowered all round in the manner which he proposes. Sir, in the United Provinces an attempt like this was made, that is to say, an attempt to impose a taxation of the nature which is imposed in Bengal, but as the tax was proposed to be levied on a graduated scale, a constitutional objection was taken on the ground that that would be virtually entrenching upon the sphere of Central taxation and would be *ultra vires* in so far as it would be tantamount to a competitive income-tax. But in order to avoid that difficulty, the Bengal Government imposed a flat rate of taxation which really operates harshly, particularly on the lower scales of incomes. I am glad to find the Honourable the Member for Education, Health and Lands in his seat, because he had something to do with the passing of this Bengal Act, and I hope that during the conversation that I noticed he was having with the Honourable the Finance Member, he has been able to persuade him to accept the amendment moved by my friend, Mr. Kazmi, in the interest, particularly, of the poorer sections of the assesses in Bengal.

Now, Sir, I am informed by my friend, Mr. Kazmi, that, apart from any positive measure of taxation which the United Provinces may pass on this subject, there is already a measure under which certain privileges and concessions are granted to agriculturists, in case they are not assessable to income-tax. I am told that in regard to the instalments for payment of their debt, in regard, again, to the rate of interest payable by them on their loans, the agriculturists are entitled to certain concessions in case they are not assessable to income-tax. Now, Sir, we are not merely legislating here for the purpose of replenishing the coffers of the Central exchequer, but we are automatically taking away certain privileges which certain classes of people may enjoy in the provinces under certain enactments. As I said before, having regard to the independent jurisdiction which the Provincial Legislatures enjoy in this matter, a much more careful examination of the position is called for before enactments of this character can be considered by this House.

[Mr. K. C. Neogy.]

I do not want to say anything on the general aspect of the question, but I should like my Honourable friend to remember that the exemption limit in regard to the income-tax should be fixed on a minimum standard of subsistence which is expected to be allowed to the people who are going to be taxed under a measure of this kind. I should like him to tell us what, in accordance with the opinion of the Government, is the minimum standard of subsistence which should escape assessment. From the form which was read out by my Honourable friend, Mr. Sheehy, it appears to me as if Government were more anxious that the assesses should subscribe to the war bonds than that they should be subjected to assessment to the income-tax. I wondered as to whether this particular measure, which reduces the taxable minimum, is really intended to operate as a sort of fillip to subscriptions to the war funds, rather than as a measure of contribution to the Central exchequer.

Sir Cowasji Jehangir: War loans.

Mr. K. C. Neogy: Yes, war loans. Certainly the Income-tax Department is interested in the collection of tax leviable under the Act and it is not part of their duty to utilise an enactment of this character for the purpose of enforcing either national savings or contribution to the war loans. I support the statement made by my Honourable friend, the Deputy President, that from what we know about the financial position of our people, the Honourable the Finance Member is likely to be disappointed in regard to one part of his scheme, namely, that the assesses would choose to invest in war bonds rather than pay the tax. They will have to pay the tax, of course, they will have no alternative left, but the amount of hardship to which they will be subjected is known to us, and I do not think that my Honourable friend is in a position to realise the extent of the hardship which he is imposing on this class of people. They have to maintain a standard of living, I would rather say they have to keep up appearances, having regard to the manifold liabilities of a financial character which they have to bear. It is really regrettable that, when prices are soaring high, when in every direction conditions of living are becoming more and more difficult, the Government should think of coming forward with a proposal of this character.

Sir Cowasji Jehangir: I am one of those who believe that, at least in war time, all classes of people should be made to contribute to the treasury, but in legislation of this kind I do think that Government must consider the consequences other than merely questions of raising revenue. We have certainly heard today of one consequence, and if the facts that have been given to us are correct, that is to say, that people earning between Rs. 1,000 and 2,000 would, in addition to the tax that this House is asked to levy, would also have to pay to a Provincial Government—the Bengal Government—another Rs. 30, which is much more than what the Honourable Member is levying

An Honourable Member: Nearly double.

Sir Cowasji Jehangir: nearly double the amount; then I think it is one of those consequences which this House will not agree to. It is not possible for us to agree to an automatic payment to a Provincial Government of double the tax that we levy. But, Mr. President, there are other consequences that Government seem to have forgotten. They are in a different direction, nothing to do with revenue—I mean, franchise. By this Bill Government are bringing within the franchise thousands upon thousands of people. At present they have no vote for the Legislative Assembly, but as soon as they pay income-tax they acquire a vote, and, practically, the franchise is doubled. That is one of the consequences that Sir George Schuster's action had in lowering the limit to one thousand rupees, and I believe the Congress were most grateful to him for his action, for he brought on to the rolls thousands upon thousands of men who voted for the Congress, which otherwise they would have lost. Now, my Honourable friend is doing the same thing, and if an election takes place next year or within a few months, thousands of people will get the vote which they would not otherwise get.

The Honourable Sir Jeremy Raisman: Is it not a fact that at the time when the Government of India Act, 1935, was passed, those additional taxpayers already had the votes then?

Sir Cowasji Jehangir: No. Every income-tax payer has been given a vote for the Legislative Assembly, at least in the City of Bombay, but if he is not an income-tax payer he does not get the vote, and that was actually what took place. I am sure my Honourable friend, the Commerce Member, will realise that fully and I believe he knows it.

The Honourable Sir Jeremy Raisman: We levied a tax on the lower incomes up to the year 1935-36, so that, at the time the present Government of India Act was passed, these lower income-tax payers were qualified. And what has happened is that by abolishing the tax on these lower incomes we considerably reduced the extent of the franchise.

Sir Cowasji Jehangir: No, it is the other way about. In the election of 1934, all these income-tax payers, that is to say, those earning between Rs. 1,000 and 2,000, had the vote due to the action of Sir George Schuster, and there has been no election since. They are now deprived of it because subsequently the tax was again brought within the limits of Rs. 2,000 and above. But when we fought the elections of 1934, I well remember to what extent the voting rolls had increased and the consequences of that.

Mr. Akhil Chandra Datta: May I know if it is your own point of view, or if you are speaking from the point of view of the Government?

Sir Cowasji Jehangir: I am speaking from my own point of view, nothing to do with Government. What I say is that in a legislation which is intended to raise revenue you do something very different. You may raise a little revenue, but you do something different and the consequences are great in other directions. Therefore, you have to look at legislation intended to raise revenue from all points of view. I repeat that, when I came into this House this morning, I had not the slightest idea that all

[Sir Cowasji Jehangir.]

these poor people earning between Rs. 1,000 and 2,000 would be mulcted in Bengal to the extent of another Rs. 30. I do not know whether my Honourable friend, the Finance Member, knows whether it is correct or not. I believe the Honourable Mr. Sarker knows something. It was one of his actions, but whatever that may be, if that is a fact, we did not realise it and luckily it has been brought to our attention before we vote.

Now, Sir, I do also look, in these dangerous and difficult times, to the political aspect of the case. I may admit that even before I heard of this Bengal Act I had decided to vote against this measure and support the amendment, but I am more convinced than ever now, and one of the reasons that led me to make up my mind to vote against this measure was the political aspect. After all, in a country like India, people earning between thousand and two thousand are mostly literate and it has been one of those groups of people who have had considerable influence in political affairs, and at this time I do not desire in any way to disturb their mental equilibrium, to put it very mildly. I would rather not risk it. But, naturally, such arguments can only be raised when we know what is the amount at stake. How much do Government expect to get out of this tax?

There are three questions to which I should like to have answers, I would like to know, firstly, what amount Government expect to raise, net and gross, net being actually what they will get, the gross being what they will get on paper. But the cost of collection will be considerable. Have Government actually worked out these figures? These are the most important factors of which the House must be made aware. One of the reasons for relieving this class of people from the income-tax was, we were told, this cost of collection, and it is actually on Government records that the cost of collection being heavy it is not worth while imposing this tax. But, naturally, things are now different. Attention has been drawn to an amendment of the Act since those days whereby things may become easier for Government to collect this tax. Then, again, the object of Government is not merely to collect this tax. The real aim is to make these people more responsible mentally by subscribing to the loans. At any rate, whatever, it is, whether it is a subscription to the loans or whether it be a direct tax, it must cost money to collect. What is that cost? Is it commensurate with the risks we run? Is it worth while? Government must have studied the question from this aspect before they proposed this tax. We would like to have a few figures which would be most useful to the House and would lead them to a proper appreciation of the position.

Mr. President, we know very well that it is no question of voting in this House just now. It is only for Government to decide as to what they will do. A few may walk into the lobby ineffectively. That makes no difference to the position as it stands. Looking at the matter from the political point of view, from the point of view of the double taxation that it will impose, from the point of view of the franchise, I trust that Government will give up this proposal altogether. They may find out other ways and means whereby this class of people can be made to pay, and their mentality can be made more responsible. I am all in favour of

savings, of making people subscribe to the war loan. I repeat here with a sense of responsibility that I am in favour of making people, from the lowest to the highest, subscribe to the war loan, specially all those who have the money and refuse to do so from one motive or another. I am all for making them do it, and any proposals of that sort would, and should, receive most serious consideration, specially from the better classes who do not subscribe to the loans. I think you cannot get more than a couple of crores from this class of people. That is a mere bagatelle, so far as loans are concerned and it is not worth while trying. In the circumstances, I would appeal to Government to give up this measure. Looking at it from all points of view, it is not worth while. I trust that Government will give this matter their very earnest consideration, and if they make up their mind soon, the debate can be easily stopped.

Dr. P. N. Banerjea: Sir, the income-tax is regarded as the fairest of all forms of taxation because it is based on the principle of ability to pay. Now, let us judge this proposal from the standpoint of that principle. Has the class of people who are being subjected to this income-tax got the ability to pay? Many of the previous speakers have already pointed out that they do not possess that ability. Now, let us consider what is the composition of the class on which this burden will fall. This burden will fall on the poorer section of the middle classes and this section consists of school masters, petty traders, lawyers with small incomes, clerks and pensioners and other men of very small means. Now, is it desirable to subject this class to further taxation in view of the fact that already the cost of living has gone up by more than 50 per cent. This class of persons has not benefited in the least from a rise in prices.

The other day the Honourable the Finance Member spoke eloquently on the increase in the spending power of the people. It is true that there has been an increase in the spending power of some classes but so far as this particular class is concerned their spending power has not only not increased but has greatly diminished. We should also consider the standard of living of this class. This class consists mainly of educated persons, although with very small incomes. They have to spend money on their books and newspapers and they have to educate their children. That takes up a good deal of their income, and the monthly income of this class which the Government now propose subject to this additional taxation, ranges from Rs. 84 to Rs. 167. Now, you can easily imagine the condition of a person drawing a salary of Rs. 84 or of a lawyer practising in a court in the interior of the country earning that amount. They have to keep up their style of living; they have to educate their children; they have to clothe themselves in a gentlemanly fashion; and when they are subjected to further taxation, it becomes impossible for them to make their both ends meet. Further, as has been pointed out by my Honourable friend, Pandit Maitra, as soon as they are subjected to this tax, the Government of Bengal will pounce upon them and will demand a further tax of Rs. 30 a year.

Now, I know something about this tax. When the Finance Act of 1939 was passed, I did not exactly comprehend its provisions and I submitted an application to the effect that I should not be included in the list of taxpayers because this tax professedly wanted to tax those who

[Dr. P. N. Banerjee.]

had any professions or were engaged in trade and so forth. I pointed out that I had retired from my work in the University, that I was not practising as a barrister and that I was not engaged in any trade. But I was told that because I paid the income-tax, I should have to pay this tax also; and I was compelled to pay it. Therefore, it is clearly that by lowering the limit of exemption you are not only imposing a Central tax but you are compelling these taxpayers to pay another Provincial Tax. Sir, this is very unfair and in the name of fairness I appeal to the Government to reconsider the decision and to omit this item from their taxation scheme.

Now, the question will be asked: what about the deficit? It will be a very small amount. It will be less than a crore; perhaps it may be only half a crore. If an addition is made to the borrowing programme by half a crore, nothing will be lost. The credit of India is good at the present moment as has been pointed out by the Honourable the Finance Member. So, this small addition to the borrowing programme will not harm anybody. On the other hand, if the Government persist in this tax, it will not only do great harm to the poorer section of the middle classes but will give rise to very grave discontent. This poorer section of the middle class is the backbone of the country and it should be encouraged and should not be stifled. No attempt should be made to injure this section of the population. Therefore, I appeal once more to the Government to reconsider the position and to omit this tax from the Finance Bill.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, in order that I may not have to raise the same debate on my amendments and in order to shorten further discussion, I rise to make my submissions and I support the amendment which has been moved by my Honourable friend, Mr. Kazmi. I do not support his second amendment.

Before I make my submission, I want to disarm the fears of my Honourable friend, Sir Cowasji Jehangir, that any extension to the franchise will be made because of the lowering of the level of this tax. The Government of India Act has abolished any representation to the Central Legislature by direct election. He knows that. There is no direct election now under the Government of India Act, 1935, for the Federal Legislature.

Sir Cowasji Jehangir: That Act is not in force. May I ask the Honourable Member, if an election took place next month, under what franchise it will take place?

Mr. Jamnadas M. Mehta: I am telling my Honourable friend that in future he must not be afraid because under the Government of India Act, 1935, no extension of franchise can make any difference. On the other hand, I am telling him that the present provincial franchise is such that a man need not pay income-tax and still be a voter; the payment of rent of, say, Rs. 5 or even Rs. 2, entitles him to vote. And if the same voter is to elect a member to the Central Legislature, then there is

absolutely no fear for my friend of any extended franchise coming into the way of his being elected to the Central Legislature. But it is a good reason today; I entirely agree there. It is a good stick to beat the Government with, because they are likely to be afraid of a lower franchise. From that point of view I agree with him that it is a good fighting point of Sir Cowasji Jehangir. But apart from any results in the franchise, I beg to submit that the proposed lowering of the income for the purpose of income-tax will be a great calamity not merely to Government but to the poorer classes of people. I have been pained and distressed that the Honourable the Finance Member has got no consideration for the poorer classes of people in his financial proposals. He knows what is going about. He knows the rising level of prices. He knows that a man who was earning Rs. 2,000 yesterday cannot now maintain the same standard even with Rs. 3,100. He knows all this. He has agreed to the increment of the railway rates. He has increased the customs duty on necessary supplies

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows all that.

Mr. Jamnadas M. Mehta: I am not going into it fully; I am merely showing the totality of the burden which he is imposing. The railway rate has gone up; duty on kerosene oil has gone up; and postage is added to. On the one hand, this taxation is mounting up; on the other hand, prices are going up. This pincer economic movement on the poor is going to sabotage him and make him absolutely incapable of maintaining that minimum standard of health and physical efficiency which is necessary for the purpose of the war. I wish to submit to the House that it is this very class which you want most in the war that you are pushing below the economic level. In case my friend thinks that his economic knowledge ought to prevail against me, I wish to quote to him the authority of people whom he is inclined to honour. The distinction in the matter of this standard of life made by economists is this: that there are two levels, the first is above the subsistence level, the second is, the poverty line below which nobody should be pushed; the vicious spiral of rising prices and rising wages is only to be considered when you have crossed and gone above the poverty line. The Economist news-paper which my Honourable friend knows is ably edited and its previous Editor had earned fame and renown all over the world—I wish to quote from this newspaper for yet inducing, before it is too late, my Honourable friend to relax his ruthless taxation of the poor. The Economist dated the 20th January, 1940, says:

"The first principle of wage policy in war time must inevitably be that enunciated by the Prime Minister."

I think it was Mr. Neville Chamberlain at that time who was the Prime Minister.

"Any attempt to raise all wage-rates in proportion to the rise in the cost of living must be self-defeating. But there should be a second principle also;"

Here I wish to invite the Honourable Member's attention:

"no one whose wages provide no margin over the cost of minimum subsistence must be pushed below that level by the rise in prices."

[Mr. Jamnadas M. Mehta.]

Sir, this is what I am standing for ever since the Railway Budget was introduced that no one whose wages provide no margin over the cost of minimum subsistence must be pushed below that level by the rise in prices. What has happened to people who are earning up to Rs. 2,000 per annum? Even when they were earning up to Rs. 2,000, evidence has accumulated that most of them were living either on the charity of a brother or of a father-in-law or they were in chronic indebtedness. These are the classes of people who are affected by the proposals in the Finance Bill for taxing their income or taking a forced loan from them in the name of saving. If in 1940 the people who were earning up to Rs. 2,000 a year were below poverty line, they were on the bare subsistence line when the prices were only 116 against 151 the amount which will help to push them above poverty line would be Rs. 3,100. What the *Economist* is differentiating is this. Do not give them any luxury, deny them even some amenities, but do not deny them bare necessities of life. Where the bare necessities of life are concerned, you must not push down those fellows below that level. What the Honourable the Finance Member is doing is pushing below thousands and thousands of people below this poverty line, this bare subsistence line by his new proposals of imposing income-tax on incomes between Rs. 1,000 and Rs. 2,000. For that reason, I would beg of him that he should withdraw this part of his Bill. It is going to be most unpopular and deservedly unpopular. It is going to tax the very scanty resources of the poorest of the poor, it is going to bring disease to infants to much greater degree than is even possible today. The children that will be born because of diseased parents for want of bare subsistence will be a liability on the future State, apart from the great misery that will be produced at the present moment. For these reasons I wish to appeal to my Honourable friend, the Finance Member, that he should agree to abolish this new proposal.

Apart from this economic distress which will be very widespread, it will also produce a chronic indebtedness to a larger extent than it is today. There is no doubt that this will compel poor people to go and borrow. Their Rs. 1,100 will not help them, their Rs. 1,200 a year will not help them; up to Rs. 2,000 it will not help them. They will not be able to pay either the income-tax or the forced loan. This saving campaign must be kept within a reasonable margin; saving by looting is not saving. It is a loot to tax people up to Rs. 2,000 in these days when their income does not fetch even two-thirds it was fetching. To compel them to pay further to the State either in the name of tax or in the name of loan is, I wish to submit with greatest respect, nothing but downright day light loot. It is bound to reduce and shrink the standards which are already low. Therefore, the one necessity of the day when the war is the greatest concern of every one of us, and the Rau Committee also has particularly emphasised it, that in the war when you want to make a great call on the efficiency of the workers, you should not drive anybody under the subsistence level. The last word on this question is that of the Rau Committee which says, let us all make some sacrifices for the war. Where there is not enough for everybody, each should accept some less, but so far as the marginal consumer is concerned, it is said, do not tax

him further because to the latter we should fully neutralise the cost of living that has arisen. Is this proposal likely to neutralise to the cost of living on the right side or further drag down that level?

I shall close with the observations of the Rau Committee which says:

"To the latter we would point out that when there is less for everybody, the necessities of the poorest workers must come first and last and all the time, for it is among them that the nation dwells."

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas:

1 P.M. Non-Muhammadan): Sir, I would not have taken part in this debate had it not been for the fact that I have to place my point of view about an argument which was placed by my Honourable friend, Qazi Muhammad Ahmad Kazmi. Although I agree with his views that the poor man has got more procreating power than the rich man, I differ from him that the necessity of procreating is as much there. While wounding up the debate the other day, Qazi Muhammad Ahmad Kazmi said that it was necessary for the poor man to procreate and beget children. To my mind it seems that the problem is otherwise. Of course, in a country like India, the one problem is over-population. Therefore, I would have just argued the reverse. But for the fact that I know that this will still create broods of poor men, I would not do that. Had I been a white man and in the position of the present Government of India whose policy perhaps differs from the policy which a National Government would have pursued, of course making broad allowance so far as the present Expanded Council is concerned, I would not have pursued a different policy. And we see from the schemes of such legislation as has been placed before the Legislature that the policy is much the same as it used to be before. What is that policy? I have said that had I been in his position I would have followed this policy which is a policy of brutalising men by such legislation. I appeal to the Government that even now under the stress of war time they should give up this policy. Different Honourable Members have said how this tax will fall heavily upon the middle class people who form the backbone of society. Even the Finance Member told us that he is a poor man; and the condition of people drawing Rs. 75 or 80 a month can be easily imagined. I think in some countries that is the wage of an ordinary labourer, and Mr. Joshi with his knowledge of labour problems can say whether that is the wages of a labourer in the more prosperous countries of Europe and America. If the middle class gentleman has to frame his budget within this means his plight can be more imagined than described; and I hope the Finance Member will consider the appeals made to him from all sides of the House. This law will work as loot law, particularly in provinces which are poor and also in places like Bengal where there will be double taxation.

I, therefore, hope that the Finance Member will consider the poor lot of these people on whom this will fall heavily and will not pursue the insensate policy of making brutes of men. Even today we know the condition of middle class people. We hear of suicides, of people who cannot bring up their children or marry their daughters or feed the hungry mouths in the family. All these things should be taken into consideration. The Finance Member has to carry on the war efforts and

[Babu Kailash Behari Lal.]

so this legislation is an important one, but he should also keep in view the state of the society on which it will prove a heavy blow and I appeal to him to withdraw this provision.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

The Honourable Sir Jeremy Raisman: As Honourable Members will no doubt have guessed, we have during the lunch interval on these Benches considered whether any modification should be made in our proposals. But I must say here and now that I am not prepared to accept the amendment No. 14 which has been moved by my Honourable friend, Qazi Muhammad Ahmad Kazmi. But before I go on to explain what we are prepared to do in order to meet the view of Honourable Members, I would like to place before the House again the considerations on which this proposal in the Budget is based. It is not merely an ordinary case of reducing the minimum for income-tax. If it had been a proposal of that nature, many of the criticisms would have been valid, but even on that basis, I would have been prepared to argue that at a time like the present, it is justifiable to carry the demands of the State on the individual as low down as the classes which the Budget proposal would affect, and I would say that at a time like this sacrifices must inevitably be called for from larger and larger numbers of the community and that those sacrifices must undoubtedly involve a certain amount of hardship. There is no meaning in sacrifice unless it involves some hardship. But this was not, as I say, merely a scheme for raising additional revenue by lowering the minimum liable to income-tax. It was a proposal which is in line with the generally accepted thought in all countries now-a-days as to some of the ways whereby the fundamental economic difficulties that arise in a time like this can be tackled. The scheme is particularly devised in order to make it worth the while of the assessee to choose the option of saving rather than paying the tax and the object of that is to furnish a powerful inducement to him to endeavour to postpone even at considerable sacrifice his claims for current consumption in order to ease the general effect on the price level and, therefore, on his own well-being. Now, Sir, the total amount of purchasing power which my proposal would affect is estimated at not less than 100 crores. The revenue to be derived, if it were purely a tax scheme, would in itself probably be over a crore of rupees in the present conditions, but I do not emphasise that aspect of the matter.

Qazi Muhammad Ahmad Kazmi: Savings fund or tax?

The Honourable Sir Jeremy Raisman: Tax. But I do emphasise that no less a part of the national income than Rs. 100 crores which at present tends to push up the price level, that that volume of purchasing power would be affected by a proposal of this kind. In other words, a certain amount of belt tightening and postponing of current consumption would take place throughout the whole of that range as a result of this proposal.

Sir F. E. James (Madras: European): Will the Honourable Member kindly give the figures of the estimated number of assesseees likely to be affected?

The Honourable Sir Jeremy Raisman: I have only got figures of the last occasion when these lower incomes were taxed.

Sir F. E. James: Now, it must be more.

The Honourable Sir Jeremy Raisman: It must be considerably more now. In the last year in which the lower incomes were taxed and came within our cognisance, that was the year 1935-36, it was of course a time of lower economic activity than at present.

Dr. P. N. Banerjea: That was the last phase of depression.

The Honourable Sir Jeremy Raisman: Yes, at that time the total number affected was about 400 thousand and the total income affected, was about 56 crores. Now, I estimate that at the present time, the total number of people affected would be considerably greater and the income affected would be probably of the order of 100 crores of rupees. It is common experience that if a man has a certain income, even a small reduction, even a five per cent. reduction in his current income alters the whole basis of his approach to the question of current consumption. He has probably to adjust his way of living to some extent, he may in the worst case have to decide to reduce his standard of living by that amount, or he may decide to give up some particular form of consumption which is less essential to him than others.

Pandit Lakshmi Kanta Maitra: Does the Honourable Member expect an increase of 25 per cent. in the number of assesseees over the figure of 1935-36?

The Honourable Sir Jeremy Raisman: I expect a much larger increase. Now, Sir, my Honourable friend, Sir Cowasji Jehangir, I am afraid must have been in a rather volatile mood today because he approached this House, he came this morning feeling that this proposal was a sound one and he was very quickly converted.

Sir Cowasji Jehangir: I definitely said. I was against the proposal.

The Honourable Sir Jeremy Raisman: I beg the Honourable Member's pardon. I thought he had changed his mind in the course of the discussion. But the point which seemed to influence him the most was that certain consequences might flow from the extension of the income-tax to further classes. Now, Sir, as regards the franchise, I do not know that it is my business or the business of the House to attempt to prevent changes in the constitution of the electorate. I believe that the total number who were enfranchised under the existing scheme was estimated to be something like 30 millions in the whole of India. The number of persons involved in this proposal is probably somewhere between half a million and a million, but very many of those are already, I understand, enfranchised because they are literate.

Sir F. E. James: Most of them are.

The Honourable Sir Jeremy Raisman: All the salaried workers are literate.

Sir Cowasji Jehangir: There are certain constituencies in which income-tax payers have a vote. Such a constituency is the one I represent, the City of Bombay, under the old constitution,—the new one has not yet come into force and it does not look like coming into force at all,—mostly income-tax payers form the electorate. Therefore, by your measure the electorate might be doubled. That is the point. Going into the question of whether a man is literate or illiterate for some other constituencies is irrelevant.

The Honourable Sir Jeremy Raisman: In that case, the effect on the franchise is much more limited than I had even thought myself, because it only affects certain constituencies. However, as I pointed out to my Honourable friend at the time he was speaking, when the existing constitution was enacted, the fact is that people in this income class were paying taxes and were therefore contemplated as being voters. So it is not that we are making entirely unexpected changes in the constitutional position, but on the contrary, the changes took place purely incidentally in the years after the tax on lower incomes was removed.

Now, Sir, an argument was put forward, particularly by Honourable Members from Bengal, that the extension of income-tax to lower income classes will automatically render a large number of persons liable to the Bengal Profession Tax for which I understand they have to thank my Honourable colleague, Mr. N. R. Sarker. Now, if it were so, this would be an entirely unintended consequence, but there is also an entirely unintended remedy for this. Under my proposal in the Finance Bill, an individual would not be liable to tax at all if he made a certain deposit. Now, Sir, if he makes that deposit, he will not be assessed to income-tax and, therefore, he now has an additional inducement for taking what is in any case the only prudent course. Instead of choosing to pay Rs. 30 tax, he has to save Rs. 30 odd and that will also save him a sum of Rs. 30 as Profession Tax. In any case, I must point out that the adoption of the income-tax criterion for a province for the purpose of its own tax is a matter which concerns the Provincial Legislature and it surely is remediable by that same Legislature. Actually, in the case of the Bengal Profession Tax, the Provincial Government has taken power to exempt certain classes who would be liable to tax.

Dr. P. N. Banerjea: You cannot compel them to exempt.

The Honourable Sir Jeremy Raisman: No; I cannot compel them. If I could, I would be prepared to accept an amendment to that effect. I have not got the power to produce that effect, but it does seem to me that if Honourable Member wish to pursue the argument that when an entirely unintended effect has been produced, the executive power should be exercised by the Provincial Government in order to prevent that effect, that argument would be a powerful one. . . .

Sir F. E. James: If they had not declined to come within the scope of provisions of my Profession Tax Bill, they would not have been in this predicament.

The Honourable Sir Jeremy Raisman: At any rate, as far as I am concerned, my own proposal provides an escape from that particular dilemma for the persons affected. My Honourable colleagues and I have given further considerable thought to what modification might be made to meet the wishes of Honourable Members of this House without destroying what is really an important feature of any war time budget and certainly of this budget—a feature which should be judged as I have already said not merely by its revenue effect, but as an attempt to mitigate factors which are already strongly operative and which may become even more powerful in the course of the forthcoming months. That is a situation which no Government can fail to take into account and Governments must attempt to devise some means of mitigating these undesirable effects, and all Governments, I may say, or practically all attempt to adopt means of the kind which I have proposed in order to meet a situation of that kind. I admit that they are always met by exactly the same kind of argument which my Honourable friend, Mr. Jammadas Mehta, and others have brought forth in this House, namely, that with the cost of living rising you cannot reduce the income of the classes affected. But it is very like certain types of therapeutic treatment which may seem at first to the patient to accentuate his discomfort, but which, nevertheless, may have an exceedingly valuable effect. However, having considered this matter carefully, my Honourable colleagues and I are disposed to accept the amendment put down on the agenda paper as No. 18, which says:

“That in the proviso to clause (a) of Part I-A of Schedule II to the Bill for the figures ‘1,000’ the figures ‘1,500’ be substituted.”

That amendment has not been moved. I do not know whether the Honourable Member, Mr. Lalchand Navalrai, who has tabled that amendment will move it. I see he is absent. Perhaps he is ill. I submit that the furthest we can possibly go in the direction of meeting the criticism which has been raised is to reduce the taxable minimum from the present figure of Rs. 2,000 to the figure of Rs. 1,500.

Sir F. E. James: What would be the effect of that?

Pandit Lakshmi Kanta Maitra: There will be consequential changes also.

The Honourable Sir Jeremy Raisman: One of the reasons why we are disposed to adopt that amendment is that there would be virtually no consequential changes and the alternative scheme of savings will still be obtained.

Qazi Muhammad Ahmad Kazmi: 750 onwards?

The Honourable Sir Jeremy Raisman: Yes. The rest of the Bill will stand unaffected. The scheme of alternative savings will also remain and I would also pursue the proposal we have in mind for simplifying the whole

[Sir Jeremy Raisman.]

system of income-tax assessment in relation to these small incomes. Mr. Sheehy explained this morning what we contemplate. We contemplate a very simple form of income-tax return in which the assessee (a) declares his total income indicating from what sources, and (b) states thereupon that he has deposited the requisite amount of savings in Post Office Savings Bank account, and, thereby, claims to be exempt from taxation. Now, it is part of this scheme that no appreciable administrative machinery would be required and it is our intention that the scheme should, as far as possible, administer itself. The individual will give the number of the certificate which is obtained for the deposit, and, broadly speaking. . . .

Qazi Muhammad Ahmad Kazmi: Will the assessment be made before?

The Honourable Sir Jeremy Raisman: No, Sir. The intention is that unless any strong reason to the contrary appears, the return in that form would be ordinarily accepted, and we do not intend to call into being a large mass of lower administrative officers and we do not intend to spend any considerable amount on additional staff.

It is true, as several speakers have said, that on the last occasion when the Income-tax limit was lowered, the cost of administration was very great in proportion to the actual revenue raised, and that is a very serious criticism of any tax. But the present proposal being essentially a savings rather than a taxation scheme, would not involve any considerable expenditure in administration. The large majority, of course, in this class are salaried persons and in their case, as Sir Henry Richardson suggested, the loan could be deducted monthly instead of the tax as is done at present in the case of taxable salary-earners. As for the others the assessee would be taking a chance if he decided not to make the necessary deposit in the Post Office Savings Bank because if it were subsequently discovered that he had a taxable income he would then be liable to tax and would not have the option of the saving. It is on that feature of the scheme that we rely to make the system more or less self-administering.

Qazi Muhammad Ahmad Kazmi: Will notices be issued?

The Honourable Sir Jeremy Raisman: No individual notices will be issued. A general notice will be issued and, thereupon, individuals with a taxable income will be liable to make a return. After all, the position is that in the case of non-salaried persons the income fluctuates and they may at any time come within the cognizance of the Income-tax Department because the income may rise above 2,000. If such an assessee, having had an income which was taxable under this scheme, had not exercised the choice of making a deposit and had not returned his income return, then on a subsequent occasion or in a subsequent year he would find himself liable to the tax without the option of the deposit in the Savings Bank.

Sir Cowasji Jehangir: I take it that this new form is only for those who want to save and not pay a tax.

The Honourable Sir Jeremy Raisman: Yes, Sir.

Sir Cowasji Jehangir: Then what about those who want to pay tax?

The Honourable Sir Jeremy Raisman: In those cases it means that they are insisting on an assessment and, therefore, they have to furnish the information which is necessary in order to go through the ordinary assessment. It is the individual who chooses both: (a) the savings provision; and (b) to be relieved entirely of the detailed assessment procedure; it is for him that this simplified form of return will provide a solution of his problem.

Dr. P. N. Banerjea: Will the Honourable the Finance Member guarantee that if an assessee chooses the savings alternative, he will not be called upon to pay the tax of Rs. 30 in Bengal.

The Honourable Sir Jeremy Raisman: I am not in a position to give that guarantee. For all I know, the Bengal Government may tomorrow amend their Act and make everybody with an income of 500 liable to Profession Tax. It is purely accidental from my point of view that they chose 2,000 as a suitable income and based their tax on the income-tax paying classes.

Dr. P. N. Banerjea: But we are talking about the present basis.

The Honourable Sir Jeremy Raisman: You mean the guarantee that if he makes the deposit . . . ?

Dr. P. N. Banerjea: Yes, Sir. If he makes the deposit then he will not be charged for the payment of Bengal tax of Rs. 30.

The Honourable Sir Jeremy Raisman: I have discussed that matter with my Honourable colleague, the Law Member, and I understand I was correct in saying what I did, that if an individual chooses the savings alternative he will not be assessed to income-tax under my scheme, and, therefore, he will not be liable. The Bengal Act says: "Every person who was assessed to income-tax in the preceding financial year"—incidentally, this will take effect in the following year—whereas, the essence of our proposal is that if he shall have made the requisite saving he will not be liable to income-tax. I must say that I view with some regret the narrowing of the schemes which are regarded as an important contribution to the solving of economic problems of the present day.

Sir F. E. James: Could the Honourable Member give us any idea as to the number of assesseees who will now be relieved and the amount that he will actually surrender?

The Honourable Sir Jeremy Raisman: On the basis of the 1935-36 returns, the actual number of persons involved were about two-thirds in the class 1,000 to 1,500, and one-third in the class from 1,500 to 2,000. So, if you suppose that say 750,000 persons were affected then 500,000 would have been let out by this amendment, and only 250,000 remain. Similarly, as regards purchasing power, the amount in the 1,000 to 1,500 class was about one and a half times the amount in the higher bracket. So if that proportion should still obtain and if we assume that 100 crores is affected, it would leave 40 crores of purchasing power affected and would

[Sir Jeremy Raisman.]

allow 60 crores to go free; and strictly speaking according to present-day economic thinking, and with due respect to the views of my friend, Mr. Jamnadas Mehta, it is particularly in the lower income classes that the necessity of trying to inculcate the lesson of postponing purchasing at this time is so necessary. For these reasons I view somewhat ruefully the damage to a scheme to which I attach some importance. However, I am prepared to make this contribution to a settlement which I trust will be acceptable to the whole House.

Mr. Deputy President (Mr. Akhil Chandra Datta): So far as the Chair is concerned, it is necessary to know what is the effect of the statement of the Honourable the Finance Member so far as Mr. Kazmi's amendments are concerned. Does the Honourable Member want the leave of the House to withdraw the amendments?

Qazi Muhammad Ahmad Kazmi: Would it not be better that the amendment which it is proposed to accept, be just moved?

Dr. P. N. Banerjee: The Honourable the Finance Member may himself move it with the permission of the Chair.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has got an assurance already. I do not think he need worry himself about who moves it.

Qazi Muhammad Ahmad Kazmi: Unless some amendment is passed . .

Mr. Deputy President (Mr. Akhil Chandra Datta): It will be moved in due course. I understand that Mr. Kazmi asks for leave of the House to withdraw his amendments.

The amendments were, by leave of the Assembly, withdrawn.

Dr. P. N. Banerjee: As regards amendment No. 18, I suggest that the Honourable the Finance Member move it, or if he is not prepared to move it, I may move it on behalf of Mr. Lalchand Navalrai, with the permission of the Chair and the assent of the House.

Mr. Deputy President (Mr. Akhil Chandra Datta): I am afraid the Finance Member cannot move it, nor can anybody else move it on behalf of Mr. Lalchand Navalrai. But I can allow certainly Dr. Banerjee to move it on his own account. The question is:

"That Schedule II stand part of the Bill."

Dr. P. N. Banerjee: All right, Sir. With your permission, I move:

"That in the proviso to clause (a) of Part I-A of Schedule II to the Bill, for the figures '1,000' the figures '1,500' be substituted."

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That in the proviso to clause (a) of Part I-A of Schedule II to the Bill, for the figures '1,000' the figures '1,500' be substituted."

The motion was adopted.

Mr. Jamnadas M. Mehta: What about amendment No. 20, Sir? It is not relevant to this.

Mr. Deputy President (Mr. Akhil Chandra Datta): We are on the Schedule now; if you want to move it, you must move it now.

Mr. Jamnadas M. Mehta: Sir, I move:

"That in Schedule II to the Bill, in Part I-B, the words 'and local authority' be omitted."

In moving this amendment I want to seek a clarification from Government in respect of the position of local bodies. I tried to secure that explanation yesterday, but one or two points still remain to be clarified before I can make up my mind. Local authority would mean municipality and local board, and if their income is to be taxed there is no limit to the burden which most municipalities will have to bear because of this provision in the Schedule. I am told that this provision to which I am objecting applies not to the ordinary income of the local authorities or to any commercial enterprise which they may be having within their own jurisdiction, but that it will only apply where any commercial enterprise is being run by a local authority outside its jurisdiction and to that extent the local authority is taxable. I do not know what the activities of other municipalities in the country may be, but I know that the Bombay Municipality has several activities outside its municipal jurisdiction: for instance, we supply water to the Government of Bombay for its development schemes outside the municipal jurisdiction; we supply water to several municipalities like Bandra, Thana and several other places; and I am afraid that if this provision remains, the Bombay Municipality will be taxed on its income from the water supply to local bodies outside its jurisdiction as well as for providing water to the Government of Bombay. The Bombay Municipality will, of course, pass it on by adding to their rates for these municipalities and local bodies concerned, but the result will be the same, that the poorer people will have to pay the additional tax on water supply to them. I may assure the House that people who are getting water from the Bombay Municipality outside its jurisdiction are mostly poor people, and the fact that they are within the municipalities in the suburban area in Bombay should not lead the Government to assume that they are able to bear this burden. The municipality makes a special provision for them by charging them much less than it charges to industries within its own borders. And the net effect of this would be that the water supply of nearly two lakhs of people or perhaps more in the Bombay suburban districts would be taxed, and also to those who are getting water for the Government of Bombay Development Schemes the price of water will rise high. This is one of the unexpected effects of this provision. I would, therefore, very earnestly suggest to Government to exclude by any change in the Schedule the taxation of these poor interests. I do not know what other municipalities have commercial activities outside their own jurisdiction as the Bombay Municipality has, and, therefore, I am not in a position to comment, but the result of this provision will affect the Bombay suburban area, where mostly very poor people and agriculturists live. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That in Schedule II to the Bill, in Part I-B, the words 'and local authority' be omitted."

Mr. J. F. Sheehy: Sir, what the Honourable Member seems to be trying to do is to amend the Indian Income-tax Act which exempts the income of a local authority except income from a trade or business carried on by the authority so far as that income is not income arising from the supply of a commodity or service within its own jurisdictional area. Now, all we are doing in the Finance Act is to apply a rate to that income which is taxable under the Income-Tax Act. So when the Honourable Member is trying to delete the local authority from the Finance Act, he is really trying to amend the Income-tax Act, and not the Finance Act. Now, I think he wanted to know what a local authority was. It is defined in section 3 (28) of the General Clauses Act as follows:

"A Municipal Committee, District Board, Body of Port Commissioners or other authority legally entitled to or entrusted by the Government with the control or management of a Municipal or local fund"

The words 'legally entitled to or entrusted by the Government' should be construed to mean "entitled by the law of British India to" or "entrusted by a Governmental authority in British India with". The Honourable Member spoke of the Bombay Corporation, and I think he suggested that they might be taxed for supplying water outside the municipality. Well, I am pretty certain that they are not in practice being taxed, because cases in which local authorities are taxed are generally seen by the Central Board of Revenue, and I do not remember having seen any case from Bombay City . . .

Mr. Huseinbhai Abdullahai Laljee (Bombay Central Division: Muhammadan Rural): Not yet.

Mr. J. F. Sheehy: This provision has been in the Income-tax Act for three years. So I am pretty certain that the Bombay Corporation is not being taxed for supplying water outside the Municipal area.

Mr. Jamnadas M. Mehta: I want to ask a question, Sir, for clarification . . .

Mr. Deputy President (Mr. Akhil Chandra Datta): You can ask a question for clarification, but you cannot make a speech.

Mr. Jamnadas M. Mehta: If I have followed my friend correctly, it means this that because during the last three years the Bombay Municipality has not been taxed, therefore I can take an assurance from Government that it will not be taxed hereafter?

Mr. J. F. Sheehy: No, you cannot, Sir. But your own speech here may be the cause of getting them taxed.

Mr. Jamnadas M. Mehta: I entirely agree with you, that instead of doing any good my diligence might do some harm. That is what I have found, but I am not without . . .

Mr. Deputy President (Mr. Akhil Chandra Datta): Do you want to withdraw?

Mr. Jamnadas M. Mehta: No, Sir, I don't want to, because I get no assurance.

Mr. Deputy President (Mr. Akhil Chandra Datta): Then I will put the Amendment: The question is:

"That in Schedule II to the Bill, in Part IB, the words 'and local authority' be omitted."

The motion was negatived.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That Schedule II, as amended, stand part of the Bill."

Mr. Jamnadas M. Mehta: Sir, as I could not make another speech for getting an explanation, I am rising at this stage to assure my friend, Mr. Sheehy, that the Bombay Municipality will not allow itself to be taxed. I have pointed out to you that the result of this amendment will be that the Bombay Municipality will pass on that tax to the poorer people in the suburban area. Therefore, I wish he had not excited the risibility of the House misunderstanding what I said. The net result of this provision will be that the poorer people in the suburban area will be taxed for their water supply unless the Government allows the sleeping dogs to lie.

The Honourable Sir Jeremy Raisman: Why don't you sometimes allow the sleeping dogs to lie?

Mr. Jamnadas M. Mehta: Because I thought you are so much on an alert to find out the possible victim. I knew that the Bombay Municipality might come in for trouble. But all I can say is that it is not the Bombay Municipality which will suffer, but it is the poorer people living in the suburban areas who will suffer, and it is in their interest I request that sleeping dogs should not be disturbed.

The Honourable Sir Jeremy Raisman: I think the Honourable Member is now learning the virtue in the old maxim that silence is golden.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That Schedule II, as amended, stand part of the Bill."

The motion was adopted.

Schedule II, as amended, was added to the Bill.

Mr. Deputy President (Mr. Akhil Chandra Datta): We will now go back to clause 8, amendment No. 7.

Mr. J. F. Sheehy: Sir, I move:

"That to sub-clause (5) of clause 8 of the Bill, the following proviso be added:

'Provided that where the total income includes any income chargeable under the head 'Salaries' or under the head 'interest on securities' or any income from dividends in respect of which he is deemed under section 49-B of the Indian Income-tax Act, 1922, to have paid income-tax imposed in British India, the amount to be deposited by the assessee in order to obtain the exemption conferred by this sub-section shall be an amount bearing to the minimum required to be deposited under the foregoing provisions of this sub-section the same proportion as the amount of his total income diminished by the amount of such inclusions bears to the amount of his total income.'

This is a formidable looking amendment, but I hope to make it clear by an example. The object of this amendment is to bring sub-clause (5) into line with sub-clause (2). According to sub-clause (2) in the case of any income from which tax has been deducted at source, last year's rates will apply; so that if, for example there is an assessee who in 1941-42 had an income of Rs. 1,200 from salaries, and Rs. 600 from other sources, he will pay no tax on the Rs. 1,200, because there was no rate of tax applicable to an income of that size last year; he will pay only on the other income of Rs. 600. Now, when we come to sub-clause (5) which deals with his deposit in lieu of tax as the clause stands at present, he would have to pay a deposit in respect of the total income of Rs. 1,800. Now, the effect of the amendment that I propose will be that he will be required to make a deposit only in respect of Rs. 600. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That to sub-clause (5) of clause 8 of the Bill, the following proviso be added:

'Provided that where the total income includes any income chargeable under the head 'Salaries' or under the head 'interest on securities' or any income from dividends in respect of which he is deemed under section 49-B of the Indian Income-tax Act, 1922, to have paid income-tax imposed in British India, the amount to be deposited by the assessee in order to obtain the exemption conferred by this sub-section shall be an amount bearing to the minimum required to be deposited under the foregoing provisions of this sub-section the same proportion as the amount of his total income diminished by the amount of such inclusions bears to the amount of his total income.'

Pandit Lakshmi Kanta Maitra: I am afraid I cannot congratulate the Honourable the Mover on the phraseology he has adopted in giving effect to this provision. It has been our painful experience that unless a provision in a taxing statute is expressed in the clearest possible language, it lends itself to all manner of unnatural interpretations. There is a similar provision in other parts of the Income-tax Act, and very often difficulty arises with regard to their interpretation. I have a great admiration for Sir Jeremy Raisman's knowledge of the English language which is singularly exact and profound, and his drafting is admirable. But my grievance is that the simple hypothetical case which Mr. Sheehy has put before the House and the interpretation he has given of the amendment is not easily deducible from the phraseology of the amendment itself. The concluding portion of this amendment is very confusing. My Honourable friend has given the illustration of a person with a salary income of Rs. 1,200, and an income from other sources of Rs. 600. He says that according to this amendment he will have to make a deposit in respect of Rs. 600 which is not his salary income.

Mr. J. F. Sheehy: That is right.

Pandit Lakshmi Kanta Maitra: But I do not understand how he arrives at that. If he will kindly apply his mind to the concluding portion of his amendment. . .

Mr. J. F. Sheehy: You will first calculate the deposit that he would have to make on Rs. 1,800, and then you will ask him to deposit one-third of that. You take the proportion of 600 to 1,800 and ask him to deposit that proportion.

Pandit Lakshmi Kanta Maitra: But the phraseology used here is confusing.

Mr. J. F. Sheehy: If the Honourable Member will compare this with sub-clause (2) (a) of the same clause—and the language there is the same as in the last year's Finance Bill which the Honourable Member swallowed lock, stock and barrel—he will see that the language used is not my fault.

Pandit Lakshmi Kanta Maitra: That is because it was rammed down our throats last year by the sheer force of the votes of the Treasury Benches, but in actual operation it caused difficulty. The language in which it is worded is very confusing. I am not speaking in a light vein, and I find that this does not bear, on the face of it, the easy interpretation which my Honourable friend puts on it. I would have been very happy, if the phraseology could have been more simplified and the position clarified in clearer language. The language used towards the end of this amendment is:

"...the amount to be deposited by the assessee in order to obtain the exemption conferred by this sub-section shall be an amount bearing to the minimum required to be deposited under the foregoing provisions of this sub-section the same proportion as the amount of his total income diminished by the amount of such inclusions bears to the amount of his total income."

Why this circumlocutory phraseology? If you merely want to confer certain benefit on assessee, why do you go on using circumlocutory language? Could there not be a simpler formula so that the income-tax officer might straightaway get at your point and give the relief? I think it is possible to simplify the language and because it was the phraseology used in the last year's Finance Bill, it must not be presumed that it embodied the ideal of wisdom and the model of draftsmanship that the Treasury Benches were capable of. Knowing Sir Jeremy Raisman as I do, I am sure he is capable of a better draft. I give him this certificate for what it is worth, and I trust it will stand him in good stead.

The Honourable Sir Jeremy Raisman: I must point out to my Honourable friend that income-tax legislation is drafted in a language of its own. If my Honourable friend has ever read any of the British Income-tax statutes. . .

Pandit Lakshmi Kanta Maitra: I know a little about that, but I want more of basic English.

The Honourable Sir Jeremy Raisman: These amendments are drafted in consultation with the Draftsman of the Legislative Department. . . .

Pandit Lakshmi Kanta Maitra: They make confusion worse confounded.

The Honourable Sir Jeremy Raisman: . . . and they are intended to make certain that the precise effect which is to be secured is actually secured.

Dr. P. N. Banerjea: Pandit Lakshmi Kanta Maitra is an honorary member of the Income-tax Bar.

The Honourable Sir Jeremy Raisman: This kind of language is somewhat similar to that in which some propositions of Euclid are couched. If you read them as a piece of literary English, they will probably give you a pain in the abdomen, but, nevertheless, if you study them carefully and draw a diagram or example, you will find that they have an absolutely precise and accurate meaning, although that meaning may not be evident on the face of the language used.

Sir Cowasji Jehangir: I believe my Honourable friend has a very good motto, live and let live. He wants to live and he wants my Honourable friend's profession to live, and that is why he drafts them like this.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That to sub-clause (5) of clause 8 of the Bill, the following proviso be added:

'Provided that where the total income includes any income chargeable under the head 'Salaries' or under the head 'interest on securities' or any income from dividends in respect of which he is deemed under section 49-B of the Indian Income-tax Act, 1922, to have paid income-tax imposed in British India, the amount to be deposited by the assessee in order to obtain the exemption conferred by this sub-section shall be an amount bearing to the minimum required to be deposited under the foregoing provisions of this sub-section the same proportion as the amount of his total income diminished by the amount of such inclusions bears to the amount of his total income'."

The motion was adopted.

Mr. J. F. Sheehy: Sir, I beg to move:

"That after sub-clause (5) of clause 8 of the Bill, the following new sub-clause be inserted and the existing sub-clause (6) be renumbered as sub-clause (7):

'(6) A deposit made in accordance with the provisions of sub-section (5) shall not in any way be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any Civil, Revenue or Criminal Court in respect of any debt or liability incurred by the depositor and neither the Official Assignee nor any receiver appointed under the Provincial Insolvency Act, 1920, shall be entitled to or have any claim on any such deposit'."

This amendment is proposed in order to meet the suggestion made by Sir Henry Richardson that we should provide for the safeguarding of these deposits against the claims of creditors. The wording of the amendment is taken from section 3 of the Provident Funds Act, 1925, which means that we are giving these deposits the same protection which Government gives to the Provident Fund contributions of its own servants. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved.

"That after sub-clause (5) of clause 8 of the Bill, the following new sub-clause be inserted and the existing sub-clause (6) be renumbered as sub-clause (7):

'(6) A deposit made in accordance with the provisions of sub-section (5) shall not in any way be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any Civil, Revenue or Criminal Court in respect of any debt or liability incurred by the depositor and neither the Official Assignee nor any receiver appointed under the Provincial Insolvency Act, 1920, shall be entitled to or have any claim on any such deposit'."

Dr. P. N. Banerjea: Sir, this is a very good amendment, and I give my whole-hearted support to it.

Pandit Lakshmi Kanta Maitra: Sir, I wish to put in a few sentences on this amendment moved by my Honourable friend, Mr. Sheehy. Apparently, the idea is that the money held on deposit for the assessee is to be secured against attachment by creditors. On the principle of this, the members of the legal profession will agree, there is room for honest difference of opinion as it impedes the free circulation of property which is the fundamental principle of all property law, but what I fail to understand is this. If the idea is merely to secure for the depositor the amount which he is forced to save or, in other words, if as a result of this act of governmental paternalism an improvident person is forced to lay by something, it passes my understanding why his power of assignment to his legal heirs or somebody else should be restricted. I can understand the ousting of jurisdiction of courts, civil, revenue and criminal in the matter of dealing with such property but I fail to understand the proposed restriction in this respect. If a person deposits money under this scheme and if before the time he is entitled to take it back he wishes to make, for instance, a testamentary disposition of the amount lying in deposit for him in the post office in the shape of defence loans, why should you stand in the way? He is not to withdraw the money before it is due. Why should you interfere with his right of assignment? It may defeat the very purpose for which he makes the deposit. Where is the incentive for him to make such deposits? I put into the post office Rs. 50 or 100 or 1,000 or whatever it may be. I cannot withdraw it till after the expiry of one year after the war. Very good. I abide by it but why do you fetter my discretion to make a gift of it? The effect of this will be to interfere with his right of disposition. While I think there is a good deal of merit in this amendment, the insertion of the words 'assigned or' takes away a lot of its good element. I would ask the Honourable the Finance Member or Mr. Sheehy to give a thought to what I have suggested. I think the ordinary law of the land does not view with favour these restrictions on the power of disposition of property by individuals and I do not see why the Legislature should make a violent departure from the accepted principles of jurisprudence. I hope some member from the Government Benches will explain his objections, if any, to the acceptance of my suggestion and if they have no objections, then they should accept my suggestion. I see that I have already set them furiously thinking and I hope that something will come out of this. With these words, I request the Honourable the Finance Member to accept my suggestion.

The Honourable Sir Jeremy Raisman: The main object from my point of view is that a certain amount of money which would be otherwise spent during the period of the war should not be spent during that period. But we have also accepted a suggestion from Sir Henry Richardson that the deposit, in the interests of the depositor, should be subject to the same kind of protection as the Provident Fund and, actually I think, this clause is taken from the Provident Funds Act. However, I agree that there is no necessity why it should be so rigidly frozen as this terminology would effect and I would be prepared to omit the words 'assigned or', if that is what is generally desired, because I agree that he should certainly be able to make a testamentary disposition of it.

Mr. Deputy President (Mr. Akhil Chandra Datta): Pandit Maitra's objection was only to the words "assigned or". Have I the consent of the House that these two words be taken out?

Honourable Members: Yes, yes.

Pandit Lakshmi Kanta Maitra: I think an amendment has got to be moved to regularise it.

Mr. Deputy President (Mr. Akhil Chandra Datta): I have already taken the consent of the House to the omission of those two words and I can do it. The question is:

"That after sub-clause (5) of clause 8 of the Bill, the following new sub-clause be inserted and the existing sub-clause (6) be renumbered as sub-clause (7):

"(6) A deposit made in accordance with the provisions of sub-section (5) shall not in any way be capable of being charged and shall not be liable to attachment under any decree or order of any Civil, Revenue or Criminal Court in respect of any debt or liability incurred by the depositor and neither the Official Assignee nor any receiver appointed under the Provincial Insolvency Act, 1920, shall be entitled to or have any claim on any such deposit."

Sir Cowasji Jehangir: Have you moved the amendment yourself from the Chair? You have put the motion in a different form to which it was moved.

Mr. Deputy President (Mr. Akhil Chandra Datta): I have done it with the implicit consent of the House.

The questions is:

"That after sub-clause (5) of clause 8 of the Bill, the following new sub-clause be inserted and the existing sub-clause (6) be re-numbered as sub-clause (7):

"(6) A deposit made in accordance with the provisions of sub-section (5) shall not in any way be capable of being charged and shall not be liable to attachment under any decree or order of any Civil, Revenue or Criminal Court in respect of any debt or liability incurred by the depositor and neither the Official Assignee nor any receiver appointed under the Provincial Insolvency Act, 1920, shall be entitled to or have any claim on any such deposit."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clause 9 was added to the Bill.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That clause 10 stand part of the Bill."

Mr. C. W. Ayers (Government of India: Nominated Official): Sir, might I have your permission to move amendments Nos. 9 and 10 together? They are closely inter-related and they have the same subject-matter. Both of them relate to the same sub-clause, sub-clause (1).

Mr. Deputy President (Mr. Akhil Chandra Datta): You may.

Mr. C. W. Ayers: Sir, I move:

"That in sub-clause (1) of clause 10 of the Bill, after the word 'If', where it occurs for the first time, the words 'before the 1st day of July, 1942, or', and after the words 'becomes payable', occurring in the fourth line, the words 'whichever of these dates is later' be inserted."

and

"That in the third proviso to sub-clause (1) of clause 10 of the Bill, for the words 'within thirty days of the commencement of this Act' the words 'before the 1st day of July, 1942,' be substituted."

I think that the intention of both amendments is clear. If not, it was made quite clear in the Honourable the Finance Member's speech yesterday. The whole intention is that the assessee who may wish to take advantage of the clause by making a deposit and securing an ultimate return of the part of his tax paid may have reasonable time in which to decide whether or not to make a deposit.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendments moved:

"That in sub-clause (1) of clause 10 of the Bill, after the word 'If', where it occurs for the first time, the words 'before the 1st day of July, 1942, or', and after the words 'becomes payable', occurring in the fourth line, the words 'whichever of these dates is later' be inserted."

and

"That in the third proviso to sub-clause (1) of clause 10 of the Bill, for the words 'within thirty days of the commencement of this Act' the words 'before the 1st day of July, 1942,' be substituted."

Pandit Lakshmi Kanta Maitra: Sir, I am afraid I could not catch what the Honourable Member advanced as arguments in support of his amendments to explain their scope and purpose. I do not really understand the difference as a result of the two different options given to the depositor under these amendments. If the Honourable Member had given a hypothetical case to explain their effects, we would have been able to grasp them better and understand their implications. As it is, reading the clause with the proposed amendments, it is not very clear what is really at the back of the mind of the Honourable the Mover who moved these amendments. I suggest that a little more light should be thrown on this matter because in all such matters, I want to make it perfectly plain that we do not want to leave anything to the region of speculation.

[Pandit Lakshmi Kanta Maitra.]

Any point that the Honourable the Mover of these amendments wishes to make should be made in such a way, rather in such an illustrative way that there may not be any loophole left.

The Honourable Sir Jeremy Raisman: Sir, I do not think there can be any doubt about the meaning of this amendment. The position is that any assessee is given up to the 1st day of July, 1942, in which to make up his mind whether to make a deposit under the provisions of this clause. The clause, as drafted, only gave him 30 days in which to do it. In respect of all taxes already paid, it gave him 30 days from the passing of this Act and in respect of any further assessment henceforward, it gave him 30 days. Now, for the reasons which I explained yesterday in order to give ourselves time to consider how far we can define the conditions and consult industry about them and possibly publish something on the matter, we have decided to extend the period, and we now will give everybody up to the 1st July in order to make up his mind. I think that is quite clear. Thereafter, having had this period up to the 1st July in which to make up his mind, in the case of assessments which are made close up to the 1st July, he gets 30 days, in any case, in which to make up his mind. The object of the amendment is to give us a 'three months' period to enable us to examine and formulate conditions.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That in sub-clause (1) of clause 10 of the Bill, after the word 'If', where it occurs for the first time, the words 'before the 1st day of July, 1942, or', and after the words 'becomes payable', occurring in the fourth line, the words 'whichever of these dates is later' be inserted."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question now is:

"That in the third proviso to sub-clause (1) of clause 10 of the Bill, for the words 'within thirty days of the commencement of this Act' the words 'before the 1st day of July, 1942,' be substituted."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Dutta): The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Mr. Deputy President (Mr. Akhil Chandra Dutta): The question is:

"That Schedule I stand part of the Bill."

Qazi Muhammad Ahmad Kazmi: Sir, I move:

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, against the first entry under the head 'Letters' for the words 'one and a half annas' the words 'one and a quarter annas' be substituted."

Of all Departments of Government the one Department which serves the rich and the poor is the Post Office to which we are all thankful. Perhaps no official of Government is such a welcome visitor to any place

as the postman; he brings us messages from our friends and relations. But there is one feature about this Postal Department that it does not wish to confine itself to the principles on which its foundation was laid. Time and again it has been asserted that it is a utility service and is required to pay its own way. And as a Commercial Department I think it is necessary that the expenses incurred in running it should be met from the Department itself. But I protest against its being made into a revenue raising Department. We have got many other methods and ways by which revenue can be raised.

The Honourable Sir Jeremy Raisman: Nearly every speaker has said that there is some other way in which to raise revenue; and on every item too.

Qazi Muhammad Ahmad Kazmi: But Government have not listened to anything. This should be an absolutely public utility Department to be run on commercial lines. And when by the force of your majority you have succeeded in carrying out your proposals on other items, you should at least give us some justification for making this Commercial Department into a revenue raising Department. It is a monopoly and in every monopoly you must see that it is not misused. If Government think they are carrying on the business at a loss they can easily take away the sections of the Post Office Act about the prohibition on sending letters through messengers, etc.; they may cease to have a monopoly and enter into competition with other people in the business of carrying these letters and parcels. At any rate the conditions require that this Department should not have any motive behind it for raising revenue from people whose incomes may vary from a few annas a day to a larger amount. In previous years we used to be told the extent of the benefits which they contemplated would accrue by increasing the postage; and, I think it would have been better if the Finance Member might have worked out the figure and told us what he expects to get by raising the price of the envelope by one pice. Otherwise it becomes very difficult for us to discuss the question. In former years we used to get facts and figures as to the gain anticipated or the loss which would follow if a particular proposal was carried. But this year I find that Government are conscious of their majority and they think that argument or no argument, whether it is valid or not valid, they can carry their proposals; and so they have not taken the trouble to inform us about the loss that would follow if the amendment is accepted. I strongly protest against this action. On a previous amendment I wanted to know the amount of loss if the amendment were accepted. They were reluctant to give a reply but I quoted figures from a speech of Sir James Grigg so far back as 1935 that it would not be more than 50 lakhs; after this to make their amendment more plausible they said that it may be a crore. What figures have Government got as to the increased revenue that they would get out of this increase in postage? Specially when the difference between the price of the post card and that of the envelope is going to be three pice, and the cost of the envelope is to be a hundred per cent. more than the post card, I think people would resort more to the post card than to the envelope. So, before this increase is sanctioned we must know what is the increased revenue that is expected and the loss that would follow if the amendment is accepted. I commend the motion to the acceptance of the House. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, against the first entry under the head 'Letters' for the words 'one and a half annas' the words 'one and a quarter annas' be substituted."

Pandit Lakshmi Kanta Maitra: Mr. Deputy President, as one who tabled this amendment with a number of other friends including the Honourable the Mover, I feel I should put in a few words on this. Sir, it is a pity that throughout this debate on the Finance Bill and even at this stage when matters relating to the Department of Posts and Telegraphs are under discussion, the Director-General of Posts and Telegraphs could not be in his place in this House. I do not know whether he is a member of this House.

Qazi Muhammad Ahmad Kazmi: His predecessor is present.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): He is not a member.

Pandit Lakshmi Kanta Maitra: I am told, Sir, that he is not sworn in in this House, and my Honourable friend, Mr. Kazmi, suggests that the late Director General of Posts and Telegraphs is here. But from handling the postal seal he has now perhaps started handling rifles and guns and has become a military expert overnight. And because he is in the War Department, I find him with a rose in his button-hole so unlike like a bullet.

Sir, I want, in the first place, to enquire from the Government why is it that it is proposed to enhance postal rates this year also? Sir, on many an occasion in the past I have demonstrated that the Indian postal rates are higher than those prevailing in any other country in the world.

An Honourable Member: No.

Pandit Lakshmi Kanta Maitra: It is only ignorance which prompts you to say "no". I say that the postal rates in India are easily the highest in the world. I am a student of Postal economics and I challenge a contradiction of this statement from any quarter, but I do not want to go into details now.

The Honourable Sir Jeremy Raisman: Did my Honourable friend say that they are the cheapest in the world.

Pandit Lakshmi Kanta Maitra: Highest.

The Honourable Sir Jeremy Raisman: I am sorry.

Pandit Lakshmi Kanta Maitra: It is highest having regard to the size of the country, the average income of the people and all other relevant considerations, its foreign postal rate is ridiculously high.

Sir, the policy of the Posts and Telegraphs Department was clearly enunciated on the floor of this House on more than one occasion by responsible Members on the Treasury Benches. It had been declared that the

Department of Posts and Telegraphs was not a revenue earning Department of the Government at all but it was a public utility service concern and that it was not to be looked upon as a commercial concern pure and simple. The view that it might be looked upon as a commercial concern only in the sense that it should pay its own way and that its accounting should be on a commercial basis, came to be established nearly 15 years ago. As early as 1921, I think, the Honourable Sir A. C. Chatterjea the then Member in charge of the Department, laid down in clear and unequivocal terms that the surplus income of the Department of Posts and Telegraphs should not be absorbed in the general revenues but should be applied, in the first place, to the development and further increase of postal facilities and, secondly, to the amelioration of the conditions of service. That is to say, the employees of the Posts and Telegraphs Department, which was a big organization, should be well paid. This was reiterated by the Honourable Sir B. N. Mitra a few years later.

Now, what is the position of the Posts and Telegraphs Department? Sir, I am not going to give the House elaborate figures spread over a number of years, but I will place before the House figures for the last three or four years only which will disclose the story they have to tell. The profit earned during the year 1938-39 by this Department was 18.98 lakhs of rupees. In 1939-40 the Department made a profit of 89 lakhs. In the year 1940-41 it fetched a profit of 102 lakhs. In the year 1941-42 it earned a profit of 140 lakhs. And this year we hear from the Honourable the Finance Member that the profit would be 179 lakhs more than what he had estimated in the last budget. Now, may I ask the Honourable Member in charge of this Department what justification is there for a Department which makes such colossal profits, a Department, which, as I have so often pointed out, has a monopolistic business in this land, to increase postal rates and make a further addition to the burden on the middle class people in this country? Throughout this day we have been explaining in detail, the very hard lot of the educated middle class men in this country who have not adequate incomes. Certainly this increase in postal and telegraphic rates would add to their difficulties, and would increase their burden. Now, let us see whether this Department has done anything in the direction of better postal amenities. Has it improved the service or increased postal facilities for the people of this country?

Some Honourable Members: No.

Pandit Lakshmi Kanta Maitra: None. Is there anybody in this House who will tell me honestly that this Department maintains its efficiency today?

Some Honourable Members on the Treasury Benches: Yes.

Pandit Lakshmi Kanta Maitra: I address this query to the elected Members of this House. I know my Honourable friends on the Treasury Benches do not find any thing to complain against.

Dr. P. N. Banerjea: The elected Members are the only honest Members.

Pandit Lakshmi Kanta Maitra: The ordinary people have experience of the inordinate delay that have become usual in transit, in these days, both of letters and telegrams. Telegrams reach three or four days after their transmission; even Express telegrams take more than two days. This is the efficiency of the Posts and Telegraphs Department. And my Honourable friend to the left tells me—and it is a piece of information to me—that the transport of Mail by motor car from Shillong to Sylhet has been stopped. This is to increase the efficiency of the Department!

Some Honourable Members: This is because of war with Japan!

Pandit Lakshmi Kanta Maitra: These days we have Japan-phobia but before Japan came into the war, I pointed out year before last and also on several other occasions that this Department had been earning tremendous profits and that it was only fair that it should set apart but a portion for the betterment of postal facilities for the people of this country, and also for relieving the distress of the poorly-paid and overworked staff who run the administration. All my appeals have fallen flat on them. What is the reason for this growing deterioration in efficiency in the Posts and Telegraphs Department? It is due, in the first place to paucity of hands; the whole of the Postal Department is under-manned and the staff overworked. In other words, the hands that are justified by the criterion which is associated with the name of the new Army Secretary, the test popularly known as the Bewoor-Mukerjee time test, are not given to the Post Offices in this country. Go to any Post Office to register or to insure a postal article or even to purchase postal stamps and you have got to wait for hours on end. You see people standing and waiting, not knowing when they will be disposed of. In other words, while the work of the Postal Department has increased tremendously, the Department has systematically kept down the strength of the officers in the Department.

As I said, this is not the first time I am placing this matter before the authorities. A few months ago, presiding over the All-India Postal and Railway Mail Service Conference at Agra I brought this matter to the notice of the Government and I made constructive suggestions to them. In the year 1933, presiding over the All-India Postal and Railway Mail Service Conference at Lahore, I drew the pointed attention of the Department to the fact that the whole of the Postal and Telegraph Department was under-staffed, that the Government were trading on the poverty of my countrymen. What is the justification for not giving additional hands? Do you seriously tell me that a Department which makes a profit of two crores a year cannot spend a few lakhs to provide additional hands for the better service of the people from whom it derives its vast revenues? So far about the kind of amenities offered to the public by this Department, a Department, which until lately was so popular because of its ideal of service to the public at large, but which has been now gradually lining itself with the other Departments and losing steadily in popularity with the public. Let me now deal with a few matters connected with the employees

The Honourable Sir Jeremy Raisman: Sir, the Honourable Member is making a considerable speech surely in relation to the scope of the amendment.

Pandit Lakshmi Kanta Maitra: May I make a submission? May I point out that I am going to refuse this financial provision on the ground that they are not giving increased facilities to the public and also on the grounds that they are not ameliorating the conditions of the service men? I am not going at considerable length into these matters.

Mr. Deputy President (Mr. Akhil Chandra Datta): We are concerned at the present moment with the narrow question raised in this particular amendment.

Pandit Lakshmi Kanta Maitra: Yes; this particular amendment seeks the retention of the old postal rates and my argument in support of their retention is that the Government have departed from the two established principles, *viz.*, increased postal facilities to the public out of the surplus and the betterment of the conditions of those who serve the Department. I have disposed of the first part and I am now dealing with the second and I will not be very long. Sir, I have got to tell the House how the Department deals with its own men; and because the Honourable Member is afraid that some unpleasant facts will come to light he wants to muzzle me by raising technical objections. I can only speak to the Finance Member now, as I cannot get hold of the Director General who is not here but is watching the proceedings from a different place. He has my sympathy though he has made himself scarce and fights shy of us.

The grievances of new entrants in service have been stated before now. The All-India Postal Union submitted before the Government well reasoned memoranda not once but several times, pointing out the very hard conditions of service of these men and the low scales of salaries given to the lower grade staff in the Postal Department. I can well understand that in times of war they cannot go in for general revision of their scales of pay involving increased expenditure, but certainly an assurance may be given here and now that the question will be sympathetically considered as soon as the situation improves.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: On a point of order, Sir. I do venture to submit that the Honourable Member is making a speech which would have been relevant at the first reading stage—this question of redress of grievances before supplies. But the question before the House now is whether this amendment should be made—substituting one rate for another; and only this argument would be relevant which suggested that the old rate would be enough or that the new rate is not necessary.

Mr. Deputy President (Mr. Akhil Chandra Datta): As I have stated before we are now concerned with this particular amendment. Passing references may very well be made to these matters of general weal, but the Honourable Member cannot pursue these points to the length that is being done.

Pandit Lakshmi Kanta Maitra: I will keep your observations in view, Sir, and I will restrict myself to only a few points, and not speak at length. The employees prayed that some war allowance should be given to them to relieve their acute distress caused by the abnormal increase in

[Pandit Lakshmi Kanta Maitra.]

the cost of living as the prices of all primary articles had gone up considerably. That has not been heeded. In the Railway Department they have given a dearness allowance but the workers in this Department have not got anything worth the name.

Mr. Deputy President (Mr. Akhil Chandra Datta): I am afraid the Honourable Member is going on on the same lines again.

Pandit Lakshmi Kanta Maitra: Sir, I will simply mention these points if you will permit me.

Mr. Deputy President (Mr. Akhil Chandra Datta): All right. You simply mention your points without amplifications.

Pandit Lakshmi Kanta Maitra: I have dealt with but one serious grievance. The second is that in many places Post Offices are located in old wretched buildings and the conditions of service there are simply appalling. Railway Mail Service vans are old and antiquated and are not at all suitable for present day use. Besides, in these days of danger in emergency areas, the Government have not made proper provision against possible air raids in the Post Office buildings. Practically, no real measure of protection has been taken.

Mr. Deputy President (Mr. Akhil Chandra Datta): Order, order. I do not think that air raid has anything to do with this amendment. You are going too far away from this amendment.

Pandit Lakshmi Kanta Maitra: All right, Sir. I will not deal with these things. If my friends on the Treasury Benches do not like to hear from me any more about these grievances, it is because they have dark minds and they would not like to be further exposed here, though I have plenty of materials by which I could expose them. They very often make us feel that they can never be amenable to public opinion or to reason.

Now, Sir, will the Finance Member explain to us in the course of his reply if the increase in the rates will not mean a reduction in the use of stamps and consequent loss of revenue? We believe that the cheaper the postal rates, the greater the return the Department will get. Be that as it may, I maintain that so long as I do not find in this Department any tendency to respond either to the demands of the public or of the employees, I do not feel I shall be justified in allowing them the enhanced rates of postage.

[At this stage, Mr. President (the Honourable Sir Abdur Rahim) resumed the Chair.]

It is a pity that my Honourable friend Sir Andrew Clow, could not make a generous gesture before his assumption of the Assam Governorship on which I congratulate him. I again ask the Department to discharge its obligations to the public and to the employees. At a time like this the vast labour force that is employed in the Posts and Telegraphs Department should not be left to simmer with discontent. Sir, the fact that this war has entailed a heavy burden on them has also been admitted by the Government in their Administration Report. I still hope that something will be done for them. Sir, I support the motion.

Mr. K. C. Neogy: Sir, no gesture on the part of my Honourable friend, the Member for Communications, would satisfy me on this occasion. I want to know from him whether he made any attempt to resist the proposals of the Finance Member in treating his Department as a revenue earning department of Government. I have vivid recollections of the discussions that took place ever since 1921 in regard to this matter, and although my Honourable friend, the Finance Member, does not like old echoes to be heard in this Chamber, I am afraid, I have to remind him of some of those far off things which perhaps do not quite appeal to him. Sir, I don't propose to go beyond 1850. That was the year that marked the re-organization of the Postal Department as a result of the inquiry by the Postal Commission into its activities. Now, Sir, even at that date the Commission had no difficulty in laying down the general lines which the policy of the Postal Department should follow, and they definitely declared that the Department had to be maintained for the benefit of the people, and not for swelling the general revenue. That this policy has not been departed from ever since, is admitted by Sir Geoffrey Clarke in his book on the history of Indian Post Office. We again find that as late as 1866, the then Finance Member made a declaration to the effect that the Post Office was so potent an engine of civilization that no Government would be justified in allowing fiscal considerations to interfere with its utility. Again, Sir, when we come to 1905, another declaration was made that Government did not intend to regard the Post Office as a revenue earning department. Now, the next official declaration to which I should like to make a somewhat lengthy reference is the one that was made in 1924 by the Honourable Mr. A. C. Chatterjea, who was the Member in charge of this Department in those days in replying to a debate on this very question which had been initiated by me; and this is what Mr. Chatterjea said on that occasion:

"My friend, Mr. Neogy, started his speech by asking for a declaration of policy from Government. He quoted certain previous declarations but I do not think he has been able to find a single declaration of Government in which it has been claimed that the Post Office or the Telegraph Department should be a source of income to Government. All that has happened is that we have tried to prevent it from becoming a source of expenditure to Government. I entirely agree with Mr. Neogy in considering that the Post Office should be looked upon as a public utility service. But in the same way as the Railways and any other organizations which are for the benefit of the general public and are looked upon as public utility services should at the same time pay their way, I consider that the Post and Telegraph Department should pay its own way, and I have the authority of my Honourable colleague, the Finance Member, in saying that the Government do not look to the Postal and Telegraph Department as a revenue earning Department."

Now, in 1926 when a reference was made to the postal rates as a tax, the then Director General of Posts and Telegraphs immediately protested against such a description being attached to the postal rates, and he interjected this remark—"postage is not a tax; it is a payment for a service". This, Honourable Members will find in the Proceedings of the Assembly, dated the 15th March, 1926. Now, Sir, we want to hear from the Government as to whether or not their present proposals represent a definite departure from this policy. I was really disappointed in not finding in the Honourable the Finance Member's budget speech any apology for trying to take away about a crore of rupees from the postal revenues and for treating this Department as a revenue earning department, and for trying to manipulate the postal rates for the purpose of raising revenue for the general exchequer. Sir, very many other questions

[Mr. K. C. Neogy.]

have been raised in this connection, but I am more concerned with this question of principle which outweighs all other considerations, to which reference has been made, and I should like to have considered reply from the Government in regard to this matter.

Mr. Husenbhai Abdullabhai Laljee: Sir, it has always been the practice that whenever a new tax is put on the people, the justification for it is made before the House, but we have not heard a single word from the Honourable the Finance Member as to why he proposes to increase the postal rates. The increase was a very big one last year, and now a further increase has been put, and there is no justification for it whatever. I don't see why, leave aside all the arguments that my friend, Mr. Neogy, advanced which are accepted all over the world that the Post and Telegraph Department is a public utility Department and that they should be conducted really for the benefit of the public, I really don't see any justification for Government to depart from that well-established principle. At present we find that they are making enormous amount of money from these two Departments, and the amount that is expected by this additional tax is a very big sum. We just a few minutes ago saw that with regard to the Income-tax over Rs. 1,500, which would bring to Government something like 40 to 50 lakhs the Honourable Member for that purpose fought for two hours in the House. But on this tax the Honourable Member has not said a single word in justification of his proposal to increase the postal rates. I don't think it is quite fair to do so. Sir, without proper postal facilities, how will the poor people and agriculturists be able to communicate with one another in this country of distances? Industries and commerce cannot thrive in these days without postal facilities and even agriculture cannot make headway as regards news of market in the absence of postal facilities. I think it is a very short-sighted policy to increase the postal rates. People are anxious to get world news. As my friend, Mr. Kazmi, pointed out, poor people are as anxious as any other to know the welfare of their relations who are living at long distances. Sir, many people have sent away their near and dear to distant places and to the war field, and, naturally, they are much more anxious to know the welfare of their relations abroad or overseas. I do not know whether there are any special concessions made to soldiers and their families . . .

The Honourable Sir Andrew Clow (Member for Railways and Communications): Certain concessions are being made and they will remain.

Mr. Husenbhai Abdullabhai Laljee: I am very glad some concessions are given to soldiers and that they will remain, but what about the masses of the people. The Postal Department should not be regarded as a commercial or revenue earning Department, nor should you make money out of it. You ought not to. This Department is for the benefit of the people. When there is a deficit, you at once come forward and tax the public utility Department. Why should you do so? Surely, there must be some principles which you should follow. I certainly think that unless very sound and substantial reasons are forthcoming from Government, we cannot approve of this proposal. I, therefore, support the amendment as strongly as I can.

The Honourable Sir Jeremy Raisman: I entirely agree with the principles which the Honourable Members tried to emphasise as a matter of guidance in normal times, and I would be prepared to say that, apart from the extraordinary emergency in which we find ourselves today, we do not intend any departure from the principles which we ourselves have from time to time formulated and expressed. But I would like to draw the attention of my Honourable friend, Mr. Neogy, to what has happened in England. In England, the principle of the separateness of the Post Office from general revenues has been carried a stage further than even in India. It was not merely what I may call a *pro forma* account as it is in India, but it was actually a separate fund. It was in the same position as the railways are in India. The British Post Office was entirely separated from the general budget, and it was recognised to be a public utility service, which, apart from a certain fixed contribution, I think it was,—was merely intended to pay its way and not to produce any extra revenue for the general taxpayer. Nevertheless, in the present emergency, that separate fund has been abolished. The Post Offices have been resumed as part of the general administration. Their finances have been merged in the general revenues. That is the effect of war. It is as if we were to cancel the separation of the Railway from the General Budget in order to avoid all these discussions that we have been having as to how much should go into this fund, how much into that, how much should go to the general revenues—it is as if we were to resume the whole of the Railway Budget and take it into the General Budget in order that whatever surplus accrued might be available for general revenues. That, as I say, happens in a country which had recognised the principles which my Honourable friend emphasised to the extent of completely separating the post office from general revenues. I can only point out once more what is familiar to all Honourable Members, that we are faced with a demand for expenditure and with a deficit on a scale which is far larger than anything that we have ever had before in our history. A total war requires new methods. If we are to preserve every principle and convention which has been maintained during peace time administration in the past, then how are we ever to adjust ourselves to so extraordinary a situation as the present? We have not increased the rate on the postcard, which would have no doubt been represented by Honourable Members as an additional burden on the poor man. We have gone only for the letter which, broadly speaking, is not used predominantly by the poorer classes. It is used largely by those classes which at the present moment can easily afford, in my opinion, to make an additional contribution through this channel to the sinews of war. My Honourable friend, Mr. Kazmi, wished to know what will be the effect of his particular amendment. The effect would be a loss of, at any rate, 35 lakhs of rupees, and I must say that, having had an expensive afternoon already, I cannot afford the luxury of losing another Rs. 35 lakhs. Sir, I oppose the amendment.

Dr. P. N. Banerjee: This amendment also stands in my name. Therefore, I consider it my duty to say a few words. My Honourable friends, Pandit Lakshmi Kanta Maitra and Mr. Neogy, have traced the history of this question. They have pointed out that it was never the intention of Government to treat the Posts and Telegraphs Department as a revenue earning Department. They have also pointed out that this Department should be looked upon as a public utility concern. Sir, on the ground of principle, therefore, there is no justification for raising the postal rates.

[Dr. P. N. Banerjee.]

Huge profits have been realised in recent years and for the coming year also a substantial profit is being estimated. But the Finance Member's view is that, in a time of war, it is to be treated as a revenue earning department, and he cites the example of England. Now, there are many differences between the conditions of England and India. England is a rich country, while India is a poor country. In India you have to look to the conveniences of the poor people and the middle class people. It cannot be denied that the burden of this additional rate on envelopes will fall heavily on the middle class and to a certain extent also on the poor people. It will also affect the commercial community. In this connection I wish to point out that 20 years ago the price of the envelope was only half an anna, but by successive stages the price has been raised; and it is being raised now to 1½ annas. That is to say, there is an increase by 200 per cent. Is such an increase in the price of the envelope desirable? I do not think there is any justification for raising the price of the envelope to such an extent. The Finance Member said that if this amendment be accepted he would lose Rs. 35 lakhs. But there are many ways in which he can recoup this loss. I suggested many methods in the course of the debate on the budget speech and also on the occasion of the general discussion of the Finance Bill. I will not refer to them once more, but I will request the Finance Member to reconsider his proposal and not to levy a further burden on the middle class and the poorer sections of the community at a time when the prices of commodities are very high and the middle class in particular has been hit very hard.

Mr. Akhil Chandra Datta: The matter is of such importance that I do not feel justified in casting a silent vote on this question. It is admitted that this postage is merely payment for certain service rendered, that service being that of a carrier. Therefore, the Honourable the Finance Member admits the force of that principle, namely, that for service rendered no more should be charged than is necessary for the rendering of that service. That is the principle, and that he accepts as the principle which ought to be accepted in normal times. But what is the abnormal thing? Has he said that there is a loss in the Postal Department? We have rather a surplus. If there is a surplus, then on what possible ground can you raise the postage. The Honourable the Finance Member says: "these are very extraordinary times. I do not know how to adjust." But that is no answer to our objection. For a letter we used to pay two pice, then you made it three pice, then you raised it to one anna and then to five pice and now you ask us to pay six pice. I ask you the question 'Why should I pay more. What is my consideration'. Your reply is 'There is the Japan war'. Is that a reply to me? The relationship between the Post Office and the members of the public who use this envelope is the relationship of master and servant. The real picture is, however, obscured by the fact that this work of carrier is being done by the Government and they have got a monopoly of this business. Therefore this war cannot be a justification for altering the relationship of a carrier. The whole question is: does the Department pay its way? That is the only principle on which we have to go. We are not concerned with the extraordinary situation created by the war as a justification for this increase in the postal rate. If that argument were to be accepted, I do not know to what length it can be pushed. Then why fix it at six pice? Why not at two annas. Where will you

draw the line? How far can you proceed on that basis? I say there is no ground for increasing the postage. The revenue sought to be raised is only 35 lakhs. If anybody says 'This is a small amount. Why don't you raise it in some other way', the answer is 'You say this on every item'. The question is that there must be one fundamental principle which you accept once and for all and you should not deviate from that principle by considerations like the one which is now sought to be raised as a justification. You say 'We have not touched the post card'. That is no justification at all. If you do not want to give me two blows, there is no reason why you should give me one blow. If you give me one unjustifiable blow, you cannot justify it by saying that you could give me another but you have not done so. Sir, I support this amendment.

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

"That in Schedule 1 to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, against the first entry under the head 'Letters' for the words 'one and a half annas' the words 'one and a quarter annas' be substituted."

The Assembly divided.

AYES—13.

Banerjee, Dr. P. N.
Chattopadhyaya, Mr. Amarendra Nath.
Dam, Mr. Ananga Mohan.
Datta, Mr. Akhil Chandra.
Deshmukh, Mr. Govind V.
Kailash Behari Lal, Babu.

Laljee, Mr. Husenbhai Abdullahai.
Maitra, Pandit Lakshmi Kanta.
Mehta, Mr. Jannadas M.
Muhammad Ahmad Kazmi, Qazi.
Neogy, Mr. K. C.
Parma Nand, Bhai.
Sant Singh, Sardar

NOES—38.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ayers, Mr. C. W.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chandavarkar, Sir Vithal Narayan.
Chettiar, Dr. Rajah Sir S. R. M. Annamalai.
Clow, The Honourable Sir Andrew.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Dehejia, Mr. V. T.
Ghiasuddin, Mr. M.
Gopalaswami, Mr. R. A.
Griffiths, Mr. P. J.
Gwilt, Mr. E. L. C.
Imam, Mr. Saiyid Haider.
Ismail Ali Khan, Kunwar Hajee.

James, Sir F. E.
Jehangir, Sir Cowasji.
Kamaluddin Ahmed, Shams-ul-Ulema.
Khurshid, Mr. M.
Khushalpal Singh, Raja Bahadur.
Lawson, Mr. C. P.
Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Sarker, The Honourable Mr. N. R.
Scott, Mr. J. Ramsay.
Shamsuddin Haider, Khan Bahadur.
Sheehy, Mr. J. F.
Sivraj, Rao Sahib N.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Captain.

The motion was negatived.

Qazi Muhammad Ahmad Kazmi: Sir, I beg to move :

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the existing entries under the head 'Postcards' the following be substituted :

'Single.....six pies,

Replyone anna'."

The fate of the previous amendment would not deter me from moving this amendment because I think, in this case, Government may have sufficient regard for the poor. Sir, we are advocating the cause of the poor, but the Government say that they are the advocates of the case of the poor and not we. We have to find out just now which of them is correct.

The question is, as was said in the discussion on the previous amendment, whether the Post Office is a utility department? The Honourable the Finance Member has admitted that principle and he says that it is on account of the extraordinary conditions of war that they have resorted to an addition of one pice in the case of envelopes. But, Sir, this war, in itself, cannot be made an excuse for breaking all the pledges that the Government have made to the poor men. Time and again, in this House it has been repeated by the Members in charge of the Communications Department and the Posts and Telegraphs Department that whenever there is a profit in the Postal Department, steps will be taken to reduce the rate of postcards. Now, there is admittedly a profit in the Postal Department and it cannot be denied by anyone. Government may also take a part of the profit that is being earned by this Department for purposes of war. But the question is whether you are not liable to carry out the pledges and the obligations under which you have placed yourself by saying again and again that the rates of postcards will be reduced if there is any profit in the Department. I do not know exactly as to what will be the loss to the Department if this amendment of mine is accepted.

The Honourable Sir Jeremy Raisman: It is calculated that it will cost 117 lakhs in the present conditions, owing to the increase in the letter rate. The more you widen the gap between the postcard and the letter the more the diversion will be, and so there will be a heavy loss on letters as well as postcards.

Qazi Muhammad Ahmad Kazmi: I have just heard that you are going to gain 35 lakhs of rupees by the increase in the postal stamps on the envelopes. If you take 117 lakhs to be the decrease in your revenue on account of this reduction in the price of the postcard, then it will mean a loss of about 82 lakhs

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member obtained the sanction of the Governor General? I do not know whether any objection is taken on behalf of the Government.

The Honourable Sir Jeremy Raisman: We were not taking the point that sanction was required. This is not a proposal to increase the rate. It is a proposal to reduce the rate.

Qazi Muhammad Ahmad Kazmi: Now, Sir, the loss, according to the calculation of the Honourable the Finance Member, will come to 82 lakhs. But this loss is bound to be compensated by the increase in the number of postcards. Besides, on account of the present war conditions and the

employment of a large number of persons in the army, the number of postcards is bound to increase by itself. During the course of the debate on the previous amendment, the Honourable the Communications Member said that they were making certain reductions or giving certain concessions to the persons who are employed in the army in the matter of postage. But our difficulty is that these things are kept secret and they are thrown at our heads at the last moment.

The Honourable Sir Andrew Clow: There is not the least secret about it. I was referring to certain concessions already in force and I said that they will not be reduced.

Qazi Muhammad Ahmad Kazmi: But what connection those concessions had with the postage to which the Honourable Member referred?

The Honourable Sir Andrew Clow: They had little connection, but some Honourable Member dragged them in.

Qazi Muhammad Ahmad Kazmi: This means that you have shown no concession to the people who are going to the battle-fields

The Honourable Sir Andrew Clow: I have already explained that there are concessions in force and they will remain.

Qazi Muhammad Ahmad Kazmi: Sir, it is a very problematical thing whether there are any concessions. If I ask what are those concessions, then they cannot be mentioned. So, it is very difficult for me to understand as to what are those concessions which are being given to the military people and which can be brought in in connection with the discussion on postcards and envelopes. If I do not know them, then I will naturally conclude that there are no concessions.

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member finished his speech?

Qazi Muhammad Ahmad Kazmi: No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member can continue his speech tomorrow.

The Assembly then adjourned till Eleven of the Clock on Friday, the 20th March, 1942.

LEGISLATIVE ASSEMBLY

Friday, 20th March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

BRAHMIN PHOTOGRAPHER-DRAFTSMAN IN THE OFFICE OF THE DIRECTOR GENERAL OF ARCHÆOLOGY.

217. *Maulana Zafar Ali Khan: (a) With reference to the reply given to starred question No. 168 asked by Sir Syed Raza Ali on the 26th February, 1941, will the Honourable the Education Member please state whether the Brahmin Photographer-Draftsman is still employed in the Office of the Director General of Archæology or his appointment has since been cancelled? If so, from what date his appointment has been cancelled?

(b) Did the Honourable Member examine the work done by him and satisfy himself that he was not up to the mark? Is it a fact that the negatives, slides, etc., prepared by him were all worthless and that his appointment resulted in considerable loss to Government?

The Honourable Mr. N. R. Sarker: (a) The appointment of the Photographer-Draftsman referred to was cancelled with effect from the 28th February, 1941.

(b) The answer to both parts of the question is in the negative.

LITERARY WORKS BY CERTAIN OFFICERS OF THE ARCHÆOLOGICAL DEPARTMENT.

218. *Maulana Zafar Ali Khan: Will the Honourable the Education Member please state what literary works such as Memoirs, Guide Books and Catalogues have been published by the following officers of the Archæological Department since their appointment in the Department:

(1) Mr. G. C. Chandra, (2) Mr. Vats, (3) Dr. Chakravarty, (4) Mr. Srivastava, (5) Dr. Nazim, (6) Mr. Moneer, (7) Mr. Ramchandran, (8) Mr. Ghosh, (9) Mr. Waddington?

The Honourable Mr. N. R. Sarker: A statement is laid on the table.

Literary Works published by the Officers.

Mr. M. S. Vata	‘Excavations at Harappa’ in the Annual Bibliography of Indian Archaeology for 1937.
Mr. Q. M. Monser	Article on Muslim monuments of Western India in “Revealing India's past”.
Mr. T. N. Ranacharitra	(1) Tirumalpuram Cave Temples and their paintings published in the Journal of the Indian Society of Oriental Art, Calcutta. (2) Copper Coins of the Salankayana King Chandavarman published in the D. R. Bhandarkar Commemoration Volume. (3) Short Guide to the Indian Museum, Archaeological Section, published by the Trustees.
Dr. M. Nazim	Selections from the Peshwa's Daftar published by the Government of Bombay. 2. An epigraphical memoir on the Bijapur inscriptions.
Mr. A. Ghosh	Guide to Nalanda.
Dr. Chakrabarty	1. L'Udanavarga Sanskrit, Texte, Sanscrit en Transcription, Avec Traduction et Annotations, Suivi d'une Etude Critique et de Planches Part II (Publication delayed due to war). 2. India and Java—Part II (Inscription). 3. James Prinsep (His life and works.)
Mr. H. L. Srivastava	‘Lahore Fort—History and Restoration’—Annual Bibliography of Indian Archaeology, 1935.

**CANCELLATION OF A MUSLIM'S APPOINTMENT IN THE WESTERN CIRCLE,
ARCHAEOLOGICAL SURVEY.**

219. *Maulana Zafar Ali Khan: (a) Will the Honourable the Education Member please state if it is a fact that the Superintendent, Western Circle, Archaeological Survey, made two appointments of Muslims, clerical and technical in his own office but the Director General of Archaeology ordered him to appoint one Muslim only and to cancel the appointment of the other?

(b) Was this interference on the part of the Director General justified especially when the Superintendent had made the appointments several months before the orders were given to him by the Director General?

(c) Is it also a fact that three ministerial vacancies of long duration occurred in the Office of the Director General of Archaeology and in all these three vacancies Hindus were taken?

The Honourable Mr. N. R. Sarker: (a) The Director General ordered that one of the vacancies should be treated as unreserved and the appointment of a Muslim to that vacancy was accordingly cancelled.

(b) The head of a Department is responsible for seeing that the orders relating to communal representation are carried out and has power to cancel any appointment made contrary to the orders when it comes to his notice.

(c) Yes.

Mr. Govind V. Deshmukh: May I know the name of the Superintendent, Western Circle?

The Honourable Mr. N. R. Sarker: Dr. Munair.

Mr. Govind V. Deshmukh: Was this appointment made in contravention of the roster laid down by Government?

The Honourable Mr. N. R. Sarker: I think so.

APPEALS AND PETITIONS BY STAFF OF THE ARCHAEOLOGICAL DEPARTMENT.

220. *Mr. Muhammad Azhar Ali: Will the Honourable the Education Member please furnish the following particulars in respect of appeals and petitions submitted by gazetted, non-gazetted and inferior staff of the Archaeological Department against the orders of the Government of India, Director General of Archaeology, and Circle Superintendents since the present Director General of Archaeology assumed charge?

Name and community of the appellant or petitioner.	Authority who passed the orders under appeal.	Brief subject of the orders passed or punishment awarded.	Grounds of appeal.	Orders passed by appellate or reviewing authority with reason in brief.

The Honourable Mr. N. R. Sarker: The information is being collected and will be laid on the table when compiled.

POSTPONEMENT OF THE REORGANISATION OF THE ARCHAEOLOGICAL DEPARTMENT.

221. *Mr. Muhammad Azhar Ali: With reference to his answer to part (b) of starred question No. 136, asked by Maulvi Abdur Rasheed Chaudhury in the Legislative Assembly on the 11th November, 1941, will the Honourable the Education Member please state if it is a fact that the consideration of the reorganisation of the Department which necessitated the provisional appointment of the present Epigraphist to the post of the Deputy Director General of Archaeology has been indefinitely shelved?

The Honourable Mr. N. R. Sarker: No. The matter is still under the consideration of Government, but in view of the financial considerations involved it is not possible to give effect to any reorganization scheme during the period of the war. Further consideration of the matter will be resumed as soon as the emergency is over.

† Answer to this question laid on the table, the questioner being absent.

LITERARY WORKS BY THE DEPUTY DIRECTOR GENERAL OF ARCHÆOLOGY.

†222. *Mr. Muhammad Azhar Ali: (a) With reference to the reply given to starred question No. 166, asked by Sir Syed Raza Ali in the Legislative Assembly on the 26th February, 1941, in connection with the appointment of Government Epigraphist as officiating Deputy Director General of Archaeology, will the Honourable the Education Member please state, if it is a fact that the Annual Reports of the Archaeological Survey of India, Memoirs and Guide books form the chief literary work done by the headquarters staff of the Director General of Archaeology?

(b) If so, will he please lay on the table a list of the literary work done by the present Deputy Director General of Archaeology since his appointment (for which he was specially removed from the Epigraphical Branch and transferred to the headquarters office)?

The Honourable Mr. N. R. Sarker: (a) No. The literary work falling within the ordinary duties of the headquarters staff of the Archaeological Survey consists mainly of the revision and preparation for the Press of publications issued by the Archaeological Survey.

(b) A statement of publications which have been prepared for the Press by the present Deputy Director of Archaeology is laid on the table.

Statement.

1. Annual Report of the Archaeological Survey of India, Part I—1937-38.
2. Annual Report of the Archaeological Survey of India, Part II.
3. Memoir on Panthalas and their Capital Ahichabatra by Dr. R. C. Law.
4. Memoir on the Manley Collection of Stone Age Tools by Dr. A. Aiyappan.
5. Memoir on the Technique of Casting Coins by Dr. Birtal Sahni, F.R.S.
6. Memoir on Early Indian Terracottas by Col. D. H. Gordon.
7. Memoir on the Historical Sculptures of the Vaikantaperumal Temple at Kanchi by Dr. C. Minakshi.
8. Memoir on Excavations in Swat and Explorations in the Oxus Territories of Afghanistan by Wright and Berger.
9. Memoir on the Beads from Taxila by Mr. N. C. Beck.
10. Memoir on the Nalanda and its Epigraphical material by Dr. Virananda Shastri.
11. Memoir on Central Asian fragments of Ashtadasaboarik Prajnaparamite by Dr. Sten Kersw.
12. Annual Report on South Indian Epigraphy for 1937-38.

TEMPORARY AND WORK-CHARGED SUPERIOR STAFF EMPLOYED AT CERTAIN ARCHÆOLOGICAL EXCAVATIONS.

†223. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Education Member be pleased to furnish information showing the number, designation, pay and duration of appointment of temporary and work-charged superior staff employed by the Archaeological Department in connection with excavations at Taxila and Harappa during each year from 1927 to 1931?

(b) Will he also furnish similar information in respect of such staff employed during 1940-41 and 1942 at Ramnagar?

†Answer to this question laid on the table, the questioner being absent.

The Honourable Mr. N. R. Sarker: (a) The records relating to temporary and work-charged establishment employed at Taxila have been destroyed. The particulars of establishment employed at Harappa are being collected and will be laid on the table of the House when received.

(b) A statement showing the staff employed at Ramnagar is laid on the table.

Temporary and Work-charged Establishment employed in connection with Excavations at Ramnagar.

No.	Designation.	Pay.	From	To	Temporary or Work charged.	Total.
1940-41.						
Rs.						
1	Draftsman	70	1-3-40	28-2-41	Work-charged	5
1	Do.	60	1-3-41	15-3-41	Do.	
1	Supervisor of Excava- tions.	75	2-12-40	28-2-41	Do.	
1	Surveyor	60	7-2-41	28-2-41	Do.	
1	Do.	60	1-3-41	15-5-41	Do.	
1941-42.						
1	Draftsman	75	1-3-41	30-6-41	Do.	14
1	Do.	100	2-7-41	28-2-42	Do.	
1	Do.	60	16-7-41	Do.	Do.	
1	Do.	60	17-7-41	Do.	Do.	
1	Do.	60	30-7-41	Do.	Do.	
1	Do.	60	5-12-41	Do.	Do.	
1	Supervisor of Excava- tions.	75	1-3-41	20-5-41	Do.	
1	Surveyor	60	Do.	30-10-41	Do.	
1	Do.	80	19-12-41	28-2-42	Do.	
1	Systematic Assistant	60	25-8-41	28-2-42	Do.	
1	Pottery sorter	35	16-8-41	Do.	Do.	
2	Pupil Draftsman	30	25-11-41	Do.	Do.	
1	Marksman	40	8-12-41	Do.	Do.	

LITERARY WORKS OF DR. N. P. CHAKRAVARTI.

†224. *Mr. Muhammad Azhar Ali: (a) With reference to the statement showing the major literary works of Dr. N. P. Chakravarti placed on the table of the House in answer to starred question No. 136, asked on the 11th November, 1941, will the Honourable the Education Member please state which items of the list relate to the work done by the Doctor before his appointment in the Archaeological Department and which of them relate to his work done by him after his appointment?

(b) Will he please state whether contributions to the *Epigraphia Indica* or the editing of that journal form part of his official duties? If so has he other publications of importance dealing with Archaeology to his credit?

The Honourable Mr. N. R. Sarker: (a) A statement is laid on the table.

†Answer to this question laid on the table, the questioner being absent.

(b) The editing of the *Epigraphia Indica* forms part of the duties of the Government Epigraphist and he is expected to make contributions to it as far as his other duties permit. The publications by Dr. Chakravarti of archaeological importance which were published separately and not as contributions to the *Epigraphia Indica* are indicated in the Statement laid on the table.

Statement showing the Works by Dr. N. P. Chakravarti.

(a) Before his appointment in the Archl. Deptt.

1. L'Udanavarga Sanskrit. Texte Sanscrit en Transcription, Avec Traduction et Annotations, Suivi d'une Etude Critique et de Planches. Part I.
2. India and Central Asia.
3. Thesis for Ph.D. degree at Cambridge, discussing the historical linguistic and epigraphical value of the Kharoshthi documents discovered by Sir Aurel Stein in Central Asia.
4. Sanskrit Udanavarga and its Prakrit Originals.
5. Les Mots Bhasha dans le Commentaire de Sarvananda Sur l'Amarakosha.

(b) After his appointment in the Archl. Deptt.

- *1 L'Udanavarga Sanskrit Texte Sanscrit en Transcription Avec Traduction et Annotations, Suivi d'une Etude Critique et de Planches: Part II (Publication delayed due to war).
- *2. India and Java—Part II (Inscription).
3. Nivina Copper-plate grant of Dharmarajadeva.
4. Kharod Inscription of Ratnadeva III—Chedi Samvati 935.
5. Two brick Inscriptions from Nalanda.
6. A Buddhist Inscription from Kara.
7. Bhopal plates of Mahakumara Harishchandradeva.
8. Lucknow Museum plate of Jaychandradeva, V.S. 1237.
9. Rewah plates of the time of Trailoyamalladeva (Kalachuri), year 963.
10. A note on the Halayudha stotra in the Amareavara Temple.
11. Rajaprasasti.
12. James Prinsep (His life and works).
13. Since 1934, edited *Epigraphia Indica*, Volume XX, Part VII, (July 1932) to Volume XXVI, Part IV (October 1941).

ATTA GRINDING MACHINES IN GOLE MARKET, NEW DELHI.

†225. *Mr. Muhammad Azhar Ali: Will the Honourable Member for Education, Health and Lands kindly state:

- (a) if it is a fact that *atta* grinding machines are not allowed to be set up in the Gole Market, New Delhi;
- (b) whether it is a fact that one or two such machines once worked in the Gole Market; if so, when; and
- (c) whether it is a fact that an *atta* grinding machine has recently been set up in Baber Lane, New Delhi?

The Honourable Mr. N. R. Sarker: (a) No. Flour Mills are permitted in New Delhi by the New Delhi Municipal Committee on suitable conditions after considering the advice of the Medical Officer of Health.

(b) Yes. One from 1st August, 1928 to 31st March, 1930, and the other from 23rd August, 1930 to 31st March, 1932.

(c) Yes.

†Answer to this question laid on the table, the questioner being absent.

*Published separately.

GRAZING GROUND FOR CATTLE IN NEW DELHI.

†226. *Mr. Muhammad Azhar Ali: Will the Honourable Member for Education, Health and Lands be pleased to state:

- (a) if any provision for a grazing ground for cattle in New Delhi has been or is going to be made; if not, why not;
- (b) whether it is a fact that there used to be some grazing ground in New Delhi some time back but it has been abandoned; if so, since when and why; and
- (c) if he is prepared to consider the desirability of having a grazing ground in New Delhi?

The Honourable Mr. N. R. Sarker: (a) and (b). Adequate facilities for the grazing of cattle already exist in and near New Delhi. Government are not aware of the abandonment of any grazing ground.

(c) Does not arise.

MUNICIPAL COMMITTEE FOR DELHI SHAHDARA.

227. *Sardar Sant Singh: (a) Will the Honourable Member for Education, Health and Lands please state if he has received any representations from Delhi Shahdara public to constitute a Municipal Committee at Delhi Shahdara? If so, what steps have been taken in this direction?

(b) If Government have decided to establish a Municipal Committee at Shahdara, what is the proposed strength of the Committee and how many of the proposed members will be elected by popular vote?

The Honourable Mr. N. R. Sarker: (a) Copies of resolutions passed at two meetings of residents of Shahdara, urging *inter alia* the establishment of a Municipal Committee for that town have been received. The Chief Commissioner is considering this question.

(b) As no decision has yet been taken the question of the strength of elected and nominated members does not arise.

Maulana Zafar Ali Khan: Is it a fact that the Shahdara notified area was assured by the Chief Commissioner of Delhi that as soon as the population of Shahdara goes beyond ten thousand, a municipality will be constituted in that place?

The Honourable Mr. N. R. Sarker: I have no information.

MOTION FOR ADJOURNMENT.

ALLEGED ROWDYISM BY SOLDIERS AT BAREILLY.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion of adjournment from Mr. Kazmi who wants to discuss a definite matter of urgent public importance, namely, the rowdism committed by soldiers at Bareilly who went in a drunken state to the bazar, attacked pedestrians and a policeman and created a serious disturbance as reported in the *Hindustan Times* dated the 19th March, 1942, page 8.

Was there a riot?

†Answer to this question laid on the table, the questioner being absent.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Yes, Sir. It was the timely action of the police that averted a more serious situation.

Mr. President (The Honourable Sir Abdur Rahim): How many soldiers were involved?

Qazi Muhammad Ahmad Kazmi: There were two incidents, in the first of which there were 18 or 19 soldiers, and in the other there were four.

Mr. President (The Honourable Sir Abdur Rahim): How many pedestrians were attacked?

Qazi Muhammad Ahmad Kazmi: That is not known.

Mr. President (The Honourable Sir Abdur Rahim): I should like to know what the facts are.

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, this matter has only just come to my notice, and I have just read this in the *Hindustan Times*. It appears from this that 18 or 19 soldiers alleged to have been dead drunk caused trouble and that is followed up by saying that the police came and took these soldiers to the police station. In the second instance also four soldiers are alleged to have created trouble and the police arrested them. Beyond that I have no information whatever about this matter.

Mr. President (The Honourable Sir Abdur Rahim): Has any case been instituted?

Sir Gurunath Bewoor: I have no information. The general question was discussed the other day, but as regards this particular incident, which is alleged to have occurred on the 17th March, I have no information whatever.

Mr. President (The Honourable Sir Abdur Rahim): There have been frequent complaints about the behaviour of soldiers recently. Will the Honourable Member get the information today?

Sir Gurunath Bewoor: I will try; by Monday I hope to be able to get the information.

Mr. President (The Honourable Sir Abdur Rahim): Does that suit the Honourable the Mover?

Qazi Muhammad Ahmad Kazmi: Yes Sir.

Mr. President (The Honourable Sir Abdur Rahim): Then the matter will stand over till Monday next.

THE INDIAN FINANCE BILL—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Indian Finance Bill. Schedule I is before the House. Mr. Kazmi.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I was saying yesterday that the Postal Department is a commercial as well as a public utility department; and pledges have been given that as soon as it is on a firm basis, it will pay its own way and help the taxpayer to get the taxation reduced. This has been admitted by the Finance Member, but he says that, on account of the present crisis, they had to use this Department also as a revenue raising department. I fully appreciate the spirit of the Finance Member, but at the same time I would say that out of the profits made by this department, a particular percentage, say, 50 per cent. may be contributed to the war efforts; but there also must be something done to relieve the situation and to fulfil the pledges and promises that have been given by Government time and again. Sacrifice is required to be made by all for this war, not only people with low earning capacity, but also those who are more highly placed. There is no reason why poor people should not be helped, and particularly those who have gone to the battle-field. Are Government prepared to reduce the rate of postcards for soldiers only? Will it not be a measure of relief for them? If they cannot give relief to the public in general, let us see how far they can consider the convenience of the soldiers and give them help by reducing the rate of postcards for them. Then, in addition to that we have also to look to the people on whom the post office depends. It is well known that it is a commercial department, and we have to see the general principles on which any ordinary commercial business is run. First of all, the business must provide for the maintenance of its own staff, and maintenance of proper accommodation for persons who work in their office. Just as was pointed out yesterday by my friend, Pandit Lakshmi Kanta Maitra, there is a regular complaint that the staff in this Department is not adequately paid

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, may I ask if this is relevant to the subject under discussion? We are dealing with a proposal to reduce the postcard rate.

Mr. President (The Honourable Sir Abdur Rahim): Yes, there will be no end to the discussion if the Honourable Member goes on like that. He must confine himself to the subject of the amendment—reduction of postal rates.

Qazi Muhammad Ahmad Kazmi: We are considering the question of the postal employees

Mr. President (The Honourable Sir Abdur Rahim): That does not arise out of this amendment. It is very different.

Qazi Muhammad Ahmad Kazmi: It arises only in this connection . . .

Mr. President (The Honourable Sir Abdur Rahim): It does not. The Honourable Member must abide by my ruling.

Qazi Muhammad Ahmad Kazmi: My only submission is as to the way the profits from this Department are utilized. They are to be utilized on the basis of business, and I would not touch the details of that as you have been kind enough to give your ruling that this should not be discussed at this stage. But this is a well-known fact, which I think the Honourable the Finance Member would not also deny, that conditions of the working of the Posts and Telegraphs Department are not what they ought to be—the staff requires further protection, the buildings require

Mr. President (The Honourable Sir Abdur Rahim): All that does not arise out of this amendment. The Honourable Member is giving arguments for increasing the rates.

Qazi Muhammad Ahmad Kazmi: I am giving arguments for utilizing the profits.

Mr. President (The Honourable Sir Abdur Rahim): That is a very different question.

Qazi Muhammad Ahmad Kazmi: That is what I was submitting. The disposal of profits ought to be in that direction.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is again arguing on that subject. He must accept my ruling.

Qazi Muhammad Ahmad Kazmi: And they must at least utilize

Mr. President (The Honourable Sir Abdur Rahim): I ask the Honourable Member to obey my ruling. If the Honourable Member cannot abide by my ruling he shall have to discontinue.

Qazi Muhammad Ahmad Kazmi: I am obeying your ruling, Sir. My point relates to the reduction of the price of postcard. They must utilize

Mr. President (The Honourable Sir Abdur Rahim): This is absolutely irrelevant, and the Honourable Member is in fact defying the ruling of the Chair.

Qazi Muhammad Ahmad Kazmi: Sir, I am only talking of the price of postcards. That is the amendment I have moved and I say that the profits that they have obtained from this Department ought to be utilized for reduction

Mr. President (The Honourable Sir Abdur Rahim): That has nothing to do with it. I have told the Honourable Member a number of times, that that has nothing to do with this question.

Qazi Muhammad Ahmad Kazmi: Sir, it is for the reduction of the price of postcards

Mr. President (The Honourable Sir Abdur Rahim): I have told the Honourable Member that he had better accept my ruling.

Qazi Muhammad Ahmad Kazmi: I perfectly admit, but my submission is that the amendment which I have moved is that the price of the post card should be reduced

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member insists on talking on irrelevant matters, I shall have to ask him to discontinue his speech.

Qazi Muhammad Ahmad Kazmi: Then I would finish. I only moved that the price of the postcard should be reduced from three pice to two pice and if that is considered irrelevant I have nothing more to say.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the existing entries under the head 'Postcards' the following be substituted:

'Single.....six pies

Reply.....one anna'."

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong: Non-Muhammadan): Sir I rise to support the motion moved by my Honourable friend, Mr. Kazmi.

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member speak up please?

Mr. Ananga Mohan Dam: Sir, it is a pity that the Government of India should have deviated from a time honoured principle. They have converted this public utility concern of the Government into a revenue-earning Department. Sir, the poor people of the villages—agriculturists and others—have been taxed in so many ways. They have been compelled to pay a tax on salt; they have been compelled to pay an enhanced rate on kerosene oil. Now they should be given a relief. I suggest, Sir, that the poor agriculturists should not be penalized in this way and that a reduction should be made in the rates as has been suggested by my Honourable friend.

From the perusal of the debates in the Legislative Assembly for the last six or seven years, I see that there has been a persistent demand for the reduction of postal rates, and it is really a public demand. People of the villages can hardly spare anything for these postal expenses; they live from hand to month. But they are the people who alone can help the Government in their "more food" campaign and who can supply labour for the prosecution of the war. So I request the Honourable the Finance Member to give these people as much relief as the Government possibly can. People have already been over-taxed, and it is only desirable that they should be given some measure of relief. Government have agreed this time to give some relief to the middle-class people by agreeing to our proposal to reduce the income-tax rate, and now I request them to reduce the postal rate in order to give relief to the poor agriculturist. Sir, the

[Mr. Ananga Mohan Dam.]

soldiers who are fighting in the front have been given the advantage of sending letters to their relatives and friends without paying anything for postage. We do not grudge it. But these people who are helping in the war effort by supplying food to the soldiers also deserve some relief which should be given by reducing these postal rates. Sir, with these few words, I support the motion of my Honourable friend, Mr. Kazmi.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : Sir, I desire to accord my support to this amendment in so far as it seeks to carry out what can be called the accepted governing principle of postal finance. The Honourable the Finance Member in replying to the debate on a previous motion yesterday pointed out that in England the postal fund had been abolished and that such a measure was certainly justified by the war conditions. Now, Sir, what I want to emphasise is that the principle which governs the postal system in England is fundamentally different from the principle that has been declared to govern the administration of the Post Offices in this country. It is well known that the exchequer gets a regular contribution from the postal earnings

The Honourable Sir Jeremy Raisman (Finance Member) : Fixed contribution.

Mr. K. C. Neogy : Fixed at the instance of what is known as the Bridgeman Committee, and the amount that the exchequer gets from the postal administration is something of the order of ten million pounds a year. The arrangement bears some resemblance to the Convention under which railway finance has been separated from general finance in this country. It is true that about three years ago the net earnings of the Post Office were not sufficient to meet this annual exchequer contribution, and they had to dip their hands into what is called the Postal Fund for the purpose of making up the deficit. In that year too a proposal for enhancing the postal rates came up. I admit it was also a war measure.

Sir Cowasji Jhangir (Bombay City : Non-Muhammadan Urban) : When was this?

Mr. K. C. Neogy : 1939-40 Finance Act of England; but I desire to emphasise that the principle that has always governed the administration of postal finance in England has been different from the one that has been declared to be the governing principle of postal finance in India; and, therefore, the analogy which my Honourable friend sought to draw from the action taken in Great Britain is not of much help to him. Apart from that, I expressed the disappointment of this House that not a word of explanation, not a word of apology was given to this House for making such a violent departure from the accepted principle of the Government in regard to the administration of postal finance

The Honourable Sir Jeremy Raisman : I would point out to the Honourable Member that in the budget speech, I think it was of last year, I dealt fairly fully with this point.

Mr. K. C. Neogy : I have a recollection of my Honourable friend's reference to this point in the last year's budget speech, but that related merely to the point dealing with the non-payment of interest on the postal balances held with the Government

The Honourable Sir Jeremy Raisman : It involves the same principle.

Mr. K. C. Neogy : That is to say, for the time being the Postal Department would not be entitled to any interest on the balances that might remain with the Government out of the surplus Postal Funds; that was all that was referred to last year, and I am entitled to complain that when a departure of this kind is made the Government should in the first instance make a clear declaration as regards their intention

The Honourable Sir Andrew Clow : I would not contest the Honourable Member's right to complain of that, but I would contest his right to complain on this amendment : we are dealing with the question of the price of the postcard and that has not been altered.

Mr. K. C. Neogy : As I said, if you accept the governing principle of postal finance, this amendment is fully justified because you are committed to expansion of the postal facilities on the basis of increased earnings of the Postal Department. Now, I say that not merely did the Honourable Member not point out to this House that a serious departure was being made, but even now they have not made it clear that such a departure is being made merely because of present day war conditions and that nothing that we are being asked to agree to will affect the operation of this principle as soon as normal times return.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division : Non-Muhammadan Rural) : Sir, I rise to support this motion. This Finance Bill contains three ideas, first, that there is a war on and it must have money; second, the purchasing power of the people has increased; and third, there must be some savings by the poor. These are the three ideas which have led the Honourable the Finance Member to draw up his schedule of taxation, and any amendment moved in this House will not be carried to the full. That we know. But we as representatives of the people have a duty to perform here with regard to the taxation that falls upon the poor. The Postal Department has been doing good business from the business point of view. The financial condition of the Postal Department for the past four years has been continuously giving a good surplus; but at the same time the Postal Department has not been improved in any proportion. It is found to have gone down in efficiency

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member cannot go into that.

Mr. Amarendra Nath Chattopadhyaya : With regard to public complaints

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member cannot go into all that.

Mr. Amarendra Nath Chattopadhyaya: All right, Sir. But generally speaking, when there is a surplus the people have a right to demand certain concessions in regard to postal rates. I, therefore, request the Honourable the Finance Member, having found that the rates with regard to postage are really high, so far as the poor agriculturists are concerned, he may consider this question from the point of view of the people and not from the point of view of the Government which requires money from any and everybody because there is a war. He can find out any other means if he considers a little about other resources which may be taxed; but to give relief, when the Postal Department has a continuity of surpluses, in the matter of postal rates is, I think, justified, and he should agree to a reduction in the price of the postcard. With these words I appeal to him to accept the amendment.

Sir Cowasji Jehangir: Mr. President, we seem to be living in the past and not in the present. I think the House is perfectly aware of the principles enunciated by my Honourable friend, Mr. Neogy. The Posts and Telegraphs Department is a service Department and a commercial Department and has to make both ends meet and should not make a profit. That was the principle enunciated over and over again. When there were losses in this Department, my Honourable friends will remember that there was a great deal of criticism in this Honourable House and a retrenchment committee and a finance committee, specially for the Postal Department, had to be appointed and there was from the financial point of view a fairly good overhaul of the whole Department and the late Director General who now sits on these Benches in another capacity is well aware of all the proceedings, the laborious proceedings, that were gone through in those days. The deficits were then met by incurring debts by the Department which have now been paid off. But, in war time, my Honourable friends cannot expect the same principles to be applied as they did in peace time. We have been reminded that there are surpluses in the Department and those surpluses should now go to give greater facilities to the people on whose behalf this Department works. But there is just one point that my Honourable friend, Mr. Neogy, and others forget, as to the cause of these surpluses. They cannot but admit that the war has been one of the reasons why we have had these surpluses

An Honourable Member: How?

Sir Cowasji Jehangir: Greater traffic and greater demand. The result has been that the war has brought a windfall to this Department, just as it has brought to some others; and my Honourable friend, the Finance Member, whenever the windfall comes to others, dips his hands into their pockets as far as he possibly can. And my friend's idea is that he should get 100 per cent. of those war profits as he called them. Well, if he applies those principles to others, I don't see why he should not apply them to the Postal and Telegraph Department which happens to be a Government Department. If those profits had been derived from the war, I think it is our bounden duty to see that he puts his hands into the pockets of that Department and takes out as much as he can in war time. Sir, I would advocate changing that principle during the war. After all, as I stated yesterday, I was in favour of the burden of the war being spread over all shoulders in the country. This is one method of doing it. If

Honourable Members grumble at every method that is proposed to finance the war, then how is the war going to be financed? I grumble because the income-tax goes up

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): A rich man does it.

Sir Cowasji Jehangir: My friend, Mr. Husenbhai Laljee, grumbles if he does not get enough out of his contracts. We all have a grumble in one way or another, but this is war time, and if you are not going to finance the war, then give it up. . . .

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Everything is fair in love and war.

Sir Cowasji Jehangir: All is fair in love and war, and, therefore, I would suggest to my friends that we cannot stick to old principles which we ourselves have advocated in this House. Sir, I was one of those who were on that Retrenchment Committee,—I was the Chairman of it, and also of the Finance Committee. We sat for many laborious months in the Secretariat to cut down the expenditure. These are war times, and if there are profits, my friend, the Finance Member, has every right

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I hope that the Retrenchment Committee did not recommend nine pies for the postcard, I was a member of that Committee.

Sir Cowasji Jehangir: I am glad that the Honourable Member has intervened. I am glad he makes an exception to the principal of his party. At any rate, we were not asked by our terms of reference to decide as to how revenue should be raised. We were asked to ascertain how costs could be cut down, and that is what we did. Now that the finances have been placed on a fairly sound basis and the profits that accrue are due to the war, the Honourable the Finance Member has a right to get them. Let us not talk of old principles continually. If I am alive I will talk of those principles after the war, and I trust, as in the past, I will try and see that the great public that supports this Department gets value for money, but this is not the time to consider these questions.

The Honourable Sir Jeremy Raisman: Sir, I am afraid that Mr. Neogy, owing to the fact that he has not been a Member of this House since the war, is unaware of much that has happened. I have been able to put my finger on at least one of the statements, but I am sure it is not the only one which indicated our attitude in regard to the change of policy. It was in November, 1940, when moving the consideration motion on the Supplementary Finance Bill that I used these words.

"The provisions relating to the increase in postage rates are of a simple and self-explanatory character. It is, of course, the case that in normal times our policy in regard to postal rates has been to produce a state of affairs over a sufficient period of time in which this public service results neither in a profit nor a loss, and it is true that the present proposed increase is, in effect, a proposal to use the posts and telegraphs as the vehicle for an indirect tax. But, I think, that action of that kind is defensible in certain circumstances, and that the present emergency is one which justifies the levy of an indirect tax of this character."

[Sir Jeremy Raisman.]

There are other statements—I am grateful for the support of my friend, Sir Cowasji Jehangir,—but I did in at least one budget speech also refer to the analogy with businesses which were prospering on account of the war, and which were asked to give up a large part of their excess profits to the relief of the general taxpayer.

On the merits of the amendment, Sir, I must point out to the House that having yesterday adopted the increase in the letter rate from $1\frac{1}{2}$ annas to $1\frac{1}{2}$ annas in order to secure an increase of revenue of the order of about 35 lakhs, they would now completely stultify themselves if they reduced the postcard rate from three pice to half an anna because that would not only neutralise the effect of the increase in the letter rate, but would impose on us a much heavier loss. We calculate that the loss will be well over a crore. It depends on the amount of diversion which you expect, but with letters at $1\frac{1}{2}$ annas and postcards at half an anna, it is probable that the diversion would be of a very serious character. For this reason, Sir, in view of the imperative necessity for raising more revenue at this time, I must oppose the amendment.

(Some Honourable Members rose to speak.)

Sir George Spence (Secretary, Legislative Department): The question be now put.

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

“That the question be now put.”

The motion was adopted.

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

“That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the existing entries under the head ‘Postcards’ the following be substituted:

‘Single.....six pies

Repl:.....one anna.’”

(When the motion was put, there were cries of “Ayes” and “Noes.”)

Mr. President (The Honourable Sir Abdur Rahim): Will Honourable Members who are in favour rise in their seats?

(Ten Honourable Members rose in their places.)

Mr. Husenbhai Abdullabhai Laljee: Our names should be recorded, Sir.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): The names should be recorded.

Mr. President (The Honourable Sir Abdur Rahim): It is not necessary at all.

Mr. M. Ghiasuddin (Punjab: Landholders): Sir, on the 1st April, 1937, the Congress were absent, because the question of Provincial Autonomy had been taken up and there was a certain voting taken on it, and my friend, Mr. Lalchand Navalrai, and myself and two others voted, and our names were recorded . . .

Mr. President (The Honourable Sir Abdur Rahim): I have had occasion to reconsider that practice, and I have decided to follow the parliamentary practice by which no names are recorded. Those who are for “Noes” will rise in their seats now.

(More than ten Members stood up.)

The motion was negatived.

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

“That Schedule I stand part of the Bill.”

The motion was adopted.

Schedule I was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Jeremy Raisman: Sir, I move:

“That the Bill, as amended, be passed.”

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That the Bill, as amended, be passed.”

Mr. M. Ghiasuddin: Mr. President, I rise to appeal to members of all Parties in this House to lend their support to this Bill, so that it may be passed unanimously. Sir, I make this appeal, because I consider that by passing this Bill unanimously, we will be lending our moral support to our soldiers who are fighting our battles in all theatres of war, because most of this money is required for the successful prosecution of the war. If we go through the division lists, the division that took place on the general consideration stage shows that about 16 or 18 Members had voted against the consideration. As most of those Honourable Members belong to the Muslim League Party, I want very briefly to go through the reasons which have actuated them to vote against the consideration, and I would try to convince them, if I may, to change their attitude at this stage. The case of that Party was very ably put by Nawabzada Liaquat Ali Khan, the chief spokesman of that Party, and I hope he will not consider it any patronising on my part if I say that it was one of the most eloquent and from the debating point of view one of the best speeches that I have ever heard on the floor of this House. I will go through his reasons. He says that they will not vote money . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must remember that this is the third reading of the Bill, and all that the Honourable Member is entitled to at this stage is to give his opinion as regards clauses that have been amended or accepted by the House. The general consideration stage is over and we have had six days' discussion on that.

Mr. M. Ghiasuddin: I will not take more than five minutes, Sir. I am just giving the reasons why they should change their attitude now.

Mr. President (The Honourable Sir Abdur Rahim): I am afraid, if I allow the Honourable Member to give his reasons why they should change their attitude, Honourable Members on that side may get up and give reasons why they should not change their attitude. The Honourable Member had better confine himself to the third reading.

Mr. M. Ghiasuddin: The only reason that they have voted against is because they are asked to join as slaves and camp followers. The difference between being a slave and camp follower and a free man and equal partner is very narrowed down because both slavery and camp followership on the one hand and freedom and equal partnership on the other . . .

Mr. Husenbhai Abdullabhai Laljee: On a point of order, Sir . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member (Mr. Ghiasuddin) had better not go on with that topic.

Mr. Husenbhai Abdullabhai Laljee: May I ask, Sir, on what clause is the Honourable Member speaking, which has been altered or amended?

Mr. President (The Honourable Sir Abdur Rahim): I am pointing out that what he is saying is not relevant.

Mr. M. Ghiasuddin: Let me say this. This money is required for the prosecution of the war and our soldiers are making the most magnificent sacrifices. They are in the trenches giving up all that is near and dear and they are giving their lives and shedding their blood, and the least we can do is to give them our willing and unanimous support by passing this Bill.

Mr. Husenbhai Abdullabhai Laljee: I must say, while I am opposing many of the proposals, I concede and most willingly concede that in the circumstances in which we are placed the budget that has been presented by the Honourable the Finance Member is one against which we have not much to say. We also admit that people did expect a lot more direct and indirect taxation than what the Honourable the Finance Member has imposed. However, I must say that certain of his proposals he could have very well avoided. For instance, with regard to the kerosene oil and with regard to the postal affair, I think he could have very well avoided them, and the question that will arise then is, how could you have made up the gap? It is well-known that when we need monies for a purpose which is intended not only for the present generation but for the future, the borrowing principle is the best to be adopted. In fact, a lot has been said now a few minutes ago with regard to hardship and generally the postal affair. Sir Cowasji Jehangir spoke about Postal retrenchments and that was with the intention of seeing that the people were not taxed more—he said that retrenchments . . .

Mr. M. Ghiasuddin: Sir, I think that stage is over now.

Mr. President (The Honourable Sir Abdur Rahim): These are very good arguments for second reading and not for third reading. The House having accepted the clauses and the amendments, it is not now open to any Honourable Member to go back upon that and go over the arguments already advanced and criticise the decision of the House.

Mr. Husenbhai Abdullabhai Laljee: I am only criticising it . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot criticise a decision of the House.

Mr. Husenbhai Abdullabhai Laljee: The position that arises is this. I am in a very awkward position. (Interruption.) I am only taking up the points on which the proposals as placed before this House have undergone changes in the second reading or were proposed to undergo changes in the second reading, and the justification for those who in the third reading will not support fully or may not support at all the third reading. I am only touching those points and giving, in particular, the reason why one has to come to a certain conclusion if the Honourable the Finance Member in his reply on the third reading does not meet the wishes of certain constituencies.

Mr. President (The Honourable Sir Abdur Rahim): What is the conclusion that the Honourable Member is referring to?

Mr. Husenbhai Abdullabhai Laljee: With regard to the postal affair. We have got Rs. 35 lakhs already by more tax put upon us.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can appeal to the Honourable the Finance Member, if he chooses, now that the House has adopted the proposal.

Mr. Husenbhai Abdullabhai Laljee: That is exactly what I am doing. I am appealing in the sense . . .

Mr. President (The Honourable Sir Abdur Rahim): But you cannot argue the whole question.

Mr. Husenbhai Abdullabhai Laljee: I want to give short reasons. You have now taken Rs. 35 lakhs by enhancing the letter rate, and this may be put down against the postcards which are used by the public. In justification of that I want to say that we have done our best, as Sir Cowasji Jehangir has pointed out, by retrenchments and at the cost of the public in those years. Now, fortunately, there is a profit and that should go to the people. It is fairness and, further more, it will not affect adversely the finances so much more, we can have money by borrowing if needed badly.

Mr. President (The Honourable Sir Abdur Rahim): All that has been said hundreds of times. The Honourable Member is not justified in repeating all that.

Sardar Sant Singh (West Punjab: Sikh): The practice of this House has been for the last 12 years that I have had the privilege of being a Member of this House, that in the third reading Members had the right to discuss all questions relating to the administration of the Central Government.

In the second reading we expect Government to meet these objections which are raised during the debate and if they have not been met or the administration has not been promised to be reformed on the lines

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should only state his point.

Sardar Sant Singh: My point is that in the third reading the House has to judge Government and as such is entitled to discuss and go over the wider field than is covered by the amended Finance Bill. I want your ruling on this.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is entirely wrong. I have been also in this House for a very long time and I know also the practice in the House of Commons. In the third reading you cannot make the same sort of speeches as in the second reading.

Mr. Husenbhai Abdullabhai Laljee: I was only pointing out that we have increased the price of the postcard from half an anna to three-fourths of an anna. At that time it was necessary and it is continuing

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is repeating this argument on the merits; that he cannot do.

Mr. Husenbhai Abdullabhai Laljee: I have voted against it and I must justify it.

Dr. P. N. Banerjee: Sir, on a point of order. At the last stage, it is the custom in this House to allow Members to say things on the Finance Bill as it has been amended. Whether the amendments have been proper or not can also be discussed. It has been allowed in the past.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Members want to say that certain amendments that have been made are not acceptable, they can give their reasons.

Mr. Husenbhai Abdullabhai Laljee: That is just what I am saying. I want to say why we voted and I still want the House to vote against it.

Mr. President (The Honourable Sir Abdur Rahim): Honourable Members can certainly give their reasons for their vote one way or the other.

Mr. Husenbhai Abdullabhai Laljee: Then I suggested to the Finance Member that with regard to the deficit in kerosene and postal, if after due inquiry,—not like the inquiry in the Development department at Bombay,—he feels that there is shortage of money he should borrow it in these times. In fact that has been the principle advocated long before by many civilised countries now and the Finance Member knows it. And I am glad he recognised that all classes of people have been over-taxed and they are not able to bear any more.

Mr. President (The Honourable Sir Abdur Rahim): In the last seven days everything has been said.

Mr. Husenbhai Abdullabhai Laljee: I admit that. The Honourable the Finance Member expected it to be finished in three days on account of the empty benches, but I am glad the Chair allowed six days.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must also remember that whatever is said now in criticism of the Bill is at the risk of repeating what has been said before.

Mr. Husenbhai Abdullabhai Laljee: I will not repeat what has been said before. Sir, at the instance of my Honourable friend, Mr. Deshmukh, the duty on machinery has been reduced, and I give the Finance Member due credit.

(Interruption from Mr. Ghiasuddin.)

Sir, I hope you will help me by stopping these interruptions.

Mr. President (The Honourable Sir Abdur Rahim): Everyone seems to think he has a right to interrupt.

Mr. Husenbhai Abdullabhai Laljee: We have reduced the duty on machinery which is badly needed, and on behalf of the industrialists and the general public I must say that the Finance Member has done the right thing in acceding to our request. In fact, when I spoke about tools also it was not my intention to say that Government have not done all they could. But I must still say that there were other sources like works in our Industrial concerns which they could make use of and the Industrialist and the public would not object but would be glad. But unfortunately the Finance Member did not agree with me and this side so far as posts and telegraphs department and poor public were concerned. He has agreed on the important question of machinery as he thinks these things only are necessary for the war. I admit they are very necessary but not the only ones because in these days the poor people also must be helped at this stage of the war; people who cannot pay income-tax,—they must get relief. Postcards will not affect the Bombay Baronet and such because they do not touch them but it must not be forgotten that mostly they are used by these poor people and instead of 35 lakhs thus to be got by the Finance Member let him borrow 35 crores, plus this small sum. There is also a lot to be said with regard to income-tax.

Mr. President (The Honourable Sir Abdur Rahim): A lot has been said already.

Mr. Husenbhai Abdullabhai Laljee: I will then if you want say very little about it now. With regard to the amendment that has been accepted I say the right thing has been done and all praise is due to the Treasury Benches; and I hope that in assessing people of these classes they will show the same consideration as Mr. Sheehy tried to explain. I believe that is sincerely meant and they will not be forced to produce their account books. I had made one interruption about auditors. We have heard a lot about these auditors. I hope the Finance Member will not make it a principle that accounts with audited report is only to be accepted. Only big men can get their help; and the officers of the department should not therefore only go into the accounts books of the poor people. I hope in only rare cases they will go into the accounts on incomes of Rs. 1,500.

Then, I will say that we have been having a large revenue out of matches. We have got nearly 3½ crores and I do feel that in the administration of that the Finance Member will look for advice to the other people who are in the trade besides the one foreign syndicate, and help other concerns with wood chemicals, etc., as much, if not more than this syndicate, to be able to carry on this industry. I have nothing to say against the high opinion that the Honourable the Finance Member may have of this foreign firm but in these days we cannot rely entirely for a large portion of our revenue of 3½ crores on a foreign firm which has acquired nearly 80 per cent. of our trade. The syndicate or this foreign firm really and in substance belongs to a foreign nation, I mean Swedish and it has now been found out and openly announced that they are supplying all that is required for the German armies. Only two or three days ago I read in the newspapers that all important Swedish concerns are working for German munitions. Now, we are getting as much as 3½ crores from public in the shape of excise duty from the activities of this one firm, because they have captured so much of our business. This House would have liked to move an amendment with regard to this position and for due help to Indian concerns producing matches. The amendments that I moved last time were not accepted by the Government and I withdraw them on the assurances given by the Honourable the Finance Member that he would consult trade and do needful and now effect has been given to them and I am glad. But I do hope that in the case of such a big revenue as Rs. 3½ crores that comes from the excise on matches which is next almost to salt our Indian concerns would be encouraged and Government will take proper precautions to watch this concern and supervise its activities and also to realise it, always remembering that this concern is manned from top to bottom by a foreign nation whose nationals are almost within the activities of enemies in the war and are willingly or unwillingly working for the enemy in their country.

In this connection, you have got to consider very seriously another aspect of the question. We require chemicals very badly for various purposes and for various reasons we have to guard the use of chemicals and this firm has got an enormous quantity of the chemicals. They are

at present in possession of those chemicals. If something happens to the foreign managed factories, then not only the poor and the whole country and our soldiers will not have matches and the Government will lose its revenue of 3½ crores but it may be that this public utility industry and the chemicals may be lost during these times and for sometime which we want the most. Only yesterday, after the little speech of my friend, the Finance Member, I purchased from the market two match boxes to find out whether they contained 50 sticks and if what quality they were made to be sold at half an anna. I do not want to make any remarks about them but make a present of them to the Honourable the Finance Member here in this House so that he may see them and get examined for himself. I only wish to say this that I am anxious that this excise duty of 3½ crores which is mostly taken from the poor people is now in the hands of a party which, in our opinion, does require a very careful and controlled supervision. On last Saturday a communiqué was issued that 50 sticks would be continued instead of 40, and today you find in the Delhi market the stuff that I have already presented and which is marked 'War Service' in which there is very little phosphorus. You have also got the price control and yet we find that the quality of these match sticks has been reduced by at least 50 per cent

Mr. President (The Honourable Sir Abdur Rahim): Where is the question of price control here?

Mr. Husenbhai Abdullabhai Laljee: Sir, I am not quite satisfied with the way in which the excise finances of our country with regard to matches are being looked after. Praises are in course of being showered, and I join in it, on the third reading of the Finance Bill about the way in which generally the finances are being managed by the Honourable the Finance Member. His attention has also to be drawn to the fact that because he will have to handle much larger sums of money that we are making available to a few suggestions here and there as to how he should try to save those resources and the large sums which he is taking even now from the people for the benefit of the war or for the benefit of the people. I do not wish to be long; I am only mentioning some of the points in which the finances may be looked into, when he has succeeded in getting so much money.

So far as the Supply Department is concerned, I have very little to say, but I have already said before now that there is a lot of financial control and to my friend, the Baronet, and others let me tell them that I have never got a single order without a tender and probably the lowest tender. Finally I think that having regard to the circumstances in which we are living at present, we cannot make any serious complaint about the budget that the Finance Member has presented and is getting passed. In fact, both he and the Treasury Benches have shown that they realise that the people of this country cannot be taxed any more and, therefore, it is good he has adopted this time borrowing principle to a good extent and I say to him to get as much more money as he requires for the war by borrowing. I hope he will be able to borrow a little more money. I repeat the prosperity, good will and equality that will result from the successful carrying out of this war will be not only enjoyed by the present generation but much more by the future

[Mr. Husenbhai Abdullabhai Laljee.]

generations. The other day he said that we are moving through such changing times that he may have to alter the budget figures at a moment's notice. There he is quite right. Every day some radical change or other is being made. But my request to him is that it is a well-known fact that this country cannot bear any more taxation, and he must do his best to avoid taxing and creating bitterness among the poor and middle class people who are really the backbone of this country. He can go on borrowing if he must require and I shall be glad if he imposes more sur-tax, super-tax and then excess profits tax, if borrowing cannot be done otherwise borrowing is the only and right and just thing to do.

Dr. P. N. Banerjea: Sir, there is a feeling among the Members of my Party that the powers of this House have been restricted with regard to the discussion at this stage.

Mr. President (The Honourable Sir Abdur Rahim): I do not quite follow the Honourable Member.

Dr. P. N. Banerjea: Sir, it has been felt that according to the usual procedure the debate has not been allowed to proceed in the manner . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not entitled to say that. He must accept my ruling. There are other ways of setting matters right if the Honourable Member is not satisfied with the conduct of business by the Chair. But so long as I am in the Chair, the Honourable Member must accept my ruling.

Dr. P. N. Banerjea: Sir, I submit to the ruling of the Chair, but in view of the feeling

Mr. President (The Honourable Sir Abdur Rahim): No, the Honourable Member cannot reflect on the ruling of the Chair.

Dr. P. N. Banerjea: I am not discussing it, but in order to make our attitude quite clear I say that we shall refrain from participation in the debate on the third reading of the Bill and will also abstain from voting on the motion before the House.

Qazi Muhammad Ahmad Kazmi: Mr. President, I rise to thank the Honourable the Finance Member for the little spirit of responsiveness he has shown in accepting one of the amendments, and I also thank Sir Cowasji Jehangir whose appeal was probably the most effective one. I also congratulate him on the fact that the number of his voters will not be increased. Though I feel that it is not in the interests of the Party to which I belong, still by the help he has rendered to us, he has brought a little comfort to the people whose incomes are below Rs. 1,500. To this extent I and they must be thankful to him. As to the whole Bill, I am of the opinion that it is a bad measure. There is no doubt that we are all quite in favour of fighting this war to a successful end. This budget is intended to bring revenue for that purpose. But the

main objection that we have got to the Bill is that the finances are not in our hands. We have got no effective control, we cannot do anything in the matter. We are merely passive agents and, as such, it is useless for us to support any measure of this kind. That will be the reason for my opposing this measure. Sir, I oppose the motion.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, the attitude of my Party towards the Finance Bill has already been made clear by the speeches that were made during the consideration stage. Nothing has since transpired, Sir, to effect any change in that attitude and I simply say that we are still opposed to the Finance Bill.

The Honourable Sir Jeremy Raisman: I do not intend to say anything.

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

"That the Bill, as amended, be passed."

The Assembly divided:

AYES—44.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ayers, Mr. C. W.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chaudavarkar, Sir Vithal Narayan.
Chettiar, Dr. Rajah Sir S. R. M. Annamalai.
Clow, The Honourable Sir Andrew.
Daga, Seth Sunderlal.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Dehejia, Mr. V. T.
Ghiasuddin, Mr. M.
Ghuznavi, Sir Abdul Halim.
Gopalaswami, Mr. R. A.
Gwilt, Mr. E. L. C.
Imam, Mr. Saiyid Haider.
Ismail Ali Khan, Kunwar Hajee.
Jehangir, Sir Cowasji.
Kamaluddin Ahmed, Shams-ul-Ulema.
Khurshid, Mr. M.

Kushalpal Singh, Raja Bahadur.
Laljee, Mr. Husenbhai Abdullabhai.
Manavedan, Raja T.
Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Mody, The Honourable Sir Homi.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Pillay, Mr. T. S. S.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Sarker, The Honourable Mr. N. R.
Scott, Mr. J. Ramsay.
Shams-ud-Din Haider, Khan Bahadur.
Sheehy, Mr. J. F.
Sivaraj, Rao Sahib N.
Spence, Sir George.
Stokes, Mr. H. G.
Sultan Ahmed, The Honourable Sir.
Symons, Mr. N. V. H.
Thakur Singh, Captain.

NOES—14.

Abdoola Haroon, Seth Haji Sir.
Abdul Ghani, Maulvi Muhammad.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Essak Sait, Mr. H. A. Sathar H.
Ghulam Bhik Nairang, Syed.
Ismail Khan, Haji Chaudhury Muhammad.

Liaquat Ali Khan, Nawabzada Muhammad.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi Syed.
Nauman, Mr. Muhammad.
Siddique Ali Khan, Nawab.
Umar Ali Shah, Mr.
Yamin Khan, Sir Muhammad.
Zafar Ali Khan, Maulana.

The motion was adopted.

RESOLUTION RE MORATORIUM ON THE PAYMENT OF ARREARS FROM THE RAILWAY REVENUES.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That this Assembly recommends to the Governor General in Council that the railway revenues be declared not liable before the 1st April, 1943, to repay to the depreciation reserve fund maintained for Indian State-owned railways, the balance outstanding on the 1st April, 1937, of loans taken from the fund to meet railway deficits or to pay to general revenues any contribution or deficiency in contribution due under the resolution of this Assembly of the 20th September, 1924, in respect of the period beginning on the 1st April, 1931, and ending on the 31st March, 1939."

I do not intend to make a long speech on this motion for the simple reason that the House having now adopted both the Railway Budget and the General Budget has in effect already approved the action which is to be formally sanctioned by this Resolution. In fact, I consider that this Resolution merely puts the formal seal of the House on the arrangements which they have already accepted and which were explained in full in the Budget speech of my Honourable Colleague, the Railway Member. It is not necessary, I think, for me to remind the House of the grounds on which the previous moratorium Resolutions were approved by them. In paragraphs 8, 16 and 17 of the Railway Budget Speech, the details of what we propose to do with the railway surplus in the Budget year, 1942-43, have been explained and it is clear that these necessitate a continuance of the moratorium. The House has also approved Demand No. 9-A for 1942-43 for the repayment of about 7½ crores to the depreciation fund in return of a portion of the loan taken from it to meet deficits in certain past years and the implication of this grant is that no larger sum than this is being voted to the Depreciation Fund. In short, Sir, the position about the moratorium may be said to be that unlike the usual kind of moratorium which is intended to protect the debtor from the necessity of meeting his dues to his creditors, the object of this moratorium has all along been to facilitate the payment by the Railways of certain monies to the general revenues which are, of course, the main creditor. It is because under the Railway Convention the Depreciation Fund would have had the first claim on these monies that it was necessary to adopt a moratorium. The position may be said to be somewhat similar to that of a debtor who owed money to his wife and also owed money to a lot of outside people and the moratorium is declared in order to prevent him from applying the monies at his disposal to pay the debt to his wife instead of paying them towards the debts which he owes to outsiders. Well, Sir, I said I would not make a long speech. I think the House is familiar with the main facts and they have already approved the arrangements in the two Budgets which are based on the continuance of the moratorium for one more year. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council that the railway revenues, be declared not liable before the 1st April, 1943, to repay to the depreciation reserve fund maintained for Indian State-owned railways, the balance outstanding on the 1st April, 1937, of loans taken from the fund to meet railway deficits or to pay to general revenues any contribution or deficiency in contribution due under the resolution of this Assembly of the 20th September, 1924, in respect of the period beginning on the 1st April, 1931, and ending on the 31st March, 1939."

Mr. President (The Honourable Sir Abdur Rahim): There is an amendment in the name of Sir Ziauddin Ahmad.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not want to move the amendment in my name, but I want to speak on the main Resolution.

Sir, this question of the Convention of 1924 had been under discussion ever since the war broke out. I would just draw the attention of the Assembly to the history of this Convention. When the Railway Budget was proposed, it was suggested that the Railway Budget should be separated from the General Budget and then Sir Malcolm Hailey, in 1924, suggested and the Governor General in Council accepted the suggestion that it should be done by means of a Convention and the Convention should be laid before the Legislative Assembly in the form of a Resolution and the Assembly should be required to vote. Now, a Resolution was drafted by the Government, and Sir Charles Innes laid it before the Assembly on the 23rd March, 1924. Then that Resolution was referred to a Committee. I tried to find out from the proceedings whether the Resolution could be referred to a Committee and I was told that this cannot be done now. It is only in the case of a Bill that that could be done but at any rate that Resolution was referred to a Committee and the Committee modified that Convention in some details and, ultimately, it was accepted. Now, this Convention worked all right from 1924 onwards and even in the time of scarcity when the Railway income was not sufficient to discharge its obligations, we continued to abide by the Convention. Now, when the war broke out the situation changed and there has been a reference often from the European Group and also from other sides that that Convention should now be revised, at least during the war time and now, especially, it is necessary for this reason that most of the money that the Railway Department is now getting comes from the general revenues. It is right and correct that we should modify the Convention and pay larger share to the general revenues from which the Railway derives most of its income.

Now, the Honourable the Finance Member no doubt has laid before us a moratorium which, of course, is very necessary, because it is really an improvement on the existing chaotic conditions and because the position will be worse if we do not accept it but I do beseech him not to take this reform piecemeal. Let him sit down quietly and modify the Convention of 1924 for war time. As regards the substance of it, there will be very little difference of opinion in principle between the Government and ourselves. The only thing is that it should be done and done really not for one year or two years but it should be done for the war period. If the Honourable the Finance Member is very busy just at present for other reasons, let him bring forward a new Convention which may be a modification of the 1924 Convention, which should work during the war period. I am quite prepared to draft a new Convention, if the Government would permit a non-official Resolution. I said, for the war period, because nobody can foresee just at present what would be the conditions after the war. But, at any rate, we are pretty sure as to what is happening now and what would continue to happen so long as the war continues. Therefore, I do beseech him that we should not be asked to extend this arrangement which I consider to be exceedingly unsatisfactory

[Dr. Sir Ziauddin Ahmad.]

to be extended year after year. I will tell later on how it is unsatisfactory to us. I suggest that you should not have a casual resolution, you should quietly sit down, work out the details, then take this Assembly into confidence, and ask the House to appoint a Committee to examine the draft of the new Convention which should remain in operation during the war.

Now, I tell you how it is working unsatisfactorily; that is, as far as their contribution to the general revenue is concerned they are not making any contribution at all. In the first instance, if you refer to the explanatory memorandum issued by the Railway Board at the time of the Railway Budget, you will see that in the first instance they paid off our arrears of the past year, even they gave us back our arrears for 1941-42 and now, whenever any further contribution was given, they did not call it a contribution but they called it an 'advance payment' for the year 1942-43. Therefore, any sum which will be paid will be supposed to be an advance payment for future years so that we will be able to get nothing after the war, if the war continues for several years.

The Honourable Sir Andrew Clow (Member for Railways and Communications): I must correct the Honourable Member. We have not reached the position of making advance payments. We were paying off previous contributions.

Dr. Sir Ziauddin Ahmad: I refer you to the Explanatory Memorandum a copy of which I can get from the Library and in that Memorandum it is put down: "advance payment due in 1943-44, Rs. 4 crores". When I finish my speech I will show the page of the Explanatory Memorandum. So this money which they have been paying to us is not a kind of contribution for the war purposes. It is just like the Lease-Lend arrangement which we have with America. What we should do is to very carefully consider our Convention of 1924 and find out how it should be modified keeping in view the war conditions. But we should not forget that the income of the Railways is really derived from the general revenues and it is just and fair that they ought to make a substantial contribution for war purposes. It seems desirable that the major portion of this ought to be subscribed to the general revenue and they ought to put as little as possible in what they call the 'Depreciation Reserve' and 'Reserve', because these are the two names given to the same thing. And, I think, we should also consider how much we ought to put down under the Reserve so that we may make up the shortcomings of our repairs and renewals as soon as the war is over. Therefore, I do beseech the Honourable the Finance Member that although we accept his suggestion at present so that it may keep the things going, it is very desirable that we should now draft a revised Convention to replace the Convention of 1924.

With these words, I support the motion and I repeat my request that the Convention of 1924 ought to be revised.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, the Resolution, as it stands, is on the whole unobjectionable. But I want to make certain reservations on account of the fact that the Railways have begun to earn not merely as a result of the war but from

heavier and ever-heavier rates and fares, income from which runs into ten crores of rupees. It is not, therefore, that the Railway Board are now in any impecunious condition. And if it is the wish of the Railway Board that we should at the end of the next year make good whatever deficits may be due either to the Depreciation Fund or to the general revenues, I am prepared to consider that on merits. In the course of the year a comprehensive resolution is to be brought forward for the purpose of reviewing the Convention of 1924. At this stage, therefore, I am not going to offer any elaborate criticism except to say that if eventually a revision of a right kind is going to take place, I am prepared to forget what has happened in the past. I only wish to invite attention that at present it is neither necessary to pay back to the Depreciation Fund even after a year, nor to the reserves if any remaining, but to devote all surpluses to three things, and that after making a one per cent. payment to the general revenues, the rest of the surplus should be spent not in adding to the depreciation reserves nor in creating heavy general reserves but to three things. The House is aware that under the Niemeyer Award the Railway was to have certain income before the assignment of Income-tax under the Government of India Act, 1935, was to be made to the Provinces. Now that railway revenues should be the basis of payment to the Provinces is not a fair proposition. So long as the Railway has not put its house in order, so long as its own employees have not got any approach even to a minimum wage and the tendency has always been to cut their wages, the policy should be to repair the wrongs done to the workers during the last ten years.

I think, the Honourable the Communications Member will remember that the Inchcape Committee had pointed out that in Railways, capital was being favoured at the expense of revenue, which means that what are capital charges are being defrayed from revenue, that what is a capital burden becomes a burden on the customer of the Railway, instead of being a burden spread over a number of years. In many other ways, as I pointed out during the general discussion on the Railway Budget, Railway revenues are being diverted to channels and the net result of that is that both the rates and fares are being kept high and the railway worker, who is the backbone of the railway transport service, has not yet been restored to the position in which he was before the depression. I can recall, Sir, that, in 1929, Sir George Schuster promised that 50 lakhs of rupees will be laid aside for increasing the wages of the poor people. This was also later on a recommendation of the Royal Commission on Labour. Nothing of that kind has been done. What has been done is in the negative direction. The progress has been in the direction of the tail, and I shall suggest for the consideration of the Railway Board that before they pay anything either to the Depreciation Fund or to the reserves anything in excess of one per cent. to the general revenues, they must first put their own house in order.

Since the last post-war depression set in, so far as I remember nearly 118,000 workers were retrenched. Most of them were thrown to the wolves; several thousands were demoted. Now, Sir, the word 'demotion', so far as I knew it, came into existence only in 1931. Demotion meant that a worker who was earning Rs. 60 today will not be discharged but he will be asked to take, say, Rs. 34 or get out. The higher officers, if there is a ten per cent. cut for one year even, combine to raise such a

[Mr. Jamnadas M. Mehta.]

clamour that even the Secretary of State is afraid. But the poor worker in his thousands can be brought down to a much lower scale of living when the original scale of living itself was not sufficient, without anybody shedding a tear. The working classes on the railways have not been treated fairly, and until that is done, any question of repayment to the depreciation fund or the reserves must be held in abeyance. The other day, I tried to bring to the notice of this House the lunatic action, if I may say so, of an officer in the Railway Board who denied even elementary sanitary amenities to 700 clerks in the Clearing Accounts Office. The Chair was pleased to rule that it was not of sufficient importance to deserve an adjournment of the House, but the Chair was also pleased to declare that it was a very important matter. When they are earning Rs. 30 crores as surplus, look at the condition of the clerks in this city of Delhi, in this imperial town, in the Clearing Accounts Office you have a most unhappy spectacle of 700 clerks being refused elementary sanitary amenities. Can you imagine anything more horrible than that 700 clerks should be kept waiting in a queue for releasing themselves in response to a natural call? And yet when my motion of adjournment was read out, I found the Treasury Benches enjoying a laughter at my expense. What a tragedy! I could also laugh. It has its comic side, I agree; but the tragedy is greater. In this House we are barely 140, but the sanitary amenities are one latrine to 13. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is going beyond the scope of this Resolution. He must speak to the Resolution itself.

Mr. Jamnadas M. Mehta: I am trying to describe—this is a mere illustration

Mr. President (The Honourable Sir Abdur Rahim): It is too far-fetched.

Mr. Jamnadas M. Mehta: I would only draw attention to the mentality which votes away crores to the central revenues but which denies elementary amenities to its own employees. I shall leave it at that. I was also describing that since 1929 the worker in the railways, while the railways are getting flooded with crores of rupees, is suffering an economic depression.

Mr. President (The Honourable Sir Abdur Rahim): Today being Friday the House will now adjourn and meet again at 2-15 P.M.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. Chairman (Syed Gbulam Bhik Nairang) in the Chair.

Mr. Jamnadas M. Mehta: Sir, I was submitting that I had no objection to the postponement of the payments either to the Depreciation Fund or to the central revenues of the Government even at the end of the next

year, but my point was that before you made these payments, you should take into consideration the various points I have mentioned, namely, that you cannot pay to general revenues or to any other interest anything from the railway revenues until you have done your duty to your own employees, particularly at a time when the cost of living is mounting up beyond reasonable levels. I was also submitting that, since 1929, when the railway worker was promised an increment of wages by 50 lakhs, he has steadily suffered by the shrinkage of his income, and, therefore, these claims of other funds have no right to have priority over the minimum requirement of the railway worker. These 50 lakhs were not given in 1929, but soon after a retrenchment of one lakh 18,000 men was made, demotions which reduced sometimes the incomes of workers to 40 per cent. took place, and, thereafter, a wage cut of 10 per cent. was levied for two years, and, thereafter, a permanent reduction in wages of the so-called new entrants was carried out which reduced their income from 10 to 30 per cent. The total loss which the railway wage earner has suffered in the course of the last 12 years is somewhere in the neighbourhood of seven crores; not that the railways had no money, not that the railways even in the time of depression had not sufficient resources to treat the workers fairly, but it was a policy to conceal the revenues, to divert revenues to deny the railway worker the minimum due to him. I, therefore, urge at this stage that even at the end of next year no payment should be made until these considerations are borne in mind. And today these considerations are such that they must keep a close watch on the rising price level, and according to the Committee which the Government themselves appointed,—and here I want the assistance of the Labour Department itself which had appointed the Committee,—which has recommended that as from 1940 any 5 per cent. rise in the cost of living should be followed by a neutralisation of its effect on the workers' scanty income.

Now, Sir, I say that since the Rau Committee reported, the rise in the cost of living has become not 11 per cent., but 51 per cent., and, therefore, until Government make it good, they have no right to consider these surpluses as really surpluses. They are not surpluses until you have discharged your duty to the worker and while I am wholly in favour of what is being given to provinces, I must also say that this bounty to the provinces, much as it is welcome, should also run parallel to the duty which the Railways owe to their employees. In addition to this, new problems have arisen during the war, and they have particularly become acute during the last few months, and before any attempt to pay back to Depreciation Fund is thought of, they should first see that their employees in all danger zones are treated fairly and justly and that their position is not worsened. Remember, Sir, that the railway workshops and the railway employees today are as important as the soldier. Please read the advertisements in the press, and what is very properly referred to the soldiers would apply, including the high salary given, ample food, clothing or any other facilities, to the soldier, and the railway worker should be given all those amenities. I say that the railway worker is a soldier, if not in the fighting line, but behind the fighting line, and he is as important and as essential as the soldier in the fighting line. Unless this soldier behind the fighting line gets what the soldier gets in the front line, the war cannot be carried on efficiently. What is happening today on the East Coast? There are rumours, there is menace, there is need for evacuation.

[Mr. Jamnadas M. Mehta.]

and railway representatives have come to Delhi to ask for facilities. All sorts of rumours are afloat. The head office of the East Indian Railway Administration is breaking up at Calcutta and going to Lucknow. A large number of staff will be taken from Calcutta to Lucknow, and all I wish to say is, when they are being asked to leave Calcutta and join at Lucknow, they should be put in the same position, if not better, in which they were when they were at Calcutta. That is absolutely essential. For love or money they are not getting housing accommodation, and without housing accommodation what can they do? They may be ordered to go to Lucknow, but where are they to go? They are in a worse position than refugees. Refugees naturally attract sympathy, while these people who go from Calcutta to Lucknow are not merely in the position of refugees, but they are required to do certain duties; they must be cared for with solicitude and sympathy, and, therefore, I wish that four things should be done by the Railway Board before passing over even at the end of the next year the so-called overdue debts to the Depreciation Fund or to the general revenues. My first suggestion is that they must restore to the Railway worker what he has lost during the last 13 years; they should take note of the mounting price level. In the last 13 years I estimate that the railway worker has lost seven crores of rupees of his remuneration per year as a result of refusing to give 50 lakhs which was promised in 1929, retrenchments in 1931-32, wage cut in 1933-34, new rates of wages from 1934-35, and the mounting cost of living today. In addition there are these Provident Fund extensions which are expected to cost 72 lakhs, which I do maintain are a flea bite, compared to 30 crores surplus which the Railways have. With these submissions, I say that I have no objection whatever to the postponement of the so called arrears, but when they are paid, the points I have made must be first taken into consideration and the wrongs done to the worker should be righted, his financial position should not be worsened as a result of the war, and for any mounting price level in the cost of living he must be fully compensated.

The Honourable Sir Andrew Clow: Sir, we seem to be continuing some of the old discussions. The question of the convention to which my friend, Dr. Sir Ziauddin Ahmad, alluded was raised by a cut motion on the Railway Budget, and the question of what should be done for labour, I think, was also raised in the general discussion on the Railway Budget, and I would suggest that it is not strictly germane to the motion moved by my Honourable Colleague. I do not propose, therefore, to discuss the question of latrines at the Railway Clearing Office, as I feel that that these are matters which Mr. Jamnadas Mehta would have done much better to refer to the Controller of Railway Accounts who had never heard of them, than to attempt to adjourn the House during the consideration of the most important Bill of the year. I will only say as regards his general remarks on labour, that if the record of the Railway Board is examined over the 13 years or over any other period he cares to choose, he will find that it is a very creditable one indeed. In fact, in discussing the Convention—I do not think the Honourable Member was present here—on the cut motion moved by Sir Frederick James, I indicated that one of the reasons why, in my view, in peace time the convention's provisions were no longer appropriate was that that we were taking a more generous view of the needs of labour than had been taken at the time when the

Convention was passed and had in consequence incurred expenditure on a scale that was not at that time envisaged.

As regards the point made by the Honourable Doctor, I must admit that in one respect the memorandum from which he was quoting is perhaps a little misleading, because it does allude to advance payments, which looks as if some advance payment was being made. But actually, the conclusion reached is that no surplus accrues until the arrears of one per cent. contribution have been paid off, and the payments we are making this year and next year are going to pay our past debts in that respect. We have not yet reached a position when our debts are wiped out, and when it will be necessary to consider how payments which are surplus to obligations are to be treated for purposes of finance. That position may or may not be reached next year, and as I suggested in the debate on the cut motion, the question that has been raised by Dr. Sir Ziauddin Ahmad is one that can more conveniently be considered when we know a little more about the financial progress of this year. It will be time then to consider whether you want a permanent revision of the Convention or whether you require another interim arrangement. I have already expressed my purely personal opinion that the devising of a system which may meet both the needs of war and of peace, is likely to prove rather difficult. But if the estimates which I put forward in connection with the railway budget are fulfilled, obviously a position will be reached when some fresh arrangement will be essential, and at that time it can be considered.

Dr. Sir Ziauddin Ahmad: I have now got a copy of the Explanatory Memorandum, and may I draw the Honourable Member's attention to page 6, item (iii) where it says:

"... Advance payment of the amount due in 1943-44 on account of the one-fifth of the surplus on the working of commercial lines. . . ."

This is really very confusing, and I thought that the amount was really going to be paid in advance. For that reason I suggested that the convention of 1924 required revision for war time, and I hope that the Honourable Member will take it up.

The Honourable Sir Andrew Clow: If we were making a definite payment, that would be quite correct. I must express my regret to the Honourable Member that this is not put in a very clear fashion, but the fact is that we reached a certain calculation last year on the basis of certain assumptions, and although we have now abandoned the assumptions we have continued the method of calculation. I explained that in some detail in my original budget speech and I would particularly draw attention to paragraph 3 of that speech. In framing the budget for the preceding year we did include these payments and then regarded them as advance payments. We have since been advised that we have no right to regard these as advance payments until we have repaid the dues which were owing to the general revenues, so that the payments we are making are being taken by my Honourable Colleague in satisfaction of the debt owed to general revenues on account of the fact that over a considerable number of years the railways were not even able to pay the one per cent. contribution.

[Sir Andrew Clow.]

As this may be the last time on which I have the honour of addressing this House, I would just like to express my regret at leaving it, and also my thanks for the consideration which the House has consistently shown to me.

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That this Assembly recommends to the Governor General in Council that the railway revenues be declared not liable before the 1st April, 1943, to repay to the depreciation reserve fund maintained for Indian State-owned railways, the balance outstanding on the 1st April, 1937, of loans taken from the fund to meet railway deficits or to pay to general revenues any contribution or deficiency in contribution due under the resolution of this Assembly of the 20th September, 1924, in respect of the period beginning on the 1st April, 1931, and ending on the 31st March, 1939."

The motion was adopted.

Mr. Chairman (Syed Ghulam Bhik Nairang): Mr. Prior.
(Mr. Prior being absent.)

Sir George Spence (Secretary Legislative Department): Sir, Mr. Prior is not moving this motion (*re* Weekly Holidays Bill).

THE AGRICULTURAL PRODUCE (GRADING AND MARKING) AMENDMENT BILL.

The Honourable Mr. N. R. Sarker (Member for Education, Health and Lands): Sir, I move:

"That the Bill to amend the Agricultural Produce (Grading and Marking) Act, 1937, be taken into consideration."

Sir, the Bill is a very short and simple one. The object of the Bill has been clearly stated in the Statement of Objects and Reasons which has been circulated to Honourable Members. At this stage, I do not want to make any long speech justifying my motion. Sir, I move.

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That the Bill to amend the Agricultural Produce (Grading and Marking) Act, 1937, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Mr. N. R. Sarker: Sir, I move:

"That the Bill be passed."

THE AGRICULTURAL PRODUCE (GRADING AND MARKING) AMENDMENT BILL.

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That the Bill be passed."

The motion was adopted.

THE INDIAN TOLLS (ARMY) AMENDMENT BILL.

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, I move:

"That the Bill further to amend the Indian Tolls (Army) Act, 1901, be taken into consideration."

This is a small amending Bill. The Act was passed as long ago as 1901 and the only amendment that was made was in 1927 to include the Air Force in addition to the army. Having been passed as long ago as 1901, the terminology of sections 2 and 3 are very much out of date and has been occasioning some difficulty in interpretation under modern conditions. The main object of the Bill is therefore to clarify certain expressions and to bring the terminology in consonance with present conditions. There is no question of the introduction of any new principle. Sir, I move.

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That the Bill further to amend the Indian Tolls (Army) Act, 1901, be taken into consideration."

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Sir Gurunath Bewoor: Sir, I move:

"That the Bill be passed."

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That the Bill be passed."

The motion was adopted.

THE CANTONMENTS (AMENDMENT) BILL.

Sir Gurunath Bewoor (Government of India: Nominated Official): Sir, I move:

"That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

Since the Cantonments Act was last amended about a year ago, many practical difficulties have come to notice in the working of the Act. The amendments concerned are miscellaneous and range over various provisions of the Act. The purport of each of these amendments is explained

[Sir Gurunath Bewoor.]

in the Notes on Clauses and as none of them are really of serious importance, I do not think they call for any comment at this stage. I, therefore, move that the Bill be taken into consideration.

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Sir Gurunath Bewoor: Sir, I move:

"That the Bill be passed."

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That the Bill be passed."

The motion was adopted.

STATEMENT OF BUSINESS.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, for the three official days next week, the business will be the voting of supplementary demands, the disposal of the Bill outstanding from the current list, and the consideration and passing of the Statistics Bill as reported by the Select Committee. The only remaining item of business for the current Session is the Motor Vehicles Bill on which the Report of the Select Committee is expected to be presented early next week in time to admit of the Bill being disposed of on Tuesday, the 31st March, which is the last official day of the Session.

The Assembly then adjourned till Eleven of the Clock, on Monday, the 23rd March, 1942.

LEGISLATIVE ASSEMBLY

Monday, 23rd March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBERS SWORN

Mr. Wilfred Harold Shoobert, M.L.A. (Director General, Posts and Telegraphs); and

Dr. T. E. G. Gregory, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

NON-ESSENTIAL OFFICES MOVING UP TO SIMLA.

†228. ***Sardar Sant Singh:** Will the Honourable the Home Member make a detailed statement as to the non-essential offices that are proposed to be moved to Simla for the next Summer?

The Honourable Sir Reginald Maxwell: The Honourable Member is referred to the reply given to Bhai Parma Nand's starred question No. 207 on the 18th instant.

BAD HEALTH OF SARDAR ARJAN SINGH GARGAJ CONFINED IN MIANWALI JAIL.

†229. ***Sardar Sant Singh:** Will the Honourable the Home Member please state:

- (a) whether it is a fact that Sardar Arjan Singh Gargaj, now confined in Mianwali Jail under rule 26 of Defence of India Rules is not keeping good health and that his weight had been reduced from 112 to 98 pounds since his admission in Mianwali Jail;
- (b) whether it is a fact that he was sent to Mayo Hospital, Lahore, for the treatment of his bad eyes in February or March 1941;
- (c) what report the hospital authorities made about the condition of his eyes and what steps, if any, Government have taken thereon;
- (d) whether it is also a fact that Sardar Arjan Singh Gargaj was sent to the Dental Hospital for the treatment of his teeth;

†Answer to this question laid on the table, the questioner being absent.

- (e) what report the Dental Hospital doctors made about the condition of his teeth and what steps, if any, Government took on that report; and
- (f) if Government are prepared to consider his case and make suitable arrangements for the treatment of his eyes and teeth?

The Honourable Sir Reginald Maxwell: (a) to (f). I have no information. The prisoner is detained under the orders of the Government of the Punjab and not of the Central Government.

DETENTION OF LALA SHANKAR LAL OF DELHI.

†230. ***Sardar Sant Singh:** (a) Will the Honourable the Home Member please state the place of detention of Lala Shankar Lal of Delhi who was arrested at Bombay, brought to Delhi and then sent away to an unknown destination?

(b) What is his present state of health?

(c) Did Musammat Misri Devi, wife of the detainee, make any application to the Home Department for an interview with her husband? If so, how many applications did she send? Was any interview granted her? If not, what are the reasons for the refusal?

The Honourable Sir Reginald Maxwell: (a) Lala Shankar Lal is at present detained in Delhi.

(b) He is in good health.

(c) First part—Yes.

Second part—Three.

Third part—Yes.

Fourth part—Does not arise.

“BLOOD BANK” FOR DELHI OR NEW DELHI.

231. ***Mr. C. C. Miller:** (a) Will the Defence Secretary be pleased to state whether there is a “blood bank” established in Delhi or in New Delhi?

(b) If the answer to part (a) above be in the affirmative, has an appeal been made to the public to donate blood for transfusion purposes?

(c) If the answer to part (b) above be in the affirmative, was the appeal attended with success or not?

(d) If the answer to part (b) above be in the negative, why has no appeal been made?

Mr. N. V. H. Symons: (a) Yes, at the Irwin Hospital.

(b) Yes.

(c) No.

(d) Does not arise.

Mr. Lalchand Navalrai: May I know if these blood banks have been established in England and how much blood has been collected there?

Mr. N. V. H. Symons: I have no information.

†Answer to this question laid on the table, the questioner being absent.

Mr. Lalchand Navalrai: May I also know how much Indian blood wanted?

Mr. N. V. H. Symons: As much as we can get.

Mr. Lalchand Navalrai: Does the Honourable Member know that Indian blood is already being lost in the army and in fighting?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. Lalchand Navalrai: How much more does he want, I want to know.

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

Mr. C. C. Miller: May I ask one supplementary question, Sir? Would the Honourable Member read the appeal to the House, if it is a short one?

Mr. N. V. H. Symons: The appeal is made in the form of a letter to some 3 clubs, 5 colleges, the Imperial Secretariat Association, New Delhi, the Y. M. C. A., New Delhi, Toc H, and the Managing Director of Govan Brothers. The relevant portion of the appeal is that it could be arranged that volunteers should attend at the Irwin Hospital at any time convenient to them when their blood will be taken; or if a sufficient number of names could be sent, the Superintendent of the Irwin Hospital would arrange to bring his team to the club to collect blood on any convenient evening. Any healthy person between the ages of 20 and 50 may donate blood; the amount is about 14 ounces, not more, often less.

Mr. C. C. Miller: In view of the extreme urgency of the question and of the importance which this blood may have in saving life in the future, would the Honourable Member be prepared to instigate an all-out campaign in his department and spreading to the other departments of Government for blood donations whereby probably thousands of persons could be procured to give blood?

Mr. N. V. H. Symons: This is a matter primarily for the Provincial Governments, but a great deal has been done on the lines suggested by the Honourable Member; but we shall be happy to consider an intensification of the campaign.

Mr. Lalchand Navalrai: May I know from the Honourable Member if up to now Indians have given their blood in India and it has been collected?

Mr. N. V. H. Symons: Yes, a great deal, but from Delhi, as a result of this appeal, 33 volunteers only have come forward, and, of those, only 9 have so far given their blood.

Pandit Lakshmi Kanta Maitra: How many such banks have been established in India?

Mr. N. V. H. Symons: I am at a slight disadvantage in answering this question about all India, as the main question relates only to Delhi; but there is a big blood bank in Calcutta, there is another in Bombay, and as I mentioned to the House in my speech on the second reading of the Finance Bill arrangements have now been made by the medical officers in every province and every province is now in a position to set up its own blood bank.

SUPERIOR PERSONAL STAFF OF MEMBERS OF THE EXECUTIVE COUNCIL.

232. *Maulvi Muhammad Abdul Ghani: (a) Will the Honourable the Home Member be pleased to state the pay and allowances, of the Private Secretaries, Personal-Assistants, and Stenographers, employed on the personal staffs of the Honourable Members of the Executive Council in charge of the various Departments of the Government of India?

(b) Will the Honourable Member please state if it is a fact that the matter of selection and promotion of the superior personal staff rests with the Honourable Member concerned?

(c) If the reply to part (b) above be in the affirmative, will the Honourable Member be pleased to state what happens to a permanent Government servant on an Honourable Member's staff whom the Honourable Member does not want to continue on his staff?

The Honourable Sir Reginald Maxwell: (a) A statement giving the information asked for is laid on the table.

(b) Yes, but the choice is ordinarily made from persons already in Government employ, particularly those in the Department concerned.

(c) Such a person merely reverts to his substantive appointment.

Statement showing the Pay and Allowances of the Private Secretaries, Personal Assistants and Stenographers employed on the Personal Staff of the Honourable Members of the Executive Council.

Name of the Department.	Private Secretaries.		Personal Assistants.		Stenographers.	
	Pay.	Allowances or special pay.	Pay.	Allowances or special pay.	Pay.	Allowances or special pay.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1. Home	...	...	500	100	...	...
2. Finance	Pay as an Officer of the Indian Audit and Accounts Service.	300 as Under Secy.	As steno. in the scale of Rs. 175—121—375—15—450—25—500.	150	Steno-grapher's scale (125—5—180—10—300).	190
3. Labour	...	...	350	100	187/8	50
4. Education, Health and Lands	600	...	435	100	...	...
5. Communications (and Railways).	...	...	450	150	...	...
6. Legislative	...	...	135	75	...	...
7. Defence	1,530 (Regular Officer of Indian Army.)	...	715	...	...	...
8. Supply	300	...	420	100	...	...
9. Civil Defence	...	...	*400	...	...	...
10. Indians Overseas	...	...	500	150	...	...
11. Information and Broadcasting.	...	...	382/8	100	...	...
12. Commerce	...	...	375	150	130	50

*The question of this pay is at present under consideration.

Mr. Lalchand Navalrai: May I know if direct appointments have been made for these officers?

The Honourable Sir Reginald Maxwell: I do not quite understand what the Honourable Member means by direct appointment.

Mr. Lalchand Navalrai: I think the Honourable Member has been using the word direct many times; what I am asking is this, whether they have all been taken from the departments that are already existing or any new outsiders have been directly recruited?

The Honourable Sir Reginald Maxwell: Two persons have been taken who are not in permanent Government service.

Mr. Lalchand Navalrai: In what posts?

The Honourable Sir Reginald Maxwell: One is private secretary to the Honourable Member for Education, Health and Lands, and the other is private secretary to the Honourable Member for Supply.

Mr. Lalchand Navalrai: Were they taken through the Public Service Commission?

The Honourable Sir Reginald Maxwell: No.

Mr. Lalchand Navalrai: Why not?

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

OFFICERS AND CLERKS IN THE DEFENCE CO-ORDINATION DEPARTMENT.

233. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Home Member please state:

(a) the total number of officers and clerks getting salaries or allowances of above Rs. 100 serving under the Defence Co-ordination Department and the number of those who are Muslims?

(b) the total number of persons in that Department serving on salaries between Rs. 30 and Rs. 100 and the number of those who are Muslims; and

(c) the total number of officers and clerks and persons recruited under parts (a) and (b) above during 1940 to 1942?

The Honourable Sir Reginald Maxwell: (a) Eleven of whom two are Muhammadans.

(b) Thirteen of whom three are Muhammadans.

(c) Twenty-one.

OFFICERS AND STAFF IN THE INCOME-TAX DEPARTMENT.

234. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Finance Member be pleased to state:

- (a) the total number of—
 - (i) Income-tax Commissioners and their Deputies or Assistants,
 - (ii) Income-tax Officers,
 - (iii) Assistant Income-tax Officers.
 - (iv) Income-tax Inspectors,
 - (v) Income-tax Assessors,
 - (vi) Appellate Tribunals and their strength in every circle,
 - (vii) Office Superintendents and clerks, and
 - (viii) Inferior staff such as peons, daftries, etc., and the number of Muslims under every head of the above named services; and
- (b) the total number of persons and the number of Muslims recruited under every head of Income-tax services in 1940, 1941 and 1942?

The Honourable Sir Jeremy Raisman: (a) and (b). The information required is not readily available and Government consider that its collection would involve an expenditure of time and labour that would not be justified by the value of the results. Much of the information is, however, contained in the Establishment Lists of the Income-tax Departments of the different Provinces. Copies of the latest issues of these Lists have been placed in the Library of the Legislative Assembly.

Mr. Lalchand Navalrai: May I know if any officers have been appointed in anticipation of the budget that the Honourable Member has now presented?

The Honourable Sir Jeremy Raisman: I do not think that arises out of this question.

PAUCITY OF MUSLIMS IN THE BROADCASTING STATIONS STAFF.

235. *Nawabzada Muhammad Liaqat Ali Khan: (a) Will the Honourable Member for Information and Broadcasting be pleased to state if it is a fact that out of eight Station Directors in the All-India Radio there is only one Muslim? If not, what is the number of Muslim and Non-Muslim Station Directors?

(b) Is it a fact that out of seven Assistant Station Directors there is only one Muslim? If not, what is the number of Muslim and non-Muslim Assistant Station Directors?

(c) Is it a fact that out of eight Station Engineers there is not a single Muslim? If not, what is the number of Muslim and non-Muslim Station Engineers?

(d) Is it a fact that out of thirty-three Assistant Engineers there are only five Muslims? If not, what is the number of Muslim and non-Muslim Assistant Engineers?

(e) Is it a fact that out of eighty-seven Technical Assistants there are only five Muslims? If not, what is the number of Muslim and non-Muslim Technical Assistants?

(f) Is it a fact that out of seven Installation and Deputy Installation and Research Engineers there is not a single Muslim? If not, what is the number of Muslims and non-Muslims occupying these posts?

The Honourable Sir Reginald Maxwell: (a) Out of eight substantive posts of Station Director, two are held by Muslims.

(b) Yes.

(c) No. There is one Muslim out of ten Station Engineers.

(d) No. There are six Muslims out of forty-one Assistant Engineers.

(e) No. There are two Muslims out of ninety-two Technical Assistants.

(f) There are eight officers in the grades referred to by the Honourable Member. None of them is a Muslim.

Mr. Lalchand Navalrai: May I know if these officers who are being taken have the same qualifications if they come from different communities?

The Honourable Sir Reginald Maxwell: Yes, Sir.

Nawabzada Muhammad Liaqat Ali Khan: May I know if Government propose to take any action for remedying this disparity of representation of the various communities?

The Honourable Sir Reginald Maxwell: There is no great disparity, Sir, but in so far as Muslims are insufficiently represented in the engineering grades, it is because a sufficient number of Muslims having the necessary technical training have not been hitherto forthcoming, that is, not sufficient Muslims go in for training in wireless engineering.

Mr. Muhammad Azhar Ali: How long do you propose to give this reply that Muslims with necessary technical training are not forthcoming?

The Honourable Sir Reginald Maxwell: I suppose we shall have to give that reply until a sufficient number of Muslims with the requisite technical qualifications are forthcoming.

Dr. Sir Ziauddin Ahmad: What is the data on which the Honourable Member has come to the conclusion that Muslims with necessary technical qualifications are not forthcoming. I assure him that for every post he wants, I myself can give him 4.

The Honourable Sir Reginald Maxwell: Every effort has been made but so far we have not been able to get as many as are desirable.

Dr. Sir Ziauddin Ahmad: Will you please write to the Office or the Vice-Chancellor, Aligarh University, and I assure you I can give you for every post you want to fill in.

Mr. Lalchand Navalrai: Are these people selected by a Committee? Are the posts of engineers also filled by a Committee and are they selected on account of their technical qualifications?

The Honourable Sir Reginald Maxwell: Does the Honourable Member refer to the grades of Assistant Engineer and Technical Assistants, if so, the recruitment is made through the Public Service Commission or a Selection Board constituted in Delhi.

Maulvi Muhammad Abdul Ghani: How many selections have been made during the last three years in wireless engineering, and how many Muslim candidates applied?

The Honourable Sir Reginald Maxwell: I think there is another question about it.

MUSLIMS HOLDING GAZETTED POSTS IN THE ALL-INDIA RADIO.

236. *Nawabzada Muhammad Liaqat Ali Khan: (a) Will the Honourable Member for Information and Broadcasting be pleased to state the percentage of gazetted posts in the All-India Radio held by Muslims?

(b) Is it a fact that Government have refused to grant reservation of posts for Muslim candidates for the gazetted posts?

The Honourable Sir Reginald Maxwell: (a) 18.9.

(b) No, except in the case of a few posts, which have been specifically exempted from the application of orders regarding communal representation.

MUSLIMS AND THE TECHNICAL SECTION OF THE ALL-INDIA RADIO.

237. *Nawabzada Muhammad Liaqat Ali Khan: Will the Honourable Member for Information and Broadcasting be pleased to state if the various posts in the All-India Radio are filled in accordance with the Government of India, Home Department, Resolution of July 1934? If so, how do Government propose to adjust the difference in the Technical Section of the All-India Radio?

The Honourable Sir Reginald Maxwell: Yes, with the exception of a few superior posts which have been specifically exempted from the application of the orders contained in the Resolution referred to by the Honourable Member. Government are making every possible effort to facilitate the recruitment of Muslim candidates to technical posts but duly qualified candidates have not been available in sufficient numbers.

SENIORITY OF TECHNICAL STAFF OF THE ALL-INDIA RADIO.

238. *Nawabzada Muhammad Liaqat Ali Khan: Will the Honourable Member for Information and Broadcasting be pleased to state if it is a fact that the seniority of the members of the Technical staff of the All-India Radio is determined not according to the dates of their joining the department but according to the order decided upon by the Interviewing Board?

The Honourable Sir Reginald Maxwell: Yes.

SUPERSESSION OF MUSLIMS IN TECHNICAL SECTION OF THE ALL-INDIA RADIO.

239. *Nawabzada Muhammad Liaqat Ali Khan: Will the Honourable Member for Information and Broadcasting be pleased to state if certain Muslims in the Technical branch have been superseded by non-Muslims? If so, why?

The Honourable Sir Reginald Maxwell: Yes, but certain non-Muslims were also superseded by Muslims. The reason for these supersessions was that the satisfactory operation and maintenance of a broadcasting system requires highly competent engineers and the appointments were made solely on merit.

OFFICERS AND STAFF MOVING UP TO SIMLA.

240. *Bhai Parma Nand: (a) Will the Honourable the Home Member please state the number of (i) officers and Assistants, etc., that came down from Simla to New Delhi, (ii) Officers and staff that can be accommodated in Simla for the summer season, 1942, and (iii) Officers and staff that will move to Simla for the next summer, 1942?

(b) Is it proposed to utilize all the accommodation available in Simla to the full extent by sending up the Secretariat and other offices to Simla as are not necessarily required to stay in Delhi for the next summer? If not, why not?

(c) Is he aware that many of the Secretariat offices have transferred their burden to the Attached offices staff of which are drawing very low pay and would be required to meet the brunt of high prices prevailing in Simla?

(d) Is he aware that certain Departments are making some of their Attached offices move up to Simla which have never before gone there?

(e) Is not the idea underlying the move to Simla of such of the Departments which are not essentially required to remain at New Delhi the making available not only of office accommodation but of residential accommodation as well?

(f) Will the Honourable Member kindly name the offices which are being shifted from Karachi, Calcutta and Bombay to New Delhi and will require residential and other accommodation in New Delhi?

(g) Has he or any Committee thoroughly examined the necessity of each and every Secretariat Department staying in New Delhi? Is it not possible to send up a part, if not the whole, of each Department to

Simla for the next summer with a view to making available accommodation for those who will be required to stay in Delhi? If not, does he now propose to ask each and every Department to send up either the whole or a part of its staff to Simla to use the accommodation there and make available the accommodation that they occupy in Delhi to the utmost extent?

The Honourable Sir Reginald Maxwell: (a) (i). 816 officers and 2,868 staff of both the Civil Departments and General Headquarters.

(ii) Presumably the Honourable Member refers to accommodation provided by Government. The numbers are:

Officers	514
Staff	386

The former figure includes residences, leases of which are proposed to be transferred to Government by officers not moving to Simla; the similar figure for staff is not yet available.

(iii) Approximate figures are:

Officers	419
Staff	3,268

(b) and (c). It is the intention to use available accommodation in Simla for the purpose of housing so much staff as can be moved without seriously prejudicing the efficiency of the administration. The object is to make suitable office and residential accommodation available for the staff remaining in Delhi in the hot weather.

(c) No.

(d) For the reasons given in answer to clause (b), some Attached Offices which have not moved to Simla before may be sent there.

(f) None.

(g) A Sub-Committee of Council was appointed to settle the details of the move to Simla. Almost all Departments are sending a part of their staff to Simla. The last part of the question does not arise.

Mr. Lalchand Navalrai: When all officers and subordinates have remained in Delhi having sufficient accommodation, why should they be asked to go to Simla now?

The Honourable Sir Reginald Maxwell: I have explained that in answer to clauses (b) and (c).

Mr. Lalchand Navalrai: I think the original intention was that the whole exodus should be stopped and that nobody should be sent to Simla during the time of the war?

The Honourable Sir Reginald Maxwell: No, Sir, that was not the original intention.

Mr. Lalchand Navalrai: May I know on what basis is this division made, —some are sent and some are not sent?

The Honourable Sir Reginald Maxwell: I have already answered that in clauses (b) and (c) of the question. The object is to make suitable residential and office accommodation available for the staff remaining in Delhi.

Mr. Lalchand Navalrai: What about the subordinates who have remained in Delhi for years together? Are they also being asked to go to Simla?

The Honourable Sir Reginald Maxwell: Some will have to go who have not been there before, and some who have been to Simla before will have to remain behind.

Mr. Lalchand Navalrai: Have they all been earmarked as to who will go and who will not go?

Babu Kailash Behari Lal: I have to put one supplementary question.

Mr. President (The Honourable Sir Abdur Rahim): Too late.

UNSTARRED QUESTIONS AND ANSWERS.

OBSERVANCE OF HINDU AND MUSLIM HOLIDAYS IN THE SUPPLY DEPARTMENT IN CALCUTTA.

65. Sardar Sant Singh: Will the Honourable the Home Member be pleased to state:

- whether Moharrum, Id and Holi have been observed this year as closed holidays in the offices of the Government of India in New Delhi;
- whether such holidays were observed in the offices of the Supply Department in Calcutta; if not, why not; and
- whether the Honourable Member will consider the desirability of issuing strict instructions to the Heads of the Central Government offices at Calcutta for the due observance of all Hindu and Muslim Holidays?

The Honourable Sir Reginald Maxwell: (a) Moharrum and Dulhandi, but not Holi, were observed as closed holidays in the offices of the Government of India in New Delhi. Id-ul-Fitr and Id-ul-Zuha have also been declared closed holidays.

(b) Owing to pressure of work it was not possible to observe Muharram and Holi as closed holidays in the offices of the Supply Department in Calcutta. Id-ul-Fitr and Id-ul-Zuha will fall in October and December next respectively.

(c) The Central Government offices at Calcutta generally observe holidays recognised by the Government of Bengal, but observance of holidays, whether closed or sectional, is subject to the overriding necessity of disposing of urgent work. It is, however, the practice of the Directorate General to allow those members of the staff, who feel that the dictates of religion or conscience demand observance of ceremonies, to absent themselves for a whole or half day, as the case may be. There is, therefore, no need to issue any instructions in the matter.

OFFICE HOURS IN GOVERNMENT OF INDIA DEPARTMENTS AND GENERAL HEADQUARTERS.

66. Sardar Sant Singh: Will the Honourable the Home Member be pleased to state:

- (a) the office hours in the Government of India Departments in New Delhi;
- (b) the office hours in the General Headquarters;
- (c) the office hours in the Supply Department in New Delhi;
- (d) the office hours in the Supply Department at Calcutta;
- (e) whether it is a fact that the General Headquarters observe more or less strictly the hours of 9 A.M. to 5 P.M.;
- (f) whether the hours of work in the Supply Department at New Delhi are 10 A.M. onwards;
- (g) whether the hours of work in the Supply Department at Calcutta are from 8-30 A.M. I. S. T. onwards without limit as to the closing hours;
- (h) whether there is great discontent among the staff at Calcutta about these hours of work;
- (i) whether these hours of work are so long as to infringe regulations which apply to working in factories; and
- (j) whether he will consider the desirability of strictly defining the period of work to correspond with those in other Departments of the Government of India or the General Headquarters; and, if not, whether he will consider the desirability of granting an overtime allowance according as the hours of work exceed the normal hours of the work in the Departments of the Government of India at New Delhi or in the General Headquarters?

The Honourable Sir Reginald Maxwell: (a), (b), (c) and (f). The Office hours observed in the various departments of the Government of India in New Delhi are as follows:

Civil Defence Department	From 10 A.M. to 5 P.M.
Political Department	} .. 10-30 A.M. to 4-30 P.M.
Office of the Executive Council	
Legislative Department	
Supply Department	.. 10 A.M. to 4 P.M.
Defence Department including General Headquarters and Military	.. 9 A.M. to 5 P.M.
Finance Department	.. 10 A.M. to 4-30 P.M.
Other Departments	.. 10 A.M. to 4-30 P.M.

(d) and (g). The Office hours are from 9-30 A.M. to 4-30 P.M. (Bengal Time).

(e) The Office hours indicate the minimum period of attendance required in office; but officers and staff are expected to, and do, work after the normal closing hour on urgent work connected with the war; many of them work until late in the evening.

(h) No.

(i) The regulations in force in factories do not apply to the Supply Department in Calcutta and the question of their infringement does not arise.

(j) As indicated in answer to clause (e), the office hours prescribe the minimum period of attendance in office but their observance is subject to urgent work being disposed of within that period. Government under the rules have a call on the whole time services of their employees and they can and do require their officers and staff to work for longer hours if the state of work justifies it. That being so, the question of the grant of an over-time allowance does not arise.

CUSTOMS SERVICES.

67. Maulvi Muhammad Abdul Ghani: Will the Honourable the Finance Member please lay on the table a statement showing: (i) existing strength of every kind of Customs services in every port and at headquarters, together with strength of various communities, and (ii) the total number, and the number of Muslims recruited as permanent or temporary under every head of Customs services in 1940, 1941 and 1942?

The Honourable Sir Jeremy Raisman: The information required is not readily available and the Government consider that its collection would involve an expenditure of time and labour that would not be justified by the value of the results. Much of the information is, however, contained in the Establishment Lists of the Customs Departments of the different ports. Copies of the latest issues of these lists have been placed in the Library of the Legislative Assembly.

MOTION FOR ADJOURNMENT.

ALLEGED ROWDYISM BY SOLDIERS AT BAREILLY.

Mr. President (The Honourable Sir Abdur Rahim): Is the Government Member in a position to give any information about this motion for adjournment?

Sir Gurnath Bewoor (Government of India: Nominated Official): Yes, Sir. I have now obtained information regarding the incidents, reported in the *Hindustan Times* of the 19th March, relating to alleged rowdyism by soldiers in Bareilly. The report in the paper is given as from the correspondent of the *Hindustan Times* at Bareilly. The details I am going to give have been obtained by the Administrative Commandant, Bareilly, who has obtained them from the local Superintendent of Police. The facts reported are as follows:

As regards the incident at Shahamat Ganj, four Indian soldiers are alleged to have been drunk in bazar; one grappled a policeman who was in undress uniform. All four were arrested and escorted back to the lines of the Motor Transport Training Battalion. The Officer Commanding the Unit has awarded the ring leader of the party 28 days' rigorous imprisonment.

[Sir Gurunath Bewoor.]

In the other case, four Indian other ranks were involved. Disciplinary action is being taken against these and the case will be tried by a Military Court. The men have been out on convoy duty, and hence the delay in trial.

In both the incidents no one was seriously injured. The incidents are reported by the police to be trivial. In fact the cases were considered so trivial by the police that they had not made any report to the Deputy Commissioner regarding them. It would appear, Sir, from this that the incidents have been considerably exaggerated. Further prompt action was taken by the local police and military authorities to stop the mischief to apprehend the offenders and to punish them.

Mr. President (The Honourable Sir Abdur Rahim): As the facts have been stated by the Government Member, I do not know if the Honourable Member still wishes

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): As suitable action has been taken and some have been punished, I do not wish to press this matter further.

HOME DEPARTMENT DECLARATION OF EXEMPTION ISSUED UNDER THE REGISTRATION OF FOREIGNERS ACT.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table a copy of the Home Department Declaration No. 1/10/42-Political (E), dated New Delhi, the 16th March, 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, Monsieur C. J. I. Welter, Associated Member for the Netherlands East Indies in the Eastern Group Supply Council, so long as he holds that post.

ELECTION OF A MUSLIM MEMBER FOR THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEJAZ.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, a Muslim Member to sit on the Standing Committee on Pilgrimage to the Hejaz *vice* Qazi Muhammad Ahmad Kazmi, M.L.A., whose term of membership is about to expire."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, a Muslim Member to sit on the Standing Committee on Pilgrimage to the Hejaz *vice* Qazi Muhammad Ahmad Kazmi, M.L.A., whose term of membership is about to expire."

The motion was adopted.

ELECTION OF MEMBERS FOR THE STANDING COMMITTEE FOR THE DEPARTMENT OF CIVIL DEFENCE.

Mr. N. V. H. Symons (Government of India: Nominated Official): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects in the Department of Civil Defence."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects in the Department of Civil Defence."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of members for the Standing Committee on Pilgrimage to the Hejaz and the Standing Committee for the Department of Civil Defence the Notice Office will be open to receive nominations up to 12 Noon on Wednesday, the 25th March, 1942, and that the elections, if necessary, will take place on Friday, the 27th March, 1942. The elections, which will be held in the Assistant Secretary's room in the Council House between the hours of 10-30 A.M. and 1 P.M., will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

DEMANDS FOR SUPPLEMENTARY GRANTS.

DEMAND No. 1.—CUSTOMS.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That a supplementary sum not exceeding Rs. 2,09,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Customs'."

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

"That a supplementary sum not exceeding Rs. 2,09,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Customs'."

The motion was adopted.

DEMAND No. 4.—SALT.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 2,64,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Salt'."

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

"That a supplementary sum not exceeding Rs. 2,64,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Salt'."

The motion was adopted.

DEMAND No. 7.—STAMPS.

The Honourable Sir Jeremy Raisman: Sir, I move:

“That a supplementary sum not exceeding Rs. 7,05,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of ‘Stamps’.”

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

“That a supplementary sum not exceeding Rs. 7,05,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of ‘Stamps’.”

The motion was adopted.

DEMAND No. 10.—INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

The Honourable Sir Jeremy Raisman: Sir, I move:

“That a supplementary sum not exceeding Rs. 40,09,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of ‘Indian Posts and Telegraphs Department’.”

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That a supplementary sum not exceeding Rs. 40,09,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of ‘Indian Posts and Telegraphs Department’.”

Mr. Lalchand Navalrai (Sind : Non-Muhammadan Rural): Sir, this payment is with respect to the Indian Posts and Telegraphs Department. One of the items is with respect to the dearness allowance for the inferior staff. I want to know the extent or level of this inferior staff and whether any of the subordinates are also included. I further want to know whether any war allowance or dearness allowance has been given to any subordinates up to this time. The Honourable Member knows that there has been demand for this from the subordinate staff through the Unions and even, otherwise, by applications and memorials since a very long time. I want to know whether anything has been done with respect to them or at least whether there are in contemplation any proposals, or whether any proposals are pending before the Government, for the purpose of giving relief to these men who are very much hard hit. Again, here it is stated that there have been increased activities of the Department. I want to know if any new Post Offices or Telegraph Offices have been opened in India. I also want to ask with respect to another question which has now created a panic among the subordinates. I have received telegrams from Karachi and other places to say that the Government now contemplate creating Post Offices in the Persian Gulf at Basra and some other places, which properly are war zones. I want to know whether Government are creating their own Post Offices and Telegraph Offices, or whether they are asking the Army Department to declare those areas as war zones and appoint

officers from there. Telegrams have actually been sent to us and I suppose copies have been sent to the Director General of Posts and Telegraphs in India also, in which these people say that subordinates and also officers are being forced to go to those places which are, rightly speaking, war zones. They have been complaining about it and they are not willing to go at all. They are being asked to go on pain of dismissal. In these days these people are very useful here, and to send them against their will is very hard on them and Government should not follow that policy.

I would also submit that those who if at all are sent over there should have different allowances, different salaries and even better prospects after the war and then if they agree that they want to reap the benefit of these privileges, they may be sent. That will be a different question altogether but these are not the days when they can be forced to go. After all they have worked throughout in India. It might be said that the Persian Gulf and a part of Sind, particularly Lower Sind, are connected and are in one division but then it cannot be said that on that account these persons can be sent to those places, not only in peace time but also in war time. As I have submitted, these places fall within the military or war zones. This policy of the Government should not be allowed and I hope every consolation will be given to these men who have worked industriously and honestly that they will not be forced to go there. If they are given more chances and prospects, that will be a different question and then there will be no question of force. I hope that these matters be considered by Government.

Maulvi Muhammad Abdul Ghani (Tirhut Division : Muhammadan): On reference to page 4 of this Supplementary Demands for Grants book, I find that Rs. 75,000 has been provided for research and training. May I know from the Honourable Member what kind of training is intended here, whether it is training concerning Telegraphs, Telephone or regarding apparatus. The second thing is, what sort of people are given this opportunity, whether direct recruitment is made or the departmental employees are sent for training.

Mr. W. H. Shoober (Director General, Posts and Telegraphs): Sir, the first question which I have been asked to meet is regarding the war allowance or dearness allowance given to employees of the Posts and Telegraphs Department. I think the Honourable Member is already aware that in this matter the Posts and Telegraphs Department has linked its policy with that of the Provincial Governments and wherever the Provincial Government is paying dearness allowance or war allowance to its employees the Posts and Telegraphs Department is paying an identical allowance to men on the same rates of pay.

Mr. Lalchand Navalrai: The Honourable Member will excuse me. Is that policy being pursued in Baluchistan where the Provincial Government gives higher allowance and also war allowance and the Postal men do not get any?

Mr. W. H. Shoober: The higher allowances to which the Honourable Member refers are, I believe, compensatory allowances which are different to the war allowance to which he is now referring.

Mr. Lalchand Navalrai: Are the compensatory allowances being given to the Postal Department there?

Mr. W. H. Shoobert: Actually they are not, because the standards of pay have been fixed at different rates.

Mr. Lalchand Navalrai: What is the Honourable Member going to do about the war allowance and the compensatory allowance?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not go on interrupting in that way.

Mr. W. H. Shoobert: The second point to which the Honourable Member referred was the standard at which war allowance is being paid. Generally speaking in those provinces or in those areas where it has been sanctioned, it is being paid to men drawing pay up to Rs. 30 or in some places men drawing pay up to Rs. 35 or 40 according to the area. That is being given to all employees of the Posts and Telegraphs Department on those rates of pay if it has been sanctioned by the Provincial Governments for their employees.

I have been asked to tell the Honourable Member something about the expansion in the number of Post Offices. I have before me figures which show that on the 31st March, 1939, there were 24,305 post offices in India or in British India. On the 31st March, 1940, there were 24,740 and on the 31st March, 1941, there were 25,338. Those are permanent offices. Approximately during the last year, there were 600 extra Post Offices given to the general public.

With regard to the question about the Persian Gulf, as the Honourable Member has stated, there is a division in the Sind and Baluchistan Circle which is known as the Lower Sind and Persian Gulf Division. We have been supplying personnel for the Post Offices on the Persian Gulf for many many years and it is one of the common conditions of service of the men who are recruited for the Lower Sind and Persian Gulf Division that they should have to serve in these Persian Gulf offices.

Mr. Lalchand Navalrai: May I know whether it was provided that they will have to serve also in war zones?

Mr. W. H. Shoobert: After all, Sir, there are many zones which might under certain circumstances be called war zones; and I may say that it is a common condition of service that many of us might have to work in such zones and be required by duty to stick to our posts. Actually the Honourable Member mentioned Basra. As far as I know we are not sending any civilian postal officials to Basra. If necessary, men are sent to Field Post Offices in that area.

Mr. Lalchand Navalrai: Have any new Post Offices been opened near Basra or Basra itself?

Mr. W. H. Shoobert: If I were to give that information, I am afraid it would be giving information useful to the enemy.

Lastly, Sir, I have been asked about this item of Rs. 75,000 under Research and Training.

(Mr. Lalchand Navalrai rose to interrupt.)

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member resume his seat.

Mr. Lalchand Navalrai: He is giving way.

Mr. President (The Honourable Sir Abdur Rahim): No speaker can go on if he is constantly interrupted like this.

Mr. Lalchand Navalrai: I only want to know if any privileges are being given.

Mr. W. H. Shoobert: Under Research and Training, we have, as is probably known to a great number of Honourable Members, a storeyard and workshops, and an office under our Electrical Engineer in Chief where research and training of all kinds connected with telegraphy and telephony are going on throughout the year. Great progress has been made during the last few years in that research and training and with the expansion of our work owing to the war, naturally there is an expansion not only of research but also of training officers in the technical work which they are required to undertake both on behalf of the Posts and Telegraphs Department and in some cases on behalf of the Defence Department.

Maulvi Muhammad Abdul Ghani: May I ask one question, Sir?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has made one speech and he cannot make another speech.

Maulvi Muhammad Abdul Ghani: Sir, information has been given to me and, therefore, I wish to ask only one question. May I know whether these officers are departmentally sent for training there or whether they are recruited directly by the Department?

Mr. W. H. Shoobert: Both.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a supplementary sum not exceeding Rs. 40,09,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Indian Posts and Telegraphs Department'."

The motion was adopted.

DEMAND No. 12—EXECUTIVE COUNCIL.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Executive Council'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Executive Council'."

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muhammadan): Sir, I rise to oppose this motion. In the Explanatory Memorandum submitted to this House along with this Supplementary Demand, this Demand is explained as arising mainly on account of the equipment allowances and tour expenses of the new Members of the Executive Council. Our policy towards this Expanded Executive Council has been made quite clear very often in this House and I do not want to go into that again. We cannot but oppose it and for that reason I oppose this demand on behalf of the Party.

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I want to draw the attention of the Government to a question arising out of this demand. This demand is for the tour expenses of the Honourable Members of the Executive Council. I want to know whether the Honourable Members, when they go to the provinces, take into consideration the industrial development of the provinces

Mr. President (The Honourable Sir Abdur Rahim): That is a question of policy and it cannot be discussed on the present demand.

Babu Kailash Behari Lal: I am not discussing the policy. I am only asking that as this demand arises in connection with the tour of the Honourable Members, have they during their tours done a certain part of their duty?

Mr. President (The Honourable Sir Abdur Rahim): What is that part of the duty?

Babu Kailash Behari Lal: To make a survey of the industrial development of the provinces.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go into that question.

Babu Kailash Behari Lal: May I ask whether their tour is only just to go round with their eyes shut or whether they perform their tours with some work in view? If there is any work in view, then are we not entitled to ask that the survey of the industrial development is certainly one of the duties which they should bear in mind?

Mr. President (The Honourable Sir Abdur Rahim): That means that the Honourable Member can discuss anything he likes on such a demand. That he cannot be allowed to do.

Babu Kailash Behari Lal: Am I entitled to ask this much, what are the works that they do during their tours? If I am allowed to put this question, then I may suggest to the Honourable Members that they should take into their consideration the development of the small industries to which Government has paid very little attention so far.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go into that. The Honourable Member is perfectly entitled to ask the Government whether their tour is really for the sake of pleasure or for some public business. But beyond that, he cannot discuss any question of policy.

Babu Kailash Behari Lal: I ask them whether they do any work regarding the possibility of developing the industries of India when they go on tour. As I have already suggested, I am asking a very plain question namely, what have they done during their tours for the industrial development of the country? In connection with the war effort, I find that in Delhi and in the neighbouring provinces some sort of industrial development is going on and they are being given encouragement at the hands of the Government, whereas similar things are neglected in the provinces. I hope they will keep this aspect of the question in their view when they go on tours. So far as this question is concerned, I have tried to point out to the Honourable Member that there is a good deal of possibility during their tours to see with their own eyes how far the various provinces can be utilised for small industries. That is all that I have to say on this subject.

The Honourable Mr. M. S. Ansy (Leader of the House): Sir, I really do not know what is precisely wanted by my Honourable friend. Anyhow, if he really wants any information upon the particular point that he has raised, the appropriate occasion to discuss that question is not by raising it on a motion of this kind at all, because no useful information can be given off-hand by any Honourable Member on any points which he may have in his mind and on which he himself has also not been able to speak out clearly. I can only say in a general way that whenever Honourable Members, old or new, go on tour they do so for a certain public purpose. That purpose may not always be the one which my Honourable friend has in view but of a different nature, still he can rest assured that they do not go out for the sake of pleasure but to do some public work.

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

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Executive Council'."

The motion was adopted.

DEMAND No. 15-A.—CIVIL DEFENCE DEPARTMENT.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 72,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Civil Defence Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 72,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Civil Defence Department'."

Mr. H. A. Sathar H. Essak Sait: Sir, I oppose this Supplementary Demand also on the same ground as I did the last one on behalf of the Muslim League Party.

Babu Kailash Behari Lal: Sir, in connection with this department, may I ask the Government if the expenses mentioned here under this department are incurred here at the Centre or in the Provinces also. If it is in the Provinces, I find the pay of the officers is also mentioned; may I know what kind of officers are employed? Do these officers work at the Centre or in the Provinces? May I also know whether A. R. P. work is also under the Defence Department? In what way is the A. R. P. work being conducted in the Provinces? If the A. R. P. work conducted in the Provinces is financed by the Central Government, may I know, how far the Central Government exercises a check and how far they are vigilant over the work in the districts of the Provinces. If these officers go about in the Provinces, do they check and see that the work in the districts is being carried on properly?

Maulvi Muhammad Abdul Ghani: Sir, in opposing this Demand, I have to point out that this Demand has not been approved by the Standing Finance Committee

The Honourable Sir Jeremy Raisman: That is not correct, Sir. This Supplementary Demand has been placed before the Standing Finance Committee and approved by them.

Maulvi Muhammad Abdul Ghani: Let me finish my sentence. From page 11 of the Standing Finance Committee proceedings, dated 6th March, 1942, it appears that the Committee's approval was not obtained separately in respect of this expenditure. If I am wrong let me be corrected. It may be that it might have been mixed up with other things. But I submit it should have been pointedly placed before the Standing Finance Committee, so that the Committee might have given its decision thereon.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadan Rural): Sir, under this Supplementary Demand, there is an item A. 4—"Other charges—Rs. 24,800". Out of a total sum of Rs. 72,000, 'other charges' alone come to Rs. 24,800. This is rather vague. I should like to know what the details are. What are the other charges? "Other charges" represent a major portion of expenditure under this Demand and this has not been clearly explained.

Mr. N. V. H. Symons (Government of India: Nominated Official): Sir, I regret that I am at a disadvantage in not having been able to hear the remarks of the Honourable Members very clearly. But I gather that the first Honourable Member who spoke asked whether the Supplementary Demand that is asked for, relates to expenditure at the Centre or whether it relates to provincial expenditure. The answer to that is that it is purely for expenditure at the Centre. It has nothing to do with the Provinces. As regards the second point that was raised, the position is quite clear from the Note on page 7 of the pamphlet of Supplementary Demands for Grants that "Provision for this Department which was created during the course of the year could not be made in the original budget. Approved

by the Standing Finance Committee on the 6th March, 1942". The Honourable Member who contended that the Standing Finance Committee did not approve of this, seems to be under a misapprehension, because when he reads from page 11 of the proceedings of the Standing Finance Committee dated the 6th March, 1942, he is referring to what happened when the memorandum regarding air raid precautions was placed before the Committee in September, 1941. The proceedings go on to say that it was not originally considered necessary to trouble the Committee and as such the Committee's approval was not obtained separately in respect of this expenditure. That was in September, 1941. Therefore, it was brought forward specifically at the meeting of the Committee on the 6th March, 1942.

Mr. Amarendra Nath Chattopadhyaya: My question has not been answered. How is it that "other charges" are put down as Rs. 24,800. What are the details for this?

Mr. N. V. H. Symons: The 'other charges' refer to contingent expenditure, such as furniture and all other necessary expenditure, for running a very large and expanding office.

Babu Kailash Behari Lal: The Demand under this head is only for. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has spoken once. He cannot make a second speech.

Babu Kailash Behari Lal: I only want to put one question.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have put all the points on which he wanted information when he first spoke.

Babu Kailash Behari Lal: The question that I am going to put arises out of the answer that the Honourable Member for Government gave to my previous question. I am only referring to that. I am not making a second speech.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot be allowed to go on putting questions. This is not the Question hour. The question is:

"That a supplementary sum not exceeding Rs. 72,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Civil Defence Department'."

The motion was adopted.

DEMAND No. 15-B—DEPARTMENT OF INFORMATION AND BROADCASTING.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 1,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Information and Broadcasting'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 1,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Information and Broadcasting'."

Mr. H. A. Sathar H. Essak Sait: Sir, I oppose this Demand on the same grounds as I said before. In doing so, I may inform the House that all these Supplementary Demands which were placed before the Standing Finance Committee were opposed by the Members of the Muslim League Party. Sir, I oppose this Demand.

Mr. Amarendra Nath Chattopadhyaya: Sir, I wish to put the same question in respect of this Demand also. Here also 'other charges' are as much as Rs. 1,12,000. Out of a total demand of Rs. 1,53,000 'other charges' are put down as Rs. 1,12,000. No explanation and no details are given for such a large sum. I should like to know details.

The Honourable Sir Reginald Maxwell (Home Member): Sir, these other charges are of the nature of contingencies due to the establishment of a new Department, where it has not previously existed.

Mr. Amarendra Nath Chattopadhyaya: The information given is as much vague as saying 'other charges' contain contingencies. The explanation is not at all satisfactory.

The Honourable Sir Reginald Maxwell: Some of these charges were of a non-recurring nature. With the constitution of a new Department, expenditure on such things as iron safe, fixtures and furniture is incurred. Other charges also relate to payment to writers, payment of cable charges which amount to a very large sum. Expenditure of such a kind has been incurred under this head.

Mr. N. M. Joshi (Nominated: Non-official): Sir, I feel that the sum of Rs. 1,12,000 is too large an amount to be spent only on contingent expenditure. I feel, Sir, that if the Government of India are not prepared to give details on this question, the House should not approve of this Grant at all. The sum is too large to be brushed aside as contingent expenditure.

The Honourable Sir Reginald Maxwell: The whole amount has not been spent. A sum of Rs. 37,700 has been spent on recurring charges, and a sum of Rs. 11,000 on non-recurring charges. The remaining amount of Rs. 63,400 included under this head is merely anticipated expenditure.

An Honourable Member: For what purpose?

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan, Urban): May I ask whether this includes any temporary grants to the provinces?

The Honourable Sir Reginald Maxwell: No, Sir.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): May I know whether full details were furnished to the Standing Finance Committee itself?

Mr. M. Khurshid (Government of India: Nominated Official): Sir as already explained, these charges relate to non-recurring items like furniture, etc., necessitated on the creation of a new Department. Apart from this non-recurring expenditure, we have to incur very heavy expenditure on cable charges as we have to be in constant touch with the Ministry of Information and His Majesty's Government; moreover, we have had to provide liveries for our inferior staff and to make heavy payments to Reuters for the supply of their news service to us. I am afraid I am not in a position to give any further minor details. These are the general heads under which this expenditure had to be incurred and, as already stated, only a part of it has actually been disbursed and the rest of it is anticipated.

Mr. K. C. Neogy: Sir, I should like to draw attention to the proceedings of the Finance Committee relating to this item. On page 12 of the proceedings, dated the 6th March, 1942, it is stated that the recurring cost for the first year is estimated to be Rs. 1,42,000, and for subsequent years Rs. 2,98,600; lower down it is stated that the Department is, however, new and expanding and, therefore, larger expenditure may be involved later. I should like to know whether there is a definite scheme before Government in regard to the activities of this Department or it is mere speculation. Whether this Department will be expanded further and what duties it is expected to discharge,—all these the House would very much like to know; i.e., the programme and the scheme.

Mr. M. Khurshid: Sir, there is no speculative element in the activities of this Department. Certain activities have already been taken over by us. We have got our Bureau of Public Information which used to function under the Home Department, and All-India Radio which used to work under the Department of Communications. We have got the civilian branch of the military intelligence section of the General Staff and we have got a Controller of Film Publicity and now we have added a Song Publicity Officer. We have also got a Chief Press Adviser who used to be under the Home Department. The creation of this Department was due to the fact that after the outbreak of the war it was felt that the propaganda and publicity machine of the Government of India should not be split up under the control of different Departments. So, in order to put out our best effort in publicity and in order to counter enemy propaganda as far as possible, we had to concentrate the control of the different sections under one Department. And now that the war is coming nearer, we really cannot say how many additional activities will have to be taken on by this new Department. The need has been felt, as I said, for stirring up the masses to a better war effort and more co-ordinated activity; and the "rider" to which the Honourable Member referred, about the Department being new and expanding and the difficulty of anticipating what further expenditure would have to be incurred, will, I am afraid, have to stay.

On the basis of our experience of the last few months, it is quite possible that as the war approaches nearer we may have to launch out into more schemes in connection with the work of the Department.

Mr. Lalchand Navalrai: May I know if the Honourable Member has got all the details with him and will he place all those details and other schemes that have to be adopted before the Committee of the Department and the Finance Committee?

Mr. M. Khurshid: So far, no Advisory Committee has been set up to advise on the activities of the Department. The question is under consideration, and I can assure the Honourable Member that as soon as this body is constituted, all the details that can conveniently be supplied will be laid before it.

Mr. Lalchand Navalrai: And also before the Finance Committee?

The Honourable Sir Jeremy Raisman: Sir, I must point out that in the meetings of the Standing Finance Committee Departmental witnesses are present and the members of the Standing Finance Committee are able to cross-examine them in the utmost detail and as long as they like.

Sir Cowasji Jehangir: Sir, in the interest of the Department itself I feel that the information given is rather misleading. I take it that this being a new Department it is the expenditure from October to March which means five months. Therefore, you have to budget or you have to get money from this House for the expenditure of this Department for five months; and the only way Government can do it is to get it by a Supplementary Demand. Now this Department was originally under the Home Department and the Department of Communications, and, therefore, money was provided in the last budget in those Departments for the whole year. Therefore, there must be a saving in those two Departments of the expenditure for five months.

The Honourable Sir Jeremy Raisman: That is so.

Sir Cowasji Jehangir: That is not shown here. The members of the Finance Committee may be aware of it but the Members of this House are not aware of it unless it is put before them. There must be a saving somewhere, but I cannot trace it, which must be put against this 1 lakh and 53 thousand. It also seems to me that in the "Other Charges" of Rs. 1,12,000 there must be establishment charges because you say the pay of establishment is only Rs. 21,000. But for five months that is not a very big provision. I think the salary of my Honourable friend who has just been speaking comes to something near this.

Mr. M. Khurshid: No, that is non-voted.

Sir Cowasji Jehangir: Well, there must be other Government servants serving in this Department whose salary must be voted, and in this Rs. 1,12,000 there must be some salaries included because it does not seem to be possible to run this Department on votable grants only to the extent of Rs. 21,000 for establishment.

Mr. M. Khurshid: That is not so.

Sir Cowasji Jehangir: At any rate the fact remains that this new Department has been created; provision has to be made for five months'

work. This is the only time when provision can be made. The provision required is Rs. 1,53,000 *minus* such savings as may have been made in other Departments already budgeted for in the last year. What these savings are I do not know but they must be substantial.

The Honourable Sir Jeremy Raisman: What has happened undoubtedly is that offices that were formerly working under the Home Department are now working under this Department and appear in this Grant. But it does not follow that the Grant for the Home Department for the whole year was necessarily less because there might have been an excess in the Home Department if this activity had not been transferred.

Sir Cowasji Jehangir: But the fact remains that this 1,53,000 includes the amount that has been saved in the other Departments; whether the other departments have an excess or not is immaterial.

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): Sir, may I point out that we do not find much information coming out from the Honourable Member in charge of the Department. We want some details. My Honourable friend, Sir Cowasji Jehangir, has asked a question, but no answer was given. In fact, he pointed out two or three sources on which probably the amount put together may be spent, but even then there is no reply. We do not know whether it is for 'Establishment' or for any other purpose. How are we going to pass a grant if we do not know the details. Even on cross-examination nothing is said. As a businessman I should like to know some details.

Mr. M. Khurshid: Sir, as pointed out in reply to a question by an Honourable Member before, the various organizations functioning under this Department at present, were functioning under different Departments previously and their transfer to this Department has introduced a corresponding reduction in the expenditure which would otherwise have been incurred by those Departments, and this is the new expenditure that is sought to be provided through this supplementary demand.

Mr. Husenbhai Abdullabhai Laljee: I only want to know the purpose: whether it is for 'Establishment' or what? Give us some detail, as Sir Cowasji has asked, of how the amount is divided. We admit it is very useful, but we want to have an idea of details.

The Honourable Sir Jeremy Raisman: Some idea has been given.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): The point raised by Sir Cowasji Jehangir is rather an important one. The information given in this memorandum circulated among the Members is very poor. They cannot get any information from the two lines of explanation given in connection with this demand. No doubt the members of the Standing Finance Committee had the advantage of knowing all the details about the expenditure, but I do beseech that the information which ought to be given to the Members of this House should be a little more than this.

Mr. President (The Honourable Sir Abdur Rahim): Is there no Member of the Standing Finance Committee present in the House?

The Honourable Sir Jeremy Raisman: The Honourable Member is himself a Member of the Standing Finance Committee and he had ample opportunity to elicit information on the subject.

Dr. Sir Ziauddin Ahmad: That is the reason why I say that the report of the Standing Finance Committee should not be so brief.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already been supplied the information. The question is:

"That a supplementary sum not exceeding Rs. 1,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Information and Broadcasting'."

The motion was adopted.

DEMAND NO. 16—LEGISLATIVE DEPARTMENT.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 1,61,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Legislative Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 1,61,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Legislative Department'."

Maulvi Muhammad Abdul Ghani: Sir, I find from the Budget of the current year that a sum of Rs. 10,000 was provided for "Legislative Bodies" and the revised estimate after deducting this Rs. 10,000 it comes up to Rs. 1,40,000, but the demand shown on page 9 of the Schedule of Supplementary Demands is 1,58,000, that is to say, an increase of Rs. 18,000 which requires some explanation. Over and above this, I find that a sum of Rs. 1,60,000 has been provided in the budget for the next year, for the same purpose. I want to know whether fresh electoral rolls, other than those which have already been prepared, will be prepared for the Central Legislature in view of the fact that there is every probability that this Legislature is not going to be dissolved for the duration of the war and no re-election is likely to take place; then what is the necessity of providing this amount of Rs. 1,60,000 in the next year's budget over and above this?

Sir George Spence (Secretary, Legislative Department): Sir, the position is as follows: It is perfectly true, as the Honourable Member said, that the Demand in the original budget for the year under this head was Rs. 10,000. That is a standard, more or less token, sum put in yearly to meet the cost of casual elections and so on. During the course of the current year all the electoral rolls—the existing electoral rolls—

expired, that is to say, the three-year period for which they remain in force expired in the course of the year. On that three-year period expiring, it is obligatory under the Electoral Rules to prepare new rolls. Government have discretion to direct an advance preparation of rolls before the three years are up, but they have no discretion to say that rolls shall not be prepared when the three years are up. You have got to prepare them and this money—both the amount of this Supplementary Demand and the amount provided in the budget for the coming year—is for this preparation of electoral rolls.

The position is that it is a liability of the Central Government, but the Central Government employ the Provincial Governments as their agents for doing it and they have to pay the bills. Well, the work has been done mainly in the current year, but it will be paid for, in part, in the current year and, in part, during the next year, in accordance with the convenience of the Provincial Governments, and that explains why a part of it is a Supplementary for this year and a part is a Demand for the next year. If the question is put why only 10,000 was budgeted when we knew that this was coming along, the answer to that is that the position was uncertain in two respects: firstly, it was just possible that action might have been taken corresponding to the action which was taken in the case of the Council of State, that is to say, to amend the rule and add a further proviso taking power to defer preparation of electoral rolls, notwithstanding that the period has expired. If that had been done then this money would not have been wanted; and the second point was that at the time of the preparation of the original budget, it was not known that Provinces would be putting in part of their bill in the current year.

About the final point of the Honourable Member as to what is the use of spending this money on having new rolls when you don't have an election, if I may say so, it misunderstands the position. The theory of the rules is that at all times you must have a reasonably decent roll in existence—after three years it becomes a hopelessly out of date roll. Supposing circumstances suddenly arose in which it became expedient to have a general election to this Assembly, if we had not prepared these rolls now, you would have to have that election on the old rolls prepared in 1935, which would have been obviously unsatisfactory, to the point almost of impossibility.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammada Rural): May I understand from the statement of the Honourable Member that the total cost of the preparation of the rolls would be about three lakhs?

Sir George Spence: Yes, Sir.

Qazi Muhammad Ahmad Kazmi: That is only for one year?

Sir George Spence: One preparation of rolls.

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

"That a supplementary sum not exceeding Rs. 1,61,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Legislative Department'."

The motion was adopted.

DEMAND NO. 17-A.—DEPARTMENT OF INDIANS OVERSEAS.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 39,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Indians Overseas'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 39,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Indians Overseas'."

Mr. H. A. Sathar H. Essak Sait: Sir, I oppose this grant also for the same reasons, because this is one of the new Departments created under the expansion scheme and I oppose it on behalf of the Muslim League Party.

Babu Kailash Behari Lal: Sir, in opposing this demand, I wish to bring to the notice of the Government the racial discrimination that has already come to their notice

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot discuss that.

Babu Kailash Behari Lal: Then I would inquire whether the pay of the officers mentioned in this Demand includes the pay of officers and establishment engaged to see that persons are successfully evacuated from places which have fallen into enemy hands, and which they have invaded—I mean Indian Nationals. If their pay is included, and if these officials have not done their duty properly, then the Government should see that they have discharged their duty properly. I am handicapped because I cannot discuss the matter of policy on this Grant. The question is one of the feeling of the people

Mr. President (The Honourable Sir Abdur Rahim): I think that feeling has been fully ventilated in this House.

Babu Kailash Behari Lal: . . . over the action taken by those in charge of the Indian Nationals who are evacuated, that there is no discrimination between persons on racial grounds. If the officers have not done their duty properly and if Indian Nationals have been ill-treated, then it is the duty of the Government to see that such things do not occur, and on that ground I beg to oppose this Demand.

Mr. Lalchand Navalrai: Sir, I would ask only one question. The Honourable Member knows that certain names have been given to him of Indians outside. Up to now, has the Honourable Member got any information about their whereabouts? Has he got any agency there who will give that information, and up to this time has any information of that sort been received by him or not?

The Honourable Mr. M. S. Aney: Sir, as regards the point which my Honourable friend, Babu Kailash Behari Lal, has raised, I can tell him that this Supplementary Demand relates to the pay of officers and establishment in the Secretariat—the Overseas Department at New Delhi. In a way, as this Department is responsible also for the evacuation work, those who are working here may be stated to be indirectly responsible for whatever he has to say about the iniquities in the arrangements made by the staff overseas. But if his objection was based on the ground of expressing his disapproval of the persons who are directly concerned with the matter of evacuation, being on the spot then I submit that their salaries and pay are not included in this Demand. That I can say. He will probably have an occasion to refer to it when the next Demand, namely, Emigration-External, comes in; that may possibly be the proper occasion for him to make a reference to this point, if he wants to do so at all. In this Demand the officers concerned are of those who are working in the Secretariat and the staff working in Burma and Malaya are not concerned at all.

Secondly, as regards the point of Mr. Lalchand Navalrai, it is one of information. He has given me certain names of Sindhi and other persons of whom nothing is known, who were last known to have been residing in tracts which are now occupied by the enemies. That is a difficult job. I only want to say that it is not merely a few names which he gave—I have got many inquiries like that made every day. Our great difficulty in the matter is that the Japanese Government have not yet accepted any neutral country as being the proper country to be in charge of the interests of British people and Indian people. On that matter negotiations are going on; and immediately some country is fixed, then through that country inquiries could be made. Up to this time no such country has been recognised by Japan,—that is the trouble. In the meantime we are making some effort through the Red Cross Society to approach in some other way if they can get this information

Mr. Lalchand Navalrai: And what about those that are in Burma?

The Honourable Mr. M. S. Aney: As regards Burma, of course our Agent is making inquiries about persons in those parts which they not yet occupied.

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

"That a supplementary sum not exceeding Rs. 39,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Indians Overseas'."

The motion was adopted.

DEMAND No. 19.—COMMERCE DEPARTMENT.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 2,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Commerce Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 2,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Commerce Department'."

Maulvi Muhammad Abdul Ghani: Sir, I find in the statement, page 11, that about 2,26,000 is the amount to be spent on additional staff. There is no mention there whether this thing was placed before the Standing Finance Committee on Commerce

The Honourable Sir Jeremy Raisman: Yes, in September.

Maulvi Muhammad Abdul Ghani: Out of this sum, I find that 2,26,000 is going to be spent on new and additional appointments; and a similar sum, about 6,73,300 will be spent in the next year under this Department. I would, therefore, mention the paucity of Muslims in this Department and hope that the Department will take notice that the claims of Muslims in matters of appointment in this year as well as next year may not be overlooked.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): These details about financial commitments are generally not placed before the Standing Committee attached to the Commerce Department. The subjects that are placed before the Standing Committee are broad questions of principle and policy and such administrative action as has been taken. Questions like whether three or four appointments are made are not placed before the Standing Committee. I have been scrupulous in having a meeting of the Standing Advisory Committee on Commerce at every session, and last session a great deal of the progress made by the department and the need for appointing officers for various branches were explained,—the Petrol Rationing Officer, Wheat Commissioner, the Chief Controller of Imports, the staff which goes with the Import Control Office, Export Trade Controllers at various places, additional expenditure that has been required in connection with the appointment of Export Advisory Committees, the additions that have been required in connection with other Committees of a similar nature, the Textiles Committee—all these things have been explained to the Standing Committee associated with the Commerce Department. My Honourable friend has lastly suggested the question of proper representation of various communities. I may assure him that I am doing my best to see that proper and adequate representation is given to all communities.

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

"That a supplementary sum not exceeding Rs. 2,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Commerce Department'."

The motion was adopted.

DEMAND No. 20.—DEPARTMENT OF LABOUR.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Labour'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Labour'."

(After a pause.)

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

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Department of Labour'."

Maulvi Muhammad Abdul Ghani: I want to make some observations.

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

"That that motion be adopted."

The motion was adopted.

DEMAND No. 22—CENTRAL BOARD OF REVENUE.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Central Board of Revenue'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Central Board of Revenue'."

Mr. Lalchand Navalrai: I find that there are two items in this. The first is on account of three departmental representatives attached to the Income-tax Appellate Tribunal at Delhi, Bombay and Calcutta. With regard to this I would like to know what is meant by departmental representatives. Have they been appointed under the Income-tax Act? If

[Mr. Lalchand Navalrai.]

so, under what section, because I find that the officers to be appointed are under section 5 or 6 of the Income-tax Act. I also want to know how they are selected, and whether they are attached to the Tribunal whole-time, or they go only to attend when they are required in particular cases in which the Department is very much interested. I would like to know the whole aspect about these departmental representatives. The second question is with regard to the pay and allowances of the Government of India's representative in the United Kingdom in connection with Double Excess Profits Tax Relief. Is that gentleman appointed here and sent over there, or is any chosen officer of the Department there appointed to represent the business in the United Kingdom? If anybody is sent from here, what is his pay, what are his allowances, etc.? If the man is appointed in England, does he attend there whole-time or only for some time, and how much is he paid?

The Honourable Sir Jeremy Raisman: As regards the first item, I understand that these departmental representatives appear before the Tribunal in order to argue the cases on behalf of the Department as against Counsel or accountants who appear on behalf of the assessee appellants. I think, as far as I remember, they must be whole-time employees because the work is going on continuously. They are appointed from the Department; they are officers who have had experience in the Department.

Mr. Lalchand Navalrai: Do they get any further allowances for that, any fees for that?

The Honourable Sir Jeremy Raisman: They do not get fees. They are paid their regular whole-time pay. I am not sure whether that pay contains some element of addition to their ordinary pay in the Department. I could not say that offhand. As regards the second item, this is not a whole-time appointment. Therefore, it would not have been suitable for us to delegate an officer from India to spend his time in England. We have been successful in obtaining the services of a very experienced officer, a retired Principal Inspector of Taxes in the United Kingdom, and he looks after our interests in cases where the amount of tax which is to be shared between His Majesty's Government and us is involved. He is a thoroughly expert officer. He obtains information from us and argues or negotiates on our behalf in any question where our interests are involved *vis-a-vis* the interests of the Inland Revenue Department in England.

Mr. Lalchand Navalrai: How much does he get?

The Honourable Sir Jeremy Raisman: I think the amount provided here is his allowance for the whole year. I cannot remember the exact sum, but as he is a pensioned officer in England we were able to secure his services for a reasonable allowance.

Mr. Lalchand Navalrai: Will the Honourable Member give me information with regard to that later.

The Honourable Sir Jeremy Raisman: Yes, I can give it to him.

Sir Cowasji Jehangir: As the Honourable Member knows, Government employ whole-time Counsel to appear on their behalf before the Tribunal. I presume the salaries of these Counsel were in the last budget and were anticipated in time. Now, it appears, to instruct these Counsel the Central Board of Revenue have found it necessary to employ whole-time men in the Department, which they had not anticipated, and they are asking for financial provision to pay those officers. That is how I understand the provision. If that is so, may I know whether those officers have any connection with the Department? If they are advising Counsel on behalf of the Government, do they still maintain their connection with the Department?

The Honourable Sir Jeremy Raisman: Yes, they are Income-tax Officers.

Sir Cowasji Jehangir: Are they whole-time men for this purpose, or do they work in the Department and also instruct Counsel? If they are whole-time officers for this purpose, I presume they are in touch with the Department and place the Department's point of view before the Tribunal? Is that the idea?

The Honourable Sir Jeremy Raisman: Yes, that is the idea. My impression is that they are whole-time men.

Sir Cowasji Jehangir: But the amount provided here seems to be insufficient for the purpose.

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

"That a supplementary sum not exceeding Rs. 30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of the 'Central Board of Revenue'."

The motion was adopted.

DEMAND No. 26—ADMINISTRATION OF JUSTICE.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 8,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Administration of Justice'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 8,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Administration of Justice'."

Mr. K. C. Neogy: I should like to have some information about this Demand, although it relates to several other Demands as well. I find that under certain items of Supplementary Grants there is a note to the effect that the particular demand was placed before the Standing Finance Committee and that it had obtained its approval but there are several Demands

[Mr. K. C. Neogy.]

in regard to which no such note appears. Am I right in concluding, therefore, that some Demands are not at all placed before the Standing Finance Committee and, if so, what is the criterion that determines the action of Government in this matter as to whether a particular Supplementary Demand should be placed before the Standing Finance Committee or not?

The Honourable Sir Jeremy Raisman: I am afraid that the Honourable Member was probably not in the House when I dealt with this point the other day in connection with certain observations made by Professor Banerjea on the functions of the Standing Finance Committee. I explained then that a large number of Supplementary Demands are of an absolutely routine character. I gave an instance where refunds due under the law which became due during the year exceeded what was anticipated at the beginning of the year and a supplementary provision had to be made. There is no point, therefore, in putting that before the Standing Finance Committee for decision, because Government is bound to make these refunds in any case. Yet a Supplementary Demand has to be put before this House to be voted, so that it is not every Supplementary Demand which is placed before the Standing Finance Committee.

Mr. Lalchand Navalrai: It is said here 'Miscellaneous Contingent expenses of the Advocate General of India' and we find other charges and it is not shown there what were those other charges. If they are what is shown in para. (a) at the end, that would mean the contingent expenses and the fees and out-of-pocket expenses of the Junior Counsel in connection with the Federal Court Cases. Now, with regard to that, I would like to know how much has been paid for contingent expenditure. Is it 1,400 or how much? I would also like to know with regard to clause B. 4 Payments to Provincial Governments for the services of Provincial Law Officers—Rs. 6,600, why Provincial Governments are being paid and why are not the Provincial Governments paying themselves for these officers who are sent by the Provincial Governments to the Federal Court and why are the Central Government paying for them?

Sir George Spence: On the Honourable Member's first question, head (a) includes Miscellaneous contingent expenses of the Advocate General of India and fees and out-of-pocket expenses of junior counsel, etc. Actually, out of the 1,400, 837 was fees and out-of-pocket expenses of one junior counsel in one case before the Federal Court and the balance, that is to say, Rs. 563 was contingent. I do not know whether the Honourable Member wishes to pursue that, as the contingent amount is very small, but I understand it was largely on account of telephones and other office charges.

Mr. Lalchand Navalrai: Is it not too much?

Sir George Spence: Then, Sir, "Payments to Provincial Governments for expenditure in connection with Central Government cases" is perhaps not an entirely lucid explanation of what this amount really is. The original budget charge was Rs. 37,000. It is made up of a fixed charge in consideration of which the Legal Remembrancer, Standing Counsel, and so on, being officers of the Provincial Government, advise the Central Government on Central Government cases arising locally and in addition to

that we have to pay counsel fees in cases where the Central Government goes into court locally and the Provincial Government engages counsel on behalf of the Central Government. Actually, this excess charge, Rs. 6,600, is due to the fact that in Calcutta there were a larger number of cases than had been anticipated and Rs. 6,600, I think, broadly speaking, represents almost exclusively fees to Counsel engaged to appear by Provincial officers on behalf of the Central Government in Calcutta.

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

"That a supplementary sum not exceeding Rs. 8,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Administration of Justice'."

The motion was adopted.

DEMAND NO. 28—PORTS AND PILOTAGE.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 66,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Ports and Pilotage'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 66,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Ports and Pilotage'."

Mr. Lalchand Navalrai: At the foot it is stated in this pamphlet that "the additional grant has been necessitated on account of the expanding activities of the Ports and Pilotage Department due to the war". There are no details of any kind shown to us. I would like to know if the details were placed before the Standing Finance Committee. I believe they were not. I would like to know if the Honourable Member has full details with him now to show what the amounts were, so that we may be in a position to understand what this expansion of activities is and whether it was necessary.

(The Honourable Member in charge, the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, was not ready with his reply.)

The Honourable Sir Jeremy Raisman: We may proceed to the next item in the meantime.

Mr. President (The Honourable Sir Abdur Rahim): This will stand over for the present. Next item. Sir Jeremy Raisman.

DEMAND NO. 33—GEOLOGICAL SURVEY.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Geological Survey'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Geological Survey'."

Qazi Muhammad Ahmad Kazmi: Sir, in respect of this Demand I want to know what are the minerals that have been worked up. Is sulphur one of them or anything has been done in respect of sulphur? Also, whether there are any prospects of getting other minerals which are required?

Maulvi Muhammad Abdul Ghani: I want to know from the Honourable Member whether there is any Advisory or Standing Committee attached to the Geological Survey to advise them on matters connected with the minerals.

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, I would like to know what has been the result of this survey so far and what additional minerals have been found for the use of the work in connection with the war effort.

Mr. H. C. Prior (Labour Secretary): Sir, on the first point of sulphur, I think we have already given certain amount of information to the House, that there has been a sulphur ore discovered in Baluchistan and that sulphur ore is being worked. There have been some difficulties in refining pure sulphur from the sulphur ore. At the same time, the sulphur ore is relatively pure and can be used directly by a large amount of industry. We are also investigating now another sulphur deposit in the hope that that sulphur will be capable of being refined into pure sulphur.

Qazi Muhammad Ahmad Kazmi: Have any large quantities been obtained?

Mr. H. C. Prior: The amount of sulphur ore that has been proved in the first deposit amounts to a very considerable number of tons. I cannot quote the exact amount. The total amount that has been proved in the second deposit has not yet been calculated. It is a more difficult proposition. It is a mining proposition rather than a quarrying proposition.

As regards the question raised by Maulvi Abdul Ghani, I think we have no particular Advisory Committee besides our ordinary Advisory Committee.

As regards the whole range of minerals which we are investigating, I do not know whether I should disclose everything that has been discovered in connection with the war. We are investigating every conceivable mineral that can be of assistance. We are developing old mines. We are looking through every mineral that can be of assistance and I think we are discovering a very large amount that is helpful to the war effort. I will be quite prepared to explain a little more privately to the Honourable Member but I would prefer not to explain everything on the floor of the House.

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

"That a supplementary sum not exceeding Rs. 53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Geological Survey'."

The motion was adopted.

DEMAND No. 37—OTHER SCIENTIFIC DEPARTMENTS.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 76,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Other Scientific Departments'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 76,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Other Scientific Departments'."

Mr. Lalchand Navalrai: Sir, I would like to know only one thing in this connection. It is said that from Calcutta, exhibits housed in the Museum are being removed to places of safety outside Calcutta. If there is no objection, will the Honourable Member kindly tell me to which other places of safety they have been removed?

Maulvi Muhammad Abdul Ghani: Sir, I find from the foot-note of these Supplementary Grants (page 17) that "in recognition of the valuable work done by the Indian Statistical Institute the Government of India have been giving it a recurring grant of Rs. 17,000 per annum. The Institute is at present functioning largely through the personal effort of its Honorary Secretary." In this connection, it strikes me that I should inquire whether there are any other active members or not, or whether the Institute is only run by the Honorary Secretary.

The next point that I wish to ask is how much is paid to the Honorary Secretary in the shape of travelling allowance out of this 17,000.

The third point that I want to ask is whether this Demand can be placed under the Scientific and Industrial Research Department now that the Demand number has been changed to 50.

The Honourable Mr. N. R. Sarker (Member for Education, Health and Lands): Sir, with reference to the query of my Honourable friend, Mr. Lalchand Navalrai, I am sorry I cannot disclose the name of the place where these valuable articles have been removed.

With reference to the query of Maulvi Abdul Ghani whether the Indian Statistical Institute is run only by the Secretary, I may say that while the Secretary has so far been taking a very important part in the development of its activities, the Institute has a strong committee of management consisting of representative Government officials, businessmen and distinguished economists. The institution is doing very good work. The proposed supplementary grant does not include any item for the Secretary's travelling allowance. That is met from the Institute's own funds. The amount of the supplementary grant is required mostly for the purchase of a monotype machine and the strengthening of the staff.

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

"That a supplementary sum not exceeding Rs. 76,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Other Scientific Departments'."

The motion was adopted.

DEMAND No. 40—PUBLIC HEALTH.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Public Health'."

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

"That a supplementary sum not exceeding Rs. 70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Public Health'."

The motion was adopted.

DEMAND No. 47—SCIENTIFIC AND INDUSTRIAL RESEARCH.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 1,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Scientific and Industrial Research'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 1,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Scientific and Industrial Research'."

Babu Kailash Behari Lal: Sir, I find from the foot-note under this Demand that the extra expenditure has been necessitated on account of increased researches and tests undertaken in this Department owing to the war conditions. Surely, it is a welcome thing and nobody can take any exception to it. What I want to know in this connection is where these researches are being carried out and whether it is only through the Government servants in recognised Government institutions or even other scholars and research people are helped in institutions that are being run either with the aid of the Government or in private institutions. I want to know whether these allowances, honoraria, etc., are given only to government servants or to all persons who may be engaged in making researches in private institutions also.

Maulvi Muhammad Abdul Ghani: I want to know the number of researches made during 1941-42.

The Honourable Sir Jeremy Raisman: As regards the first question, my Honourable colleague, the Commerce Member, has on a previous occasion laid before the House in great detail the work of this Board of Scientific and Industrial Research. As far as I remember he explained that both methods of assisting research with money were employed, that is, in regard to research done purely by Government agency and also in regard to grants to educational bodies and so on for carrying out researches on behalf of Government. As my Honourable Colleague, the Commerce Member, is now here in the House, I think he would be able to reply to the second question, namely, the number of researches which have been carried out. That was the question put by Maulvi Muhammad Abdul Ghani.

Babu Kailash Behari Lal: May I know if the Honourable Member has got a list of institutions that are being aided for carrying on researches?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have not got at present a list of institutions. I think on a previous occasion, I made a very complete and exhaustive statement on the whole case. In fact these proceedings are printed, and I can hand over to the Honourable Member a copy of the printed proceedings which shows the number of researches which have been undertaken and the names of institutions which are carrying them out. What these institutions are depends upon whether scientists apply for research grants for particular researches. They are not given to institutions as such but they are given to scientists who put forward research schemes which in the opinion of the Board of Scientific and Industrial Research require or are capable of producing results which require aid from Government. I have not got a list of the number of researches, but I think they will be well over 150 during the course of the year which have been so financed.

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

"That a supplementary sum not exceeding Rs. 1,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Scientific and Industrial Research'."

The motion was adopted.

DEMAND No. 53—EMIGRATION—EXTERNAL.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 38,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Emigration—External'."

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

"That a supplementary sum not exceeding Rs. 38,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Emigration—External'."

The motion was adopted.

DEMAND No. 55—CENSUS.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 3,07,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Census'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 3,07,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Census'."

Mr. Amarendra Nath Chattopadhyaya: I would request the Honourable Member to give details for item C-4—'other charges'—Rs. 32,800.

The Honourable Sir Reginald Maxwell: Sir, this tabulation is an extensive operation going on at a number of different centres all over India. It naturally involves a number of miscellaneous charges and the total of Rs. 32,800 for the whole of India is quite an insignificant amount compared with the extent of the operation. The main item in the tabulation is the establishment employed. You cannot have an establishment for tabulation only without the ancillary establishment of offices and so on at different centres.

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

"That a supplementary sum not exceeding Rs. 3,07,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Census'."

The motion was adopted.

DEMAND No. 57—MISCELLANEOUS DEPARTMENTS.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Miscellaneous Departments'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Miscellaneous Departments'."

Babu Kailash Behari Lal: There seems to be some mystery about this Supplementary Demand. The whole Demand is for Rs. 40,000 and the whole is shown under 'other charges', and no explanation is given.

The Honourable Sir Jeremy Raisman: Full explanation is given. The Honourable Member must realise the limitations of Government accountancy. You cannot put down in a budget account so much for bullock carts, so much for coolies and so on. The nature of expenditure is completely explained in the note on this page. The excess is mainly due to the removal

of the more valuable books of the Imperial Library for safe storage and the transfer of the remainder of the Library from its previous premises to a rented building.

Mr. Lalchand Navalrai: And the removal expenses come to Rs. 40,000?

The Honourable Sir Jeremy Raisman: And also the rent of the building.

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

"That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Miscellaneous Departments'."

The motion was adopted.

DEMAND No. 58—CURRENCY.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 21,13,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Currency'."

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

"That a supplementary sum not exceeding Rs. 21,13,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Currency'."

The motion was adopted.

DEMAND No. 59—MINT.

The Honourable Sir Jeremy Raisman: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 13,31,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Mint'."

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

"That a supplementary sum not exceeding Rs. 13,31,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Mint'."

The motion was adopted.

DEMAND No. 63—STATIONERY AND PRINTING.

The Honourable Sir Jeremy Raisman: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 23,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Stationery and Printing'."

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

"That a supplementary sum not exceeding Rs. 28,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Stationery and Printing'."

The motion was adopted.

DEMAND No. 64—MISCELLANEOUS.

The Honourable Sir Jeremy Raisman: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 50,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Miscellaneous'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 50,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Miscellaneous'."

Mr. Lalchand Navalrai: Sir, in this Demand also we find an item "Other Charges". I should like to know what these are; and I request that in future in asking for Supplementary Demands some details should be given to show what these other charges are for?

The Honourable Sir Jeremy Raisman: Sir, I must point out that the matters which this House may be expected to wish to know quite specifically are, how much is being spent on the pay of officers and how much is being spent on the pay of establishment. Now, a Government Department like every other organisation has to rent buildings, buy various kinds of consumable articles and incur expenditure on travelling, telephones, and so on. All these are called contingencies. You cannot run a Department by merely paying the officers and paying the clerks and not supplying them with pens, or paper or pencils or allowing them the use of telephones or giving them a place to work in. All these items defy any systematic record in a reasonably brief way and these have to be accounted for under the head "Other charges". That does not mean that there is any vagueness about them. They are quite specific and vouchers for all these payments, including the cost of sweeping the office, and so on, are regularly furnished to the Accounts Officer in charge. But they cannot be given in accounts of this kind or brought to the notice of this House in detail.

Mr. Lalchand Navalrai: We do not want to know very small items of a few pies or annas. But at any rate in rents there must be large sums paid and

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has made his speech already.

The question is:

"That a supplementary sum not exceeding Rs. 50,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Miscellaneous'."

The motion was adopted.

DEMAND No. 66—DELHI.

The Honourable Sir Jeremy Raisman: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,03,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Delhi'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved.

"That a supplementary sum not exceeding Rs. 3,03,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Delhi'."

Maulvi Muhammad Abdul Ghani: Sir, this Demand includes expenditure in connection with the Ribbon Development Scheme and under the Act called the Delhi Restriction on Uses of Land Act 1941. Under that Act persons have been appointed to make survey of all lands adjoining a road to be hereafter carried out but under that Act certain religious buildings and burial places have been exempted. As the expenditure is included here it is proper that a note of warning should be sounded that the employees who are going to be paid out of this fund should not unnecessarily make any encroachments on these places which have already been exempted or try to cause mischief or harm.

Babu Kailash Behari Lal: Sir, I should like to know what is meant by the first entry in the footnote relating to "purchase of increased quantity of opium for the Excise Department".

The Honourable Sir Reginald Maxwell: Sir, as regards the purchase of extra opium that is, I am afraid, a little misleading because the amount of Rs. 8,300 to which that explanation relates was mainly expended in the share of the Central Government towards the expenses of the Punjab Government which contributes towards the Solan Brewery. The Punjab Government incur annually an expenditure of Rs. 18,000 of which Delhi pays Rs. 3,000; and it was decided in March, 1942 that that arrangement should be brought into effect from 1940-41 and so for two years' contribution the amount of Rs. 6,000 occurs. It is only the remaining amount of Rs. 2,300 that has anything to do with the purchase of opium. And that of course is simply a routine matter depending on consumption and increase of population.

Babu Kailash Behari Lal: What is meant by "increased quantity of opium"?

The Honourable Sir Reginald Maxwell: I have explained that the consumption of opium varies according to the population; there has been some increase in population and so an increase in opium consumption.

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

"That a supplementary sum not exceeding Rs. 3,03,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Delhi'."

The motion was adopted.

DEMAND NO. 69—ANDAMAN AND NICOBAR ISLANDS.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 3,82,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Andaman and Nicobar Islands'."

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

"That a supplementary sum not exceeding Rs. 3,82,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Andaman and Nicobar Islands'."

The motion was adopted.

DEMAND NO. 74—DELHI CAPITAL OUTLAY.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 24,81,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Delhi Capital Outlay'."

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

"That a supplementary sum not exceeding Rs. 24,81,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Delhi Capital Outlay'."

The motion was adopted.

DEMAND NO. 76—INTEREST-FREE ADVANCES.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 35,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Interest-Free Advances'."

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

"That a supplementary sum not exceeding Rs. 35,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Interest-Free Advances'."

The motion was adopted.

DEMAND NO. 77—LOANS AND ADVANCES BEARING INTEREST.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a supplementary sum not exceeding Rs. 56,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Loans and Advances Bearing Interest'."

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

"That a supplementary sum not exceeding Rs. 56,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Loans and Advances Bearing Interest'."

The motion was adopted.

DEMAND NO. 28—PORTS AND PILOTAGE—contd.

Mr. President (The Honourable Sir Abdur Rahim): Now the Demand in respect of Ports and Pilotage will be taken up and the Honourable the Commerce Member will explain the points raised by Mr. Navalrai.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I understand that details of the expanding activity of the Ports and Pilotage Department are wanted by my Honourable friend, Mr. Navalrai. I shall give the details item by item:

The first item "Repairs and Maintenance of Ships"—is due to the fact that more repairs have been done and wireless installation has been put on two pilot vessels.

The second item is due to the fact—it is really self explanatory—that the High Commissioner had to be given this sum for officers who are on leave and who have extended their leave.

The third item is due to the fact that a non-voted officer has gone and has been replaced by a voted officer. It is not really an extra expenditure but the amount has been brought to the votable side of the budget.

The fourth item—"Other charges 1,000"—is due to consequential expenditure on the appointment of a voted officer.

The fifth item—"Pay of establishment Rs. 600"—is due to an extra clerk having been engaged on war work, and a clerk proceeding on long leave.

The sixth item—"Other charges Rs. 7,400"—is due to increased expenditure on telegrams in connection with war work, increased use of launch for which no provision had been made in the ordinary budget, and to arrears of property tax which had to be paid during this year.

The seventh item is due to the "appointment of temporary staff for war work."

The last item—"Other charges 18,000"—is also due to contingencies, mainly increase in postage, purchase of stationery and furniture, and to the transfer of officers and payment of overtime fees due to war work.

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

"That a supplementary sum not exceeding Rs. 66,000 be granted to the Governor General in Council, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1942, in respect of 'Ports and Pilotage'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 24th March, 1942.

LEGISLATIVE ASSEMBLY

Tuesday, 24th March, 1942

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

The Honourable Mr. Satyendra Nath Roy, C.S.I., C.I.E. (Member for Railways and Communications).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

RECRUITMENT OF SINDHIS FOR SUBORDINATE SERVICE POSTS ON NORTH WESTERN RAILWAY IN SIND.

241. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the Government of Sind recently made a representation to the Railway Board that recruitment of Sindhis for the subordinate service posts, even in the area served by the North Western Railway in the Province of Sind, was negligible and asked that preference be given to Sindhis for such appointments?

(b) Is it a fact that there is a difficulty of language communication between the public and the railway staff in Sind area as most of the Punjabee employees do not speak the language of Sind?

(c) Do Government propose to issue instructions that a large number of Sindhis be employed in the Karachi Division of the North Western Railway or lay down a suitable test in Sindhi language for employees belonging to other provinces? If not, why not?

The Honourable Mr. S. N. Roy: (a) Yes.

(b) I have received no such complaint.

(c) No impediments have been placed in the way of Sindhis obtaining employment on the North Western Railway and Government, therefore, propose to issue no further instructions. As regards prescribing a language test in Sindhi, there is at present no intention of doing so; I am, however, forwarding this question and my reply to the General Manager, North Western Railway, for his information.

Mr. Lalchand Navalrai: May I know what reply has been made to the Sind Government with regard to the entry of Sindhis?

(1475)

The Honourable Mr. S. N. Roy: I must have notice of the question. I do not know whether an answer has been sent.

Mr. Lalchand Navalrai: May I know why the Honourable Member says that this language is not a difficulty there? Has the Honourable Member made any inquiries, or is it merely the Honourable Member's imagination?

The Honourable Mr. S. N. Roy: I merely said that I have had no such complaints.

Mr. Lalchand Navalrai: Will the Honourable Member make an inquiry at least from the General Manager whether there is this difficulty with regard to mufassil people who want to buy tickets and want other things done?

The Honourable Mr. S. N. Roy: I have stated that I am forwarding this question and the reply to the General Manager of the North Western Railway, and doubtless he will state his views, if he has any to communicate.

Mr. Lalchand Navalrai: With regard to part (a), whatever the reply from the Government of Sind is, will the Honourable Member send it to the General Manager to consider it for himself?

The Honourable Mr. S. N. Roy: I will consider that.

DEMAND FOR EXTRA CLERICAL STAFF IN DIVISIONAL OFFICES ON NORTH WESTERN RAILWAY.

242. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if it is a fact that there is shortage of clerical staff in various Divisional Offices on the North Western Railway? If so, what is the demand placed by each Divisional authority for extra clerical staff?

(b) Has there been any increase in the clerical staff of the Divisional, Extra Divisional and Headquarters Offices of the North Western Railway since September 1939? If so, will the Honourable Member please lay a statement on the table of the House showing separately the increases in each office?

(c) Is it a fact that clerks in several offices have been asked to attend office till 6 P.M. instead of 4-30 P.M.? If so, why, and are they compensated for long hours of work?

(d) Are Government aware of any cases of office clerks keeping late hours in offices? If so, what action has been taken to give relief to them or stop their sitting late hours in offices?

The Honourable Mr. S. N. Roy: (a) The answer to the first part is in the negative; the second part does not arise. I would, however, state for

the Honourable Member's information that Divisional Superintendents do occasionally ask for more staff and these are sanctioned if there is sufficient justification. At present requests from the Divisional Superintendents, Karachi and Multan, are under the consideration of the General Manager.

(b) Yes, the statement which I lay on the table of the House gives the required information. There has been an increase of 261 posts in all the offices together.

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

(d) Yes, I understand occasionally some clerks have to put in late hours. As regards the second part, I would refer the Honourable Member to the statement laid on the table.

Statement showing increase in the Clerical Staff made from time to time in the Divisional, Extra Divisional and Headquarters Offices since September, 1939.

Office.	Total Number of posts.
1. Divisional Office, Quetta	36
2. Divisional Office, Lahore	7
3. Divisional Office, Karachi	5
4. Divisional Office, Ferozepore	3
5. Divisional Office, Delhi	6
6. Divisional Office, Rawalpindi	6
7. Divisional Office, Multan	4
8. Superintendent, Mechanical Workshops	11
9. Superintendent, Walton Training School	3
10. District Controller of Stores, Mughalpura	2
11. Deputy Chief Engineer, Bridges	7
12. Accounts Branch	88
13. Assistant Works Manager, Signals	1
14. Headquarters Office	82
	261

NOTE.—The above information has been given as far as it is readily available.

Mr. Lalchand Navalrai: With regard to clause (c), may I know whether the usual time is up to 4-30 and that it is being exceeded, and, if so, how much?

The Honourable Mr. S. N. Roy: I have stated that I understand that occasionally some clerks have to put in late hours. The staff has been increased, and if, in the exigencies of the present situation they have to work a little later than usual. I do not think that can be a ground for complaint.

Dr. P. N. Banerjee: Do they get any overtime allowances?

The Honourable Mr. S. N. Roy: I do not think so.

PROMOTED SECTION CONTROLLERS GRADE A, HOWRAH DIVISION, EAST INDIAN RAILWAY.

†243. *Shaikh Rafiuddin Ahmad Siddiquee: (a) Will the Honourable Member for Railways be pleased to state the names of the staff who have been promoted to the posts of Section Controllers, Grade 'A' (400) on the Howrah Division, East Indian Railway, in the year 1940, and their position on the combined seniority list of grades from which staff are eligible for promotion to the posts of Section Controllers, Grade 'A'?

(b) Is it a fact that there was no Selection Board for the examination of the staff who are eligible for promotion to the posts of Section Controllers?

(c) Is it a fact that a member of the staff drawing Rs. 150 as a Section Controller, Grade 'B', has been promoted to the post of Section Controller in the grade of Rs. 400?

The Honourable Mr. S. N. Roy: I regret I cannot undertake to furnish the names of the individuals referred to in part (a). For the rest of the question I would refer the Honourable Member to the information laid on the table of the House on 27th October, 1941, in reply to Khan Bahadur Fazl-i-Haq Piracha's unstarred question No. 74 asked on 28th February, 1941.

ACCELERATED PROMOTIONS OF ONLY NON-MUSLIMS IN HOWRAH DIVISION, EAST INDIAN RAILWAY.

†244. *Shaikh Rafiuddin Ahmad Siddiquee: Is the Honourable Member for Railways aware that on the Howrah Division, East Indian Railway, non-Muslims are given accelerated promotions without any regard to seniority and adverse opinions of the officers against them?

The Honourable Mr. S. N. Roy: No, and I am not prepared to accept that the facts are as stated by the Honourable Member.

ACCELERATED PROMOTIONS OF ONLY NON-MUSLIMS IN HOWRAH DIVISION, EAST INDIAN RAILWAY.

†245. *Shaikh Rafiuddin Ahmad Siddiquee: Is the Honourable Member for Railways aware that on the Howrah Division, East Indian Railway there is not a single instance to show where any Muslim with high academic qualification and high efficiency, departmental experience and recommendations or orders in personal file for a promotion to higher grade has been recipient of accelerated promotion?

The Honourable Mr. S. N. Roy: No.

†Answer to this question laid on the table, the questioner being absent.

PERSONNEL INSPECTORS ON EAST INDIAN RAILWAY.

†246. *Shaikh Rafiuddin Ahmad Siddiquee: (a) Will the Honourable Member for Railways be pleased to state the number of the staff selected for the posts of Personnel Inspectors on the East Indian Railway during the year 1940?

(b) Is it a fact that no Muslim has been selected for the posts?

(c) Is it a fact that non-Muslims drawing less pay than Muslims have been selected for these posts?

The Honourable Mr. S. N. Roy: (a), (b) and (c). I would refer the Honourable Member to the reply given to Khan Bahadur Shaikh Fazl-i-Haq Piracha's unstarred question No. 75 on 28th February, 1941.

PROMOTION OF CLERKS GRADE I TO GRADE II ON NORTH WESTERN RAILWAY.

†247. *Maulana Zafar Ali Khan: Will the Honourable Member for Communications please state whether he would consider issuing instructions to the North Western Railway administration for the promotion to grade II, against supernumerary posts, of such clerks in grade I in Divisional Offices as have completed fifteen years' service?

The Honourable Mr. S. N. Roy: No, for the question has been considered and I am satisfied that there is no justification for such action.

Dr. Sir Ziauddin Ahmad: May I ask whether he has considered that the extension of service of persons in grade I really debar persons in grade II from promotion?

The Honourable Mr. S. N. Roy: Yes; the whole question has been most meticulously examined by the Railway Board and subsequently by my predecessor, Sir Andrew Clow, and it was found, as I have stated, that in regard to a very large category there was no block in promotion.

Maulana Zafar Ali Khan: Theirs is a hard lot. Cannot the Government reconsider their case?

The Honourable Mr. S. N. Roy: I have just stated that the question has received very very careful consideration.

EUROPEANS IN THE MUNITION PRODUCTION OFFICE AT CALCUTTA.

†248. *Sardar Sant Singh: Will the Honourable the Supply Member please state:

(a) whether he is aware that there is a considerable number of able-bodied Europeans in all ranks in the Munition Production Office at Calcutta in positions which could easily be filled by Indians, including clerical and ministerial posts, who could be employed on Active Military duty;

†Answer to this question laid on the table, the questioner being absent.

- (b) whether the retention of these people is retarding the process of Indianisation;
- (c) whether he will place on the table of the House a statement showing the number and character of the posts in the offices at Calcutta of all grades, clerical and official, which are at present filled by Europeans;
- (d) whether the filling of any of these by Indians has been considered;
- (e) whether he has satisfied himself personally that the Indians are not available for these posts; and
- (f) whether he is aware of the public impression that the Europeans employed in the Supply Department are mainly those who have taken up civil duties to evade active military duties?

The Honourable Sir Homi Mody: (a) There is a considerable number of able bodied Europeans employed in the Munitions Production Office at Calcutta. The bulk of these are employed in technical posts which are not easily filled. The greatest difficulty is experienced not merely in finding Indians for these technical posts but in finding anybody at all.

(b) No.

(c) A statement is placed on the table of the House.

(d) Constant attention is given to the selection of Indians for any posts they are capable of filling, and which they are willing to take up.

(e) I have personally seen to it that wherever a suitable Indian has come forward he has secured an appointment.

(f) Whatever the public impression on this point, I am satisfied that the Europeans eligible for military duty are rendering very useful service where they are.

Statement.
EUROPEANS.

Serial No.	Post.	Holder.	Age approx.	Essentiality.
1	2	3	4	5
1	D. G. M. P.	Sir Guthrie Russell, K.C.I.E.	55	
2	Deputy Secretary to the Govt. of India.	Mr. J. B. Langford, I.C.S.	35	
3	Asstt. Secretary to the Govt. of India.	Mr. E. C. Rundlett	55	
4	Dy. Directorate G.I.A. P.	Mr. G. S. Butler, C.I.E.	57	
5	A. C. E. A.	Mr. E. J. Bookless, I.O.S.	40	
6	A. R. P. Officer and Advisor.	Lt.-Col. C. H. Christie	43	
7	D. O. F.	Major T. F. Borwick, C.I.E.	51	
8	Chief Administrative Officer.	Mr. G. H. Welford, O.B.E.	57	
9	D. D. O. F.	Mr. J. A. R. Tainsh	34	

Serial No.	Post.	Holder.	Age approx.	Essentiality.
1	2	3	4	5
10	A. D. O. F. (P)	Mr. C. E. Hill	49	
11	A. D. O. F. (P.)	Mr. F. C. Foreman	53	
12	C. E. A. to the D. O. F.	Mr. K. H. T. Gilbertson, O.B.E.	55	
13	A. C. E. A. to D. O. F.	Mr. A. D. McClancy, I.O.S.	28	
14	Do.	Mr. G. H. Whyte	50	
15	Do.	Mr. F. A. Bird	47	
16	Do.	Mr. A. W. Hall, I.O.S.	31	
17	Do.	De. C. W. Harler	49	
18	Officer Supervisor	Mr. H. J. Cook	51	
19	Asstt. Administrative Officer.	Mr. R. J. A. Wells, I.O.S.	39	
20	D. F. E.	Col. M. H. Cox, M.C., O.B.E.	49	
21	D. D. F. E.	Mr. A. M. Leiper	34	
22	Do.	Mr. G. S. Hill	44	
23	C. E. A. to D. F. E.	Mr. A. B. James	38	
24	A. C. E. A. to D. F. E.	Mr. H. Delysgreison	45	
25	Do.	Mr. D. G. Dey	29	
26	Do.	Mr. J. E. Potss	30	
27	Officer Supervisor	Mr. D. P. McKenna	39	
28	Director of Factory Recruitment.	Mr. H. I. Matthews, I.O.S.	49	
29	Asstt. Director of Factory Recruitment.	Mr. G. L. Hawes (Hony.)	42	
30	Do.	Mr. P. A. Hughes	47	
31	C. E. F.	Col. F. B. Pigott	48	
32	S. O. R. E. II	Major W. R. Leake	53	
33	Do.	Major J. F. Bagnall	39	
34	Do.	Major W. W. Warner	40	
35	Do.	Major D. E. Harding	33	
36	S. O. R. E. III	Capt. Russell Potts	30	
37	I. R. E. M. Factories	Lieut. A. N. Daniell	31	
38	Surveyor of Works	T. A. Miller	27	
39	S. O. R. E. II	Major J. W. Atkins	42	
40	Do.	2nd Lt. (A/Major) A. H. Walker.	35	
41	D. D. G. E. & C. A. P.	Mr. F. G. S. Martin, C.I.E.	51	
42	Director of Metals	Mr. R. A. MacGregor	56	
43	Dy. Dir. of Metals	Mr. N. Hackney	50	
44	Do.	Capt. F. S. Rishworth	52	
45	A. D. D. G. (Com.)	Mr. A. R. Elliot Lockhart.	36	
46	A. D. D. G. (C. A. P.)	R. C. Case	49	
47	D. C. A. P.	Mr. R. K. Innes	42	

Serial No.	Post.	Holder.	Age approx.	Essentiality.
1	2	3	4	5
48	Director, R. A. F. (Maintenance).	Mr. J. N. Compton	41	
49	Dy. Director, R. A. F. (Maintenance).	Mr. L. Hemmings	49	
50	D. C. A. P.	Mr. E. H. Blanchard	50	
51	Statistical Officer.	Mr. A. R. Binns	42	
52	A. D. C. A. P.	Mr. T. T. Lambe	38	
53	Do.	Mr. P. G. Bradford	50	
54	Do.	Mr. L. W. Radice	34	
55	Do.	Major R. G. L. Firman	36	
56	Do.	Mr. A. P. Taylor, Gill	31	
57	Do. Licence Import.	Mr. W. J. M. Adams	45	
58	I. P. O.	Mr. C. J. Delph	42	
59	Do.	Mr. J. M. Robertson	32	
60	Do.	Mr. J. M. Smith	46	
61	Do.	Mr. A. D. Wilks, I.O.S.	26	
62	Do.	Mr. A. W. Ottignon	35	
63	Do.	Mr. H. Aldrige	47	
64	A. I. P. O.	Mr. G. Richards	48	
65	Do.	Mr. M. A. Cook	41	
66	Do.	Mr. D. Crawshaw	36	
67	Sr. Tech. Asstt. Die-Casting.	Mr. Norbert Talsky	48	
68	I. P. O.	Mr. T. D. Welby	38	
69	A. D. D. G. Eng.	Mr. J. Humphries	50	
70	D. D. Armoured Fighting Vehicle.	Mr. H. Sparrow	42	
71	D. D. E. Mech.	Mr. M. H. Oakley	52	
72	D. D. E. Progress	Mr. James Oswald	57	
73	Do. A. R. P.	Mr. G. F. M. Bailey	45	
74	Do. Struct.	Mr. S. W. White	56	
75	Asstt. Dr. Armoured F. Vehicle.	Major J. A. Marshall	28	
76	Asstt. Dr. Engg. Progress.	Mr. F. Harker	30	

Serial No.	Post.	Holder.	Age approx.	Essentiality.
1	2	3	4	5
77	Dy. Dr. Elec.	Mr. V. S. Risoe	29	
78	Dr. of Shipbldg.	Engineer Capt. J. Beggs, R. I. N.	56	
79	Dy. Dr. of Shipbldg.	Engr. Lt. A. Paxton	39	
80	Do.	Engineer Lt. J. W. Stephenson.	34	
81	Astt. Dr. Shipbldg.	Engineer Lt. H. R. Cooper, R.I.N.	42	
82	Do.	Mr. B. Hardy	52	
83	Secy. Iron & Steel Control Board.	Mr. G. W. M. Whittle, I.C.S.	35	
84	D. D. G. Machine Tools and Machine Tool Controller.	Mr. G. A. R. Trimming	54	
85	Dr. of M. T. C.	Mr. C. W. Budd	46	
86	Dy. Dr. of M. T. C.	Mr. R. C. Knight	31	
87	Do.	Mr. J. Hodgkinson	32	
88	Licensing Officer	Mr. C. P. Herbert	54	
89	Dy. Steel Import Controller.	Mr. J. R. Walton	45	
90	Officer on Special Duty (Steel quota).	Col. P. D. MacFeat, R. E., M.C.	50	
91	Steel Co-ordination Officer.	Mr. W. E. Gelson	45	
92	Dy. Asstt. Dr. General, M. P. Co-ordination.	Major W. D. S. Laird	45	
93	C. C. P. (M.)	Mr. K. J. Nicolson, M.C.	49	A prominent businessman in Calcutta serving as C. C. P. (M.); with an honorarium.
94	Dy. C. C. P. (M.)	Mr. H. F. Davy	55	A permanent officer in the I. S. D. cadre. Due to proceed on leave from 26th March 1942 pending retirement.
95	C. P. (G.)	Lt.-Col. H. G. Fowler, I. A. O. C.	42	Regular officers of the Military ancillary services with experience of military stores. Belonged to the late Contracts Directorate—a military organisation.
96	D. C. (P.)	Major F. H. D. Teal, R.I.A.S.C.	43	
97	Do.	Mr. J. Munro	42	Permanent I. S. D. Officers.
98	Do.	Mr. E. Dixon	39	

Serial No.	Post.	Holder.	Age approx.	Essentiality.
1	2	3	4	5
99	D. C. (P.)	Major H. H. B. Gill, I.A.O.C.	40	Emergency Commissioned Officers recruited to the late Contracts Directorate—a military purchasing organisation previously under G. H. Q. for their business experience and knowledge of military stores. Until 1940 recruitment to the Directorate was confined to British European subjects. Subsequently 30 per cent. posts were thrown open to Indian Emergency Commissioned Officers. Recruitment of military officers has now ceased and is made from civilians only.
100	Do.	Captain P. C. Tutton, I.A.O.C.	49	
101	Do.	Captain R. B. Otter, I.A.O.C.	43	
102	A. C. (P.)	Capt. C. V. Thomas, I.A.O.C.	47	
103	Do.	Capt. J. S. Thompson, I.A.O.C.	45	
104	Do.	Capt. K. E. Davan	38	
105	Do.	2nd Lt. P. S. Colvin, I.A.O.C.	51	
106	D. A. C. (P.)	2nd Lt. D. King, I.A.O.C.	53	
107	Do.	2nd Lt. T. G. Sullivan, I.A.O.C.	53	
108	Do.	2nd Lt. H. Elmes, I.A.O.C.	48	
109	Do.	2nd Lt. D. McGregor Cheers, I.A.O.C.	36	
110	Do.	2nd Lt. A. R. Allen d'Yhres, I.A.O.C.	41	
111	Do.	2nd Lt. W. A. I. Jacques, I.A.O.C.	41	

PROMOTION OF CLERKS GRADE I TO GRADE II ON NORTH WESTERN RAILWAY.

249. *Mr. Lalchand Navalrai: (a) Will the Honourable the Railway Member be pleased to say whether the number of Railway station clerks on the North Western Railway is 11,037? If not, what is the actual number?

(b) Is it a fact that when the question of raising the number of clerks, grade I, was being considered, the General Manager, North Western Railway, recommended that 1,100 additional posts should be created in grade II? If not, what was the number so recommended?

(c) Is it a fact that before retrenchment in 1930 the number of II grade posts was more and about 503 posts were reduced? If not, what was the original number and how many were abolished owing to economy cut?

(d) Is it a fact that the increase in grade No. II by 503 posts now made is because the same number was previously reduced? If not, how was that figure arrived at?

(e) In view of the fact that the increase of the above number in grade II has not benefited many clerks of grade I who have put in very long service, do Government now propose to give more consideration to this matter?

The Honourable Mr. S. N. Roy: (a) No; if the Honourable Member desires to know the number of persons in the group in respect of which the adjustment mentioned in part (e) was made, it is 5,151.

(b) I am unable to disclose the details of correspondence between the Railway Board and the offices subordinate to it.

(c) As far as can be ascertained, the answer is in the negative. As regards the second part there were 597 grade II posts on 31st March, 1930, and 525 on 31st March, 1941.

(d) The answer to the first part is in the negative, as regards the second part, the figure was adopted after considering all the relevant factors.

(e) Government have given the matter their fullest consideration and do not intend to revise the decisions which they have only recently taken.

Mr. Lalchand Navalrai: With regard to clause (e), may I ask whether the Honourable Member can say what were the general considerations upon which the division was made of these posts?

The Honourable Mr. S. N. Roy: All the relevant factors were taken into account, one of which was the block in promotion.

Lieut.-Colonel Sir Henry Gidney: In view of the answer given by the Honourable Member to part (b), will the Honourable Member inform the House whether there was a difference of opinion between the General Manager and the Railway Board; and if so, is it right on the part of the Government to seek shelter under the cloak of confidence?

The Honourable Mr. S. N. Roy: That, Sir, is a matter of opinion.

Lieut.-Colonel Sir Henry Gidney: I wish to ask the Honourable Member whether it is right for the Government to pretend that they know nothing at all about the matter and pretend to say that it is confidential?

Mr. President (The Honourable Sir Abdur Rahim): Order, order; the Honourable Member is not entitled to put such a question.

Mr. Lalchand Navalrai: Is the Honourable Member aware of the fact that the blockade not having been removed, and the posts having been increased, people with 20 and 25 years' service are not still promoted?

The Honourable Mr. S. N. Roy: I have no detailed knowledge of these cases, but as I have stated, this question was carefully considered and the number of posts was increased with reference to all the relevant factors, and I understand that one of the principal factors was the question of removing the block in promotion.

Mr. Lalchand Navalrai: What I want to know is this. As a result of that consideration and in pursuance of that consideration, certain things have been done. Will the Honourable Member now please examine the position again and see whether they are really removing the blockade?

The Honourable Mr. S. N. Roy: I will certainly have that point looked into.

PROMOTION OF SUB-DIVISIONAL CLERKS ON NORTH WESTERN RAILWAY.

250. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if his attention has been drawn to the complaint made to the General Manager, North Western Railway, by the sub-Divisional clerks on the North Western Railway with respect to the seniority for promotion amongst the work clerks and time keepers? If so, what steps have been taken to give them proper relief?

(b) Is it a fact that it is proposed to give promotion to the above staff on common seniority? Is it not a fact that they have different scales of pay?

(c) Is it a fact that, in the recent promotions, signallers and Assistant Station Masters who have different scales of pay have not been promoted on common seniority?

The Honourable Mr. S. N. Roy: (a) I am informed that Assistant Sub-Divisional Clerks of the North Western Railway have sent a representation to the General Manager, which is being considered by that officer.

(b) Promotion to posts of Sub-Divisional Clerks grade II is at present based on the common seniority of Assistant Sub-Divisional Clerks, Works Clerks and Time Keepers. As regards the second part, the scales of pay of the three grades is the same except that some Time Keepers who were appointed as such before 27th August, 1928, retain a different scale as personal to themselves.

(c) I have called for information and a further reply will be laid on the table of the House in due course.

MR. R. N. CHRISTIEN OF THE MECHANICAL DIVISION, NORTH WESTERN RAILWAY, LAHORE.

251. *Bhai Parma Nand: (a) Will the Honourable the Railway Member be pleased to state if it is a fact that an officer, by name, Mr. R. N. Christien, is working in the mechanical division of the North Western Railway, Lahore?

(b) If so, how long has he been working there and in what capacities?

(c) What is the policy of the Railway administration to transfer such officers to another Division? Is it periodically done, and if so, after how many years?

(d) Is it a fact that this officer had to stand before the enquiry held by Mr. D'Souza, Director of Establishment, Railway Board, on account of certain irregularities? If so, what was the result of the enquiry?

(e) Is it a fact that in this Division during the time of this officer wholesale supersessions are being ordered in complete disregard of the rules and regulations?

The Honourable Mr. S. N. Roy: (a) Yes.

(b) Since 1st June, 1937. As Assistant Personnel Officer.

(c) There is no specific policy in respect of transfers of officers which are ordered as administrative convenience or necessity dictates.

(d) I believe that he assisted Mr. D'Souza by discussing with him a case which the latter was investigating. The results of the cases investigated by Mr. D'Souza will be found summarised at pages 16 to 19 of the summary of Proceedings of the meeting of the Central Advisory Council for Railways held on 1st April, 1941.

(e) No.

Mr. Lalchand Navalrai: With regard to the answer to part (c), may I know, when the subordinates are quite dissatisfied with that officer and there have been certain instances brought to light, whether it is the policy of Government to transfer that officer or not?

The Honourable Mr. S. N. Roy: Naturally, Sir, when any complaints of that kind are received, they are examined by the General Manager, and each case is treated on its merits.

Mr. Lalchand Navalrai: Will the Honourable Member ask the General Manager to inquire into this case? I only ask for an inquiry to be made by him?

The Honourable Mr. S. N. Roy: My reply, I do not think, has disclosed any case for an inquiry.

Mr. Lalchand Navalrai: The point is, the inquiry may or may not have been made. I am now asking whether the Honourable Member will be good enough to ask the General Manager to make an inquiry?

The Honourable Mr. S. N. Roy: I am not clear as to what the General Manager is to be asked to inquire into.

Mr. Lalchand Navalrai: I am asking

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already had his answer.

DETENTION OF SYAD HABIB SHAH OF LAHORE.

252. *Sardar Sant Singh: (a) Will the Foreign Secretary please state whether in the case of Syad Habib Shah of Lahore it has recently been considered whether or not his detention under Rule 26 of the Defence of India Rules be continued?

(b) What orders have Government passed or contemplate passing on his case?

[†]Answer to this question laid on the table, the questioner being absent.

(c) In case Government decide to continue his detention, are Government prepared to reconsider his case regarding the grant of his family allowance?

(d) Is it a fact that Syad Habib Shah is keeping indifferent health in jail?

(e) What treatment is being meted out to him in jail during his illness?

Mr. O. K. Caroe: (a) and (b). The grounds for Saiyed Habib Shah's detention are to be reviewed in the immediate future by a special Committee.

(c) The question is hypothetical, but Government consider that the present family allowance sanctioned is suitable to the case.

(d) and (e). Saiyed Habib Shah's general health is good. He has, however, had some recent trouble from piles, for which he is receiving treatment in the Mayo Hospital, Lahore.

DEARNESS ALLOWANCE OF RAILWAY EMPLOYEES.

†253. ***Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that dearness allowance has been sanctioned by Government to Railway servants drawing pay up to Rs. 30 per month?

(b) Is it a fact that the sanction referred to in part (a) above is further restricted to areas having a greater population?

(c) If the replies to parts (a) and (b) above be in the affirmative, will the Honourable Member please state whether prices of various necessities of life have also been fixed by the Provincial Governments on population basis? If not, what is the idea of sanctioning this dearness allowance on such considerations?

(d) Is it a fact that time has come when dearness allowance is needed equally by low paid and high paid employees of the Railways?

(e) Do Government propose to sanction the said allowance to all Government servants in the Railway Department with immediate effect? If not, why not?

The Honourable Mr. S. N. Roy: (a) A dearness allowance has been sanctioned for staff drawing Rs. 35 and less, while in certain areas the pay limit goes up to 60 and in others to 70.

(b) The 60 limit is applicable to towns having a population of one lakh or more and the 70 limit to Calcutta and Bombay.

(c) The maximum price limits fixed by Provincial Governments vary from area to area; the exact basis on which these are fixed is not known. As regards the second part, the method adopted by them was as laid after discussion with the All-India Railwaymen's Federation and recognizes that all areas cannot be treated alike.

(d) No.

(e) No; it is not considered necessary.

†Answer to this question laid on the table, the questioner being absent.

REFUND OF AMOUNT OF SALARY CUT TO RAILWAY EMPLOYEES.

†254. ***Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Honourable the Railway Member please state whether it is a fact that about ten years back, when there was a general depression in earnings on the railways, the employees were subjected to ten per cent. cut on pay and 12½ per cent. on permanent monthly travelling allowances?

(b) Do Government propose to help the employees now when they are hard hit on account of the abnormal rise in the prices of bare necessities of life? If not, why not?

(c) If Government do not propose to accord any sanction, will they consider the question of refunding the amount recovered during depression period? If not, why not?

The Honourable Mr. S. N. Roy: (a) Yes.

(b) The cut in pay was abolished when conditions improved and more recently a dearness allowance has been sanctioned in favour of staff for whom it was considered there was justification. The second part does not arise.

(c) Does not arise.

RELATIVE RESPONSIBILITIES OF GUARDS AND TRAVELLING TICKET EXAMINERS ON EAST INDIAN RAILWAY.

†255. ***Maulvi Syed Murtuza Sahib Bahadur:** With reference to the information supplied by Government and printed on page 833 of the Legislative Assembly Debates, Volume IV, in answer to starred question No. 475, parts (a) and (b), asked in this House on the 22nd February 1932, regarding allowances of Guards and Ticket Examiners on the East Indian Railway, will the Honourable Member for Railways be pleased to state:

(a) whether the post of a guard carries a higher responsibility than that of a Travelling Ticket Examiner; and

(b) whether on promotion from Travelling Ticket Examiner (100—5—120) to Guard (old scale 140—10—210 and co-ordinated 90—10—180) assumption of duties and responsibilities of greater importance is involved? If not, why not?

The Honourable Mr. S. N. Roy: (a) Yes.

(b) Yes; the second part does not arise.

EXAMINATIONS FOR TICKET CHECKING STAFF ON EAST INDIAN RAILWAY.

†256. ***Maulvi Syed Murtuza Sahib Bahadur:** Will the Honourable Member for Railways be pleased to enquire and state:

(a) whether it is a fact that every member of the ticket checking branch on the East Indian Railway is subjected to an oral and written examination after every third year and this examination is held in the office of the Divisional Superintendent;

†Answer to this question laid on the table, the questioner being absent.

- (b) whether it is a fact that since about a year they are required to go for training to the Railway School at Chandausi and also required to pass an examination;
- (c) whether it is a fact that even after the Chandausi training and test they are forced to appear at the examination held in the office of the Divisional Superintendent; if so, why; and
- (d) whether any other category of employees on the railway are subjected to such repeated tests (at Chandausi and in Divisional offices)?

The Honourable Mr. S. N. Roy: (a), (c) and (d). I have called for information and a reply will be laid on the table of the House in due course.

(b) Yes.

CONVEYANCE OF MAILS BETWEEN SYLHET AND SHILLONG.

257. *Mr. Ananga Mohan Dam: With reference to the answer to my starred question No. 194, asked on the 18th November, 1941, regarding expediting conveyance of Mails between Sylhet and Shillong, will the Honourable the Communications Member state what has been done to restore the arrangement for the conveyance of Mails by motor between Sylhet and Shillong?

The Honourable Mr. S. N. Roy: The mail motor service between Sylhet and Shillong has been restored from 1st March, 1942.

Mr. Ananga Mohan Dam: May I know what is the amount that is paid to the carrying company between Sylhet to Shillong?

The Honourable Mr. S. N. Roy: I am not quite sure; I think it is Rs. 250.

Mr. Ananga Mohan Dam: What is the amount now paid to the commercial company for carrying mails from Gauhati to Shillong?

The Honourable Mr. S. N. Roy: I must have notice of that question.

Pandit Lakshmi Kanta Maitra: May I know, Sir, if a fresh contract has been entered into with any motor transport company for the transport of mails in this area, that is to say, for carrying mails between Sylhet and Shillong?

The Honourable Mr. S. N. Roy: Yes. I believe a contract has been entered into.

Pandit Lakshmi Kanta Maitra: May I take it from the Honourable Member then that the contractor will be paid the same amount?

The Honourable Mr. S. N. Roy: I have no information.

Pandit Lakshmi Kanta Maitra: For how long has this contract been entered into?

The Honourable Mr. S. N. Roy: Again, I am sorry I must ask for notice.

INSTRUCTIONS FOR PASSING OF TRAINS AT GHAZIABAD RAILWAY STATION.

†258. *Babu Kailash Behari Lal: (a) Will the Honourable Member for Railways please state if it is a fact that the North Western Railway Administration has issued instructions to the Train Passing Staff at Ghaziabad Railway Station to give preference to North Western Railway trains carrying passengers over the East Indian Railway trains carrying passengers?

(b) If the reply to part (a) above be in the affirmative, what are the reasons?

(c) Do Government propose to instruct the Railway Administration to eliminate this discrimination? If not, why not?

The Honourable Mr. S. N. Roy: (a) No.

(b) and (c). Do not arise.

ACCOMMODATION IN NEW DELHI FOR OFFICES OF SUPPLY DEPARTMENT FROM CALCUTTA.

†259. *Sardar Sant Singh: Will the Honourable the Supply Member please state whether, in the decision recently taken regarding the exodus to Simla, the need was considered to provide accommodation in New Delhi for the offices of the Supply Department at present at Calcutta? If so, will he kindly make a statement or issue a press *communiqué* on the subject? If not, why not?

The Honourable Sir Homi Mody: No accommodation has been provided in New Delhi for the offices of the Supply Department now located at Calcutta. It is not intended to transfer these offices from Calcutta.

UNSTARRED QUESTIONS AND ANSWERS

CASUALTIES AND FILLING UP OF VACANCIES IN THE STAFF OF THE POSTS AND TELEGRAPHS DEPARTMENT.

68. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways and Communications be pleased to lay on the table a statement showing:

(a) the total number of casualties and casualties amongst Muslims under the following classes of services in the Indian Posts and Telegraphs Department in 1941:

- (i) Gazetted staff.
- (ii) Engineering supervisors, General and Telephones, Electrical supervisors and Cable supervisors.

†Answer to this question laid on the table, the questioner being absent.

- (iii) Wireless supervisors and Wireless operators,
- (iv) Telegraphists and Telegraph masters.
- (v) clerical staff,
- (vi) line staff,
- (vii) departmental branch Post Masters, Overseers, Readers, Sorting and head postmen, postmen, village postmen and Mail-guards,
- (viii) miscellaneous superior staff,
- (ix) inferior staff (other than Runners and inferior servants paid from contingencies), and
- (x) Direction (non-gazetted);
- (b) the total number of vacancies filled by promotions and direct recruitments, separately, and the number of vacancies filled by Muslims in promotions and recruitments under the classes of services mentioned in part (a) above in 1941; and
- (c) the total existing strength together with strength and percentages of various communities under every class of service mentioned in part (a) above in 1941 and 1942?

The Honourable Mr. S. N. Roy: I regret that information in the form required by the Honourable Member is not available and cannot be collected without undue expenditure of time and labour.

STAFF UNDER THE SUPPLY DEPARTMENT.

69. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Supply please lay on the table a statement showing the total strength of every kind of service in various circles and headquarters stations under the Supply Department, and the number of Muslims under every head of service, as it stood on the 1st March, 1942?

The Honourable Sir Homi Mody: If the Honourable Member will kindly state more precisely the information he requires I will endeavour to give it, provided it does not involve too detailed an inquiry.

DECLARATION OF MOGHULPURA RAILWAY WORKSHOP AS A NOTIFIED FACTORY UNDER NATIONAL LABOUR SERVICE ORDINANCE.

70. Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Honourable Member for Railways please state since when the Moghulpura Railway Loco Workshop has been declared a notified factory under the National Labour Service Ordinance of 1940?

(b) Will he please give the number (by communities) of the technical staff who have left the service of the Railway Workshop since it came under the Ordinance of 1940 and who were not allowed to go out?

(c) Is it a fact that Muslim journeymen of the said Workshop were not allowed to join war appointments in other Departments while non-Muslims have been allowed to do so?

The Honourable Mr. S. N. Roy: (a) From 20th November, 1940.

(b) Nine Muslims, three Sikhs, one Hindu and four Anglo-Indians left the Loco shops; eight Muslims, eleven Hindus, four Sikhs and fourteen Anglo-Indians were not permitted to go.

(c) The figures I have just given show that the answer is in the negative.

SODA WATER RATES OF MESSRS. SPENCER AND COMPANY, LIMITED.

71. Babu Kailash Behari Lal: Will the Honourable Member for Railways please state:

(a) whether it is a fact that Messrs. G. F. Kellner and Company, Limited, Catering Contractors, East Indian Railway, sell a bottle of soda water at Re. 0/1/3;

(b) whether it is a fact that Messrs. Spencer and Company, Limited, Catering Contractors, North Western Railway, sell a bottle of Soda water to the travelling public at annas two and to Railway Officials at anna one;

(c) if the replies to parts (a) and (b) above be in the affirmative, the reasons for the difference in rates; and

(d) if the replies to parts (a) and (b) above be in the negative, will he please state the correct facts?

The Honourable Mr. S. N. Roy: (a) Yes.

(b), (c) and (d). I understand the rates charged by Messrs. Spencer & Co., to the travelling public are as follows:

Soda—unchilled—0/1/6.

Soda—chilled—0/1/9.

They are slightly higher than Kellners' rates, as they purchase locally, whereas Messrs. Kellners manufacture their own aerated waters. Government has no information regarding any reduced rates being quoted for railway officials.

COMPLAINTS AGAINST THE HINDU REFRESHMENT ROOM AT DELHI RAILWAY STATION.

72. Babu Kailash Behari Lal: Will the Honourable Member for Railways please state:

(a) whether it is a fact that the complaint book prescribed for the Hindu Refreshment Room at Delhi Junction Railway Station is not accessible to the public;

(b) whether it is a fact that the said complaint book does contain more than one complaint on this account;

(c) whether it is a fact that there have been complaints against the Manager (Mr. Treendod) who is a non-Hindu and an ex-Railway servant about his behaviour towards the Hindus; and

(d) If the replies to parts (a) to (c) above be in the affirmative, will he please state the action taken against the management and to ensure the travelling public the right of having access to the complaint book?

The Honourable Mr. S. N. Roy: (a), (b) and (c). Government have no such information.

(d) I am bringing the matter to the attention of the administration by forwarding them a copy of the question.

INCOMPLETE TARIFF LIST AT THE HINDU REFRESHMENT ROOM, DELHI RAILWAY STATION.

73. Babu Kailash Behari Lal: Will the Honourable Member for Railways please state:

(a) whether it is a fact that the Hindu Refreshment Room, Delhi Junction Station, does regularly sell:—(i) Fruit salads (ii) Lemon rice (iii) Vegetable stuffed parathas (iv) Chicken Dopeoza (v) Mutton Dopeoza (vi) Kashmiri Koftas and (vii) Kema stuffed parathas;

(b) whether it is a fact that though these articles are sold every day yet they are not traceable in the Tariff prescribed by the North Western Railway;

(c) whether it is a fact that in the daily menu these articles are described as "specials"; and

(d) whether it is a fact that the rates charged for these articles are at the arbitrary discretion of the Manager, who is a non-Hindu?

The Honourable Mr. S. N. Roy: (a), (b) and (c). Government is not kept informed of the details of daily sales by Refreshment Rooms. A copy of the question is being forwarded to the North Western Railway Administration who will doubtless take steps to have the articles mentioned included in the tariffs if there is substantial public demand for them.

(d) It is presumed that the rates are fixed under the general direction of the Firm.

RATE FOR FISH PLATE AT THE HINDU REFRESHMENT ROOM, DELHI RAILWAY STATION.

74. Babu Kailash Behari Lal: Will the Honourable Member for Railways please state:

(a) whether it is a fact that on the 25th February, 1941, Government informed this House that the price charged by Ballabhdas Eshwardas, catering contractors for the Hindu Refreshment Room at Delhi Main Station on the North Western Railway, for a plate of fish and potato chips, "now appears in the rate list as 'one plate fried fish 4 chataks—4 annas' which appears reasonable";

(b) whether it is a fact that under cash memo. No. 119276, dated the 9th March, 1942, the said contractor has charged for one plate fried fish annas six (0-6-0);

(c) if the replies to parts (a) and (b) be in the affirmative, will he please state the reasons why and the date from which the prices have been enhanced and whether the local Civil District Authorities were consulted when the increase was made; if not, why not; and

(d) whether Government now propose to reduce the price from annas six to annas four which was considered reasonable; if not, why not?

The Honourable Mr. S. N. Roy: (a) The reply confined itself to the charges for "one plate fried fish four chattaks four annas" making no mention of potato chips.

(b) Government has no information.

(c) The enhancement from four to six annas appears to be accounted for by the addition of "potato chips". The date on which the addition was made is not known and there was no case for consultation with the local civil district authorities.

(d) No.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 126 asked by Mr. Ananga Mohan Dam on the 6th March, 1942.

OFFICERS RECRUITED IN THE SUPPLY DEPARTMENT.

Statement showing the rates of salary offered to each officer.

Salary offered.	Hindus.	Muslims.	Sikhs.	Parsis.	Indian Christians.	Europeans.	Anglo-Indians.
Rs. 3,000 p. m.	1	2	..	..	..	..	..
" 2,750 "	..	..	..	..	..	2	..
" 2,200 "	1	..	..	..	..	1	..
" 2,130 "	..	..	..	..	..	1	..
" 2,000 "	..	..	..	..	..	1	..
" 1,900 + £30 p. m.	..	..	..	..	..	1	..
" 1,900 p. m.	1	..	..	..	..	..	..
" 1,850 "	..	..	..	..	..	1	..
" 1,825 + £30 p. m.	..	..	..	..	..	1	..
" 1,705 p. m.	..	..	..	..	..	1	..
" 1,650 "	..	1	..	..	..	1	..
" 1,600 "	..	..	..	..	..	1	..
" 1,520 "	..	..	..	..	..	2	..
" 1,505 "	..	..	..	..	..	4	..
" 1,500 "	1	..	..	..	..	1	..
" 1,450 "	..	..	..	..	..	4	..
" 1,425 "	..	1	..	..	..	1	..
" 1,400 "	1	..	..	..	..	..	..
" 1,350 + £30 p. m.	..	..	..	..	..	1	..
" 1,350 p. m.	..	1	..	..	..	..	..
" 1,300 "	1	..	..	..	..	2	..
" 1,250 + £30 p. m.	..	..	..	..	..	2	..
" 1,250 p. m.	..	..	..	..	..	2	..
" 1,200 p. m. + \$ 8 per day Subsistence allowance	1	..	..	..	..	..	..
" 1,200 p. m.	2	..	..	..	..	2	..
" 1,050 + £30 p. m.	..	..	..	..	..	1	..
" 1,050 p. m.	..	..	..	..	..	1	..

Statement showing the rates of salary offered to each officer—contd.

Salary offered.	Hindus.	Muslims.	Sikhs.	Parsis.	Indian Christians.	Europeans.	Anglo-Indians.
Rs. 1,045 p. m.	..	..	..	..	..	1	..
" 1,000 "	3	1	..	..	..	2	..
" 950 "	1	..	..	..	..	1	..
" 900 + £25 p. m.	..	..	..	..	..	1	..
" 900 p. m.	..	1	..	..	..	2	..
" 850 + £30 p. m.	..	..	..	..	..	1	..
" 850 + £25 p. m.	..	..	..	..	..	1	..
" 850 p. m.	1	..	..	..	..	1	..
" 800 + £25 p. m.	..	..	..	..	..	2	..
" 800 p. m.	3	1	..	..	..	..	..
" 770 "	1	..	..	..	..	..	..
" 750 "	3	..	1	..	..	1	..
" 725 "	..	..	..	..	..	1	..
" 700 + £25 p. m.	..	..	..	..	..	3	..
" 700 p. m.	1	..	..	..	..	..	..
" 666-11-0 p. m.	..	..	..	..	..	..	1
" 650 + £25 p. m.	..	..	..	..	..	1	..
" 650 p. m.	1	..	..	..	..	..	..
" 630 "	..	..	..	..	..	1	..
" 625 "	1	..	..	..	..	..	..
" 600 + £25 p. m.	..	..	..	..	..	21	..
" 600 p. m.	6	1	..	..	1	1	..
" 550 "	2	..	..	..	..	..	..
" 500 "	10	5	..	..	..	..	1
" 490 "	1	..	..	..	..	..	..
" 480 "	..	1	..	..	..	..	..
" 450 "	2	..	..	..	..	1	..
" 440 "	1	..	..	..	..	..	..
" 434-6-0 p. m.	1	..	..	..	..	..	..
" 405 p. m.	2	..	..	..	..	..	..
" 400 "	2	..	..	..	..	..	..
" 350 "	34	12	..	5	..	1	1
" 250 "	1	..	..	..	..	..	..
£1,150 per annum plus \$100 p. m. as Personal allowance and \$ 8 per day Subsistence allowance	86	27	1	5	1	77	4
							= 201

Information promised in reply to starred question No. 150 asked by Mr. Muhammad Nauman on the 6th March, 1942.

OUT-OF-TURN PROMOTIONS IN ACCOUNTS DEPARTMENT, EAST INDIAN RAILWAY

(a) The practice in the past has been to promote occasionally men with superior abilities and qualifications out-of-turn.

(b) There were 77 promotions of which 3 were out-of-turn. None of those promoted out-of-turn was a Muslim.

(c) The General Manager has issued orders to stop the practice referred to in part (a).

Information promised in reply to unstarred question No. 44, asked by Mr. Muhammad Nauman on the 6th March, 1942

STORE APPRENTICES AND IMPROVERS ON EAST INDIAN RAILWAY.

Seven; one was a Muslim.

THE MOTOR VEHICLES (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Mr. S. N. Roy (Member for Railways and Communications): Sir, I present the Report of the Select Committee on the Bill further to amend the Motor Vehicles Act, 1939.

THE INDIAN LIMITATION (AMENDMENT) BILL.

Rao Sahib N. Sivaraj (Nominated Non-Official): Sir, I move:

"That the Bill further to amend the Indian Limitation Act, 1908, as passed by the Council of State, be taken into consideration."

Sir, the Statement of Objects and Reasons is self-explanatory, and I don't propose to take much time of the House in making a speech upon this motion. As the Statement of Objects and Reasons says, Sir, the object of the Bill is to remove a difficulty which has been caused by a decision of the Privy Council in *Rama Shah vs. Lalchand*, reported in A. I. R. 940, at page 63. The Judicial Committee of the Privy Council put a very strict interpretation upon the words "as such" in section 20 of the Limitation Act which makes it necessary for the creditor to prove that in all cases whether a person has made a payment towards a debt or a legacy, and in order to save it from limitation that the payment was made towards interest this Bill has been brought forward. The difficulty is that in many cases the payments are made towards the debt or legacy due, and the mode of appropriation is left to the creditor himself or it is generally regulated in accordance with the course of business between the parties. This strict interpretation has caused some difficulty, because in many cases it was found difficult to exactly prove that the payment was made towards interest. It is to remove that difficulty that this Bill has been brought forward, and I believe that the Bill was introduced in consultation with the Government. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Indian Limitation Act, 1908, as passed by the Council of State, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadian Rural): Sir, I support this Bill. As a practising lawyer, I know the difficulty that arises with regard to the meaning that is put on section 20 of the Limitation Act. Section 20 of the Limitation Act gives further extension to recover the debt if payment is made within three years from the date of the beginning of the loan. At present there is really some confusion. This technicality which is at present in section 20 is that the payment has to be

[Mr. Lalchand Navalrai.]

made in order to get extension of limitation by expressly saying that it is going to be paid towards the debt or legacy or towards the interest. If any omission is made in that, he does not get the concession of the debt being paid within three years from the date of the payment having been made. The difficulty has arisen on account of the decision of the Privy Council which restricts that it should be paid with a clear understanding in writing by or under the signature of the debtor that it is being paid towards interest. People are not accustomed to this technicality, and especially when persons from the mofussil have to make payments, if they find afterwards that they have not been advised to sign it towards a particular purpose—then the person loses the benefit. The present amendment is good; it will remove the confusion and the difficulty. I have nothing more to say.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I think this is a most unnecessary Bill which has been introduced in the Legislature. It is partial and tries to save the man from whose clutches many people have been tried to be saved. It is the debtor who must be saved from the clutches of a cunning moneylender or the man who takes advantage by making the debtor sign deeds on every kind of pretext. I know very many instances where there is no payment made and still signatures are obtained. By this crooked method the moneylender has been taking advantage of the debtor. Great evil is done to this country by private money lending business. It is quite different when a man has to go to a bank or people who do business properly, but we find that in many instances this is not so, especially in the case of private money lending concerns. We should not come to the rescue of the cunning moneylenders on account of the decision of the Privy Council, and to the disadvantage of the debtor who has probably in many cases paid much more than what the ordinary law of India would have allowed. It is a well-known fact that among the Hindus there is a rule which is called the rule of *damdapat*. According to that, no creditor could ever charge more than double the amount of the principal. The Muhammadan Law does not allow any claim for interest, and this has been the prevailing law for centuries and centuries in India, until in 1855 a law was passed hurriedly in the Governor General's Council which gave the right of accumulating interest to any amount. The result was that many people were ruined on account of this change in the law. This law is in accordance with neither the Hindu law nor the Muhammadan law which affect the bulk of the population which inhabits this country. The law was forced upon the people. To help that law any further by any kind of provision will be adding an injustice to the settled ideas of the people of this country. Supposing a man has executed a pronote for Rs. 20,000, and if there is a nominal endorsement of two annas or five rupees, it is obviously done, without any payment having been made, in order to get the limitation increased. This kind of dishonest dealing is very injurious. The man must be forced to go to the Court, he must sue for the amount due and obtain a decree. But the rate of interest may be so high that it may not be allowed to be accumulated by the court. The court may not pass a decree at the same rate of interest as is put down in the pronote. Therefore, it is in the interests of both the moneylender and the debtor that the case should be adjudicated as soon as possible and

no further time should be given for the enhancement of the limitation. I think, on principle, this is a bad law, and I do not think that this House should stand for giving any kind of benefit to those who want to benefit by the ignorance of the people who have fallen into their hands. The limitation of three years for pronotes and twelve years for mortgage deeds is quite sufficient and they have been found to be very good law. If you allow this Bill, it will only defeat the very object of the law. If a man has lent he must come forward to get the help of the court if the debtor has not paid within the time. This provision will act very hardly on the debtor to his detriment and we should try to save these people as much as we can under the existing circumstances. In the United Provinces, the Encumbered Estates Act, the Agricultural Relief Act and many other such Acts have been found necessary because the debt was multiplying and increasing and the creditor was not willing to go into the court until he found that the whole of the estate of the debtor could be got hold of. We should not help any law which is going to defeat the provisions of the law which have been made by this House and the Legislatures in the different provinces from time to time in the recent past, and this Bill aims at defeating that law. Therefore, I am opposed to this Bill.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I should like to say a few words. When the Bill was introduced in the Council of State we took exception to a few matters there but in the Select Committee, fortunately, all those matters were remedied. The difficulties that have arisen have not arisen because of the rights of the lender or the obligations of the debtor, but purely on account of the language of the section itself and I have had personal experience of the difficulties that have arisen because of the faulty language of the section in the Indian Limitation Act. In fact, the case referred to as the Patna case which is different from the Allahabad cases, was argued by me and I know the difficulties which the section has created and, therefore, I can personally support the amended Bill as it has emerged from the Select Committee and passed by the Council of State; but apart from my personal experience I do feel that it is time that the difficulties that had been felt both by the lender and the debtor should be resolved and I do not see any serious objection as suggested by my Honourable friend, Sir Muhammad Yamin Khan. I, therefore, support this Bill on behalf of Government.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I beg to support this amending Bill. My Honourable friend, Sir Muhammad Yamin Khan, is absolutely wrong in thinking that it is a provision made entirely for the benefit of the moneylenders.

The Honourable Mr. M. S. Aney (Leader of the House): Cunning!

Mr. Akhil Chandra Datta: Cunning or uncunning, my friend is wrong in thinking that this provision benefits the moneylenders. The provision for the extension of the time of limitation is intended to benefit both the debtor and the creditor. Suppose three years expire. At that point of time, a situation arises when it will be neither to the interest of the debtor, nor to the benefit of the creditor that a suit should be instituted

[Mr. Akhil Chandra Datta.]

immediately for the recovery of the money. You may conceive many circumstances in which it will be wise for the money lender to postpone the litigation, and it is also good for the debtor. Another mistake committed by my Honourable friend, Sir Muhammad Yamin Khan, is this. He seems to think that this is a new principle introduced. The principle of the extension of the period of limitation is a very old principle. The difficulty that is now sought to be removed is the difficulty which has been emphasised by the Honourable the Law Member from his own experience as a legal practitioner, and I absolutely endorse his statement that that difficulty was always felt by the Courts. Therefore, it is not a new principle that is sought to be introduced. It is not intended to benefit any particular class of people, but only to remove a certain difficulty which has arisen from the wording of the section. I support this Bill.

Rao Sahib N. Sivaraj: After the speech made by the Honourable the Law Member, I have very little to say by way of answer to my Honourable friend, Sir Muhammad Yamin Khan. I feel that debtors ought not to be unreasonably harassed by any provision of law, by particularly helping the moneylenders, but at the same time I believe that every debtor ought to be trained to pay back his debt. What Sir Muhammad Yamin Khan really tries to drive at in his speech is to remove section 20 altogether. That seems to be his object and even supposing, according to him, that this Bill is not passed in the House, he is not going to save the poor debtor from the clutches of the moneylender. Section 20 will continue to remain as it is, with the added difficulty of the phrase "as such" being retained in the section and causing the same old difficulty as was noticed by the Privy Council itself. It is to remove this difficulty that this Bill has been brought forward. I think I had better read to the House the judgment of the Privy Council:

"The words 'as such' had long been given a settled meaning importing the intention of the debtor that his payment should go towards interest as distinct from principal. Though the amendment raised in a pointed manner the question whether the words 'as such' should be retained, it is clear that the Legislature decided to retain them; and it is not reasonable as a matter of construction of a statute to suggest that they can be ignored; or that their meaning has changed; or that they can be given their meaning but only as regards payments made before 1st January, 1928. The words 'as such' have lost nothing of their previous meaning which involves that the intention of the debtor must be shown to have been that the payment should go towards interest."

The Bill is very limited in its scope, and all that it is intended by this Bill is to delete the words 'as such' which have given rise to difficulties.

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

"That the Bill further to amend the Indian Limitation Act, 1908, as passed by the Council of State, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Rao Sahib N. Sivaraj: Sir, I move:

"That the Bill, as passed by the Council of State, be passed."

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

"That the Bill, as passed by the Council of State, be passed."

The motion was adopted.

THE INDIAN COMPANIES (AMENDMENT) BILL.

Mr. H. G. Stokes (Bombay: European): Sir, I move:

"That the Bill further to amend the Indian Companies Act, 1913, as passed by the Council of State, be taken into consideration."

Sir, this Bill seeks to remove an anomaly which has arisen in the Indian Companies Act. In that Act, section 153 lays down the procedure to be followed in such important matters as the dissolution of a company and its winding up and section 54 lays down the procedure to be followed for the modification of the provisions of a company's Memorandum of Association in so far as they relate to the reorganisation of the capital. In both cases, there is a majority prescribed in the Act but the majority differs greatly in the two cases. In the case of section 153, there is a much less stringent majority than is laid down in section 54, where it is provided that 75 per cent. of each class of shareholders affected must vote in favour of any reorganisation before it can go through. It has been found in practice that such a very stringent majority is most difficult to obtain and often, indeed, it is quite impossible. In fact, as the Honourable Mr. Parker, when proposing this measure in another place, pointed out, a small section of the shareholders who do nothing will make any reorganisation quite impossible. It is proposed now by this Bill to set this anomaly right and to delete section 54 from the Indian Companies Act and transfer its functions to section 153, which has been suitably amended.

I may mention, as Honourable Members will see from a reference to the Statement of Objects and Reasons, that a similar position was found to exist in the case of the English Companies Act of 1908 which has since been repealed. A Committee known as the Greene Committee went into the matter and recommended substantially the same alterations as this Bill which I have now moved seeks to do.

In conclusion, I may say that this Bill has the support of the Federation of the Indian Chambers of Commerce and also of the Associated Chambers of Commerce. Sir, I move.

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

"That the Bill further to amend the Indian Companies Act, 1913, as passed by the Council of State, be taken into consideration."

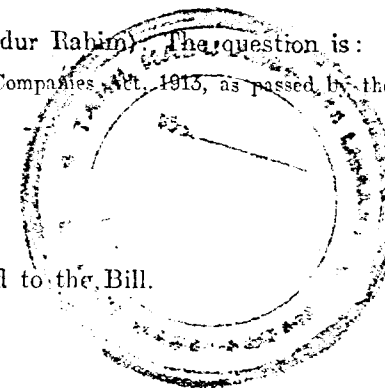
The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.



Mr. H. G. Stokes: Sir, I move:

"That the Bill, as passed by the Council of State, be passed."

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

"That the Bill, as passed by the Council of State, be passed."

The motion was adopted.

THE MUSLIM PERSONAL LAW (*SHARIAT*) APPLICATION (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

"That the Bill to amend the Muslim Personal Law (*Shariat*) Application Act, 1937, as reported by the Select Committee, be taken into consideration."

Sir, on this Bill we had a full discussion at the time when it was sent for circulation to elicit public opinion. The main object of the Bill is to correct some of the mistakes that had occurred in the Act at the time when it was enacted. There were two sections which were intended to be independent of each other, but unfortunately in section 3 the words "this Act" were entered into, whereas it was interpreted by some Courts that the words "this Act" could not convey the meaning they were intended to convey until the conditions laid down in section 3 were adhered to. The opinions that have been received are all in favour of the Bill. The Select Committee has seen all those opinions and has made the necessary correction. I hope the House will consent to the passing of this Bill.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to amend the Muslim Personal Law (*Shariat*) Application Act, 1937, as reported by the Select Committee, be taken into consideration."

The Honourable Sir Sultan Ahmed (Law Member): Sir, the Bill, as it has emerged from the Select Committee, is an absolutely non-controversial Bill, and the Government are prepared to support it.

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

"That the Bill to amend the Muslim Personal Law (*Shariat*) Application Act, 1937, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Qazi Muhammad Ahmad Kazmi: Sir, I move:

"That the Bill, as amended by the Select Committee, be passed."

THE MUSLIM PERSONAL LAW (*SHARIAT*) APPLICATION (AMENDMENT) BILL 1503

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

"That the Bill, as amended by the Select Committee, be passed."

The motion was adopted.

THE FEDERAL COURT (SUPPLEMENTAL POWERS) BILL.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I move:

"That the Bill to confer Supplemental Powers on the Federal Court, as reported by the Select Committee, be taken into consideration."

This Bill is a simple measure. As originally introduced, it contained two provisions, but now it contains only one provision. This provision gives the power to the Federal Court to delegate its duties to the Registrar of that Court or any other official of that Court; the Federal Court may also empower the Registrar or any other official to administer oaths. As a matter of fact, the Federal Court has already made rules for this purpose, but it is doubtful whether the Federal Court possesses the power to make those rules. In order to set all doubts at rest, it seems desirable on the part of the Central Legislature to confer the supplemental powers on the Federal Court, and this Bill seeks to serve that purpose.

The Select Committee have made a few verbal alterations in the Bill. The report of the Select Committee is unanimous and the measure is a non-contentious and non-controversial one. As regards the other provision of the original Bill, the Honourable the Law Member assured us in this House that the Government would bring forward a Bill which would be placed before the House without delay. In view of this assurance, I did not press for the inclusion of that provision in the Bill, and the Select Committee deleted that provision. I hope that the Honourable the Law Member will now bring forward his Bill before the end of the current Session and have it referred to the Select Committee. Sir, no other words are needed to commend this Bill to the House. This is a simple and a very important measure. Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to confer Supplemental Powers on the Federal Court, as reported by the Select Committee, be taken into consideration."

The Honourable Sir Sultan Ahmed (Law Member): Sir, this again is a non-controversial Bill, as it has emerged from the Select Committee and Government support it. As regards the assurance that I gave with respect to the amendment so far as Order I Rule 10 of the First schedule of the Civil Procedure Code is concerned, I may inform the Honourable Member and the House that we have taken necessary action to consult the Provincial Governments and the High Courts and the replies have not yet been received. I cannot, therefore, promise that we will be in a position to introduce that Bill during this Session.

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

"That the Bill to confer Supplemental Powers on the Federal Court, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Dr. P. N. Banerjee: Sir, I move:

"That the Bill, as reported by the Select Committee, be passed."

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

"That the Bill, as reported by the Select Committee, be passed."

The motion was adopted.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I move:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of section 4), as reported by the Select Committee, be taken into consideration."

Sir, this was a Bill originally brought with the intention, that the time has arrived, when the practice of allowing untrained, unqualified practitioners,—unqualified in the sense that they are not permitted by any law to appear before courts,—should cease. With that object this Bill was introduced. Discretion at present exists in courts of law to allow any person to appear, with their permission, and plead in cases. The object of this Bill is to delete such provision from the Code of Criminal Procedure. The idea of the Bill was shown clearly in the Statement of Objects and Reasons. I will not take the House through those details now. This Bill was then circulated and the opinions elicited have almost all been in favour of the principle of the Bill. At the last meeting of the Assembly this Bill was taken up and opinions were considered. It was then referred to the Select Committee. The question before the Select Committee was whether the whole power, *i.e.*, the whole discretion which is at present vested in courts should be removed or whether it should be restricted in a certain manner. The Select Committee found that certain exceptions should be made and that the whole power should not be taken away from the courts. This was based on some of the opinions received which contended that some exceptions were necessary in view of the practice that certain persons are being allowed at present to appear before courts, which would do no harm. Those exceptions were considered by the Select Committee. The unanimous opinion of the Select Committee is contained in the report as it has emerged from the Select Committee. Those exceptions I am now placing before the House. The Court is not allowed to permit any persons except in those cases which are mentioned in the Bill. This is a great improvement on the original section. It is hoped that the Higher Courts and the Government will see that Magistrates do not go beyond the exceptions laid down there. The exception is that the Court shall not give such permission except to an officer deputed by Government to act in such proceedings on behalf of an officer of Government accused of an offence.

Mr. President (The Honourable Sir Abdur Rahim): What is the good of reading all these. They are already in the Bill.

Mr. Lalchand Navalrai: The second exception is with respect to a person deputed by an organised society or association to act in such proceedings on behalf of a person accused of an offence and the third exception is with regard to an accused who is unable to secure a qualified vakil. . . .

Mr. President (The Honourable Sir Abdur Rahim): They are all quite plain. The Honourable Member need not go into all these.

Mr. Lalchand Navalrai: It refers to one who has no resources. The Bill is not a contentious measure and I submit that the report of the Select Committee be taken into consideration.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of section 4), as reported by the Select Committee, be taken into consideration."

The Honourable Sir Sultan Ahmed (Law Member): Sir, the Government support the Bill as it has emerged from the Select Committee. The objections which I had raised when this Bill originally came up for discussion at an earlier stage have all been removed now by the Select Committee by providing in clause 2 of the Bill the exceptions which I had mentioned at that time. Sir, I therefore support the motion.

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

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of section 4), as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. Lalchand Navalrai: Sir, I move:

"That the Bill, as reported by the Select Committee, be passed."

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

"That the Bill, as reported by the Select Committee, be passed."

The motion was adopted.

THE RECIPROCITY BILL.

Mr. Govind V. Deshmukh: (Nagpur Division: Non-Muhammadan): Sir, I move:

"That the Bill to make provisions in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British possessions on a basis of reciprocity, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Mr. M. S. Aney, Sir F. E. James, Mr. J. Ramsay Scott, Sir Syed Raza Ali, Syed Ghulam Flik Nairang, Sardar Sant Singh, Mr. Akhil Chandra Datta, Mr. Huseinbhai Abdullabhai Laljee, Mr. N. M. Joshi, Mr. Nacroji M. Dumasia, Qazi Muhammad Ahmad Kazmi, Mr. K. C. Neogy, Mr. Lalchand Navalrai, Khan Bahadur Sir Abdul Hamid and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

[Mr. Govind V. Deshmukh.]

Sir, I see notice of an amendment by Honourable Mr. Aney. I should like to know the reasons for desiring an adjournment and after 12 noon, hearing the Honourable Member I may be disposed to agree with his views.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to make provisions in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British possessions on a basis of reciprocity, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Mr. M. S. Aney, Sir F. E. James, Mr. J. Ramsay Scott, Sir Syed Raza Ali, Syed Ghulam Bhik Nairang, Sardar Sant Singh, Mr. Akhil Chandra Datta, Mr. Huseinbhai Abdullabhai Laljee, Mr. N. M. Joshi, Mr. Naoroji M. Dumasia, Qazi Muhammad Ahmad Kazmi, Mr. K. C. Neogy, Mr. Lalchand Navarai, Khan Bahadur Sir Abdul Hamid and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The Honourable Mr. M. S. Aney (Member for Indians Overseas): Sir, I move:

"That the debate on the motion be adjourned till the next Session of the Assembly."

The motion before the House is for referring the Bill to a Select Committee; and, naturally, if the debate goes on, it will be on the necessity of having the principle of reciprocity accepted by the House. So far as the principle of reciprocity is concerned, the Government of India have, in a way, already conceded it in the Indian Immigration Act of 1924. The present Bill, undoubtedly, goes beyond the scope of the principle recognised and accepted in that Act. On principle Government see no objection to the Bill, and it is more or less consideration of expediency which actuates Government in coming out with this motion. At the present time the Government of India have been in correspondence with certain Colonial Governments and other Governments not to proceed with discriminatory measures which are before them; and I am glad to inform the House that some of them have agreed to that suggestion. The South African Government have already decided not to proceed with discriminatory legislation and I learn that General Smuts has made a statement to the effect that they will not proceed with Ordinances which discriminate against Indians during the war. When we ourselves are asking the Colonial and other Governments, which are covered by the words "British Possessions" in this Bill, not to proceed with discriminatory measures, it is necessary for us to maintain an atmosphere in which they can coolly consider our suggestions to that effect. Any discussion of the present measure is bound to bring out prominently the various discriminatory measures which have been hitherto adopted by these countries and a discussion of that nature is bound to be of a somewhat undesirable nature. I, therefore, think, that in the conditions in which we are now situated, when we feel that the British people and the various colonies and India and other countries should form themselves into a combined block to face a common danger and combat a great evil, attempts should be made to maintain an atmosphere of cordiality, harmony and co-operation among these various elements. In view of this broader necessity of the day we thought that without giving in on the principle we shall not be losing much if the consideration of my

Honourable friend's motion be postponed till the next Session. I am assured by my Honourable friend that if my reasons appeal to him he will have no objection to accept the amendment. I hope my reasons are sufficiently convincing to him and the House. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That the debate on the motion be adjourned till the next Session of the Assembly."

Mr. Govind V. Deshmukh: Sir, the reasons given by the Honourable Member do not all appeal to me; but I agree with him that we are not likely to lose much if the debate is postponed till the next Session of the House. I, therefore, have no objection to the adjournment and accept the motion.

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

"That the debate on the motion be adjourned till the next Session of the Assembly."

The motion was adopted.

THE DELHI MUSLIM WAKFS BILL.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I move:

"That this Assembly do recommend to the Council of State that the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi be referred to a Joint Committee of this Assembly and of the Council of State, and that the Joint Committee do consist of 15 members."

Sir, I would be failing in my duty if I do not thank the Honourable the Home Member who, since this Bill was circulated for opinion, has adopted a sympathetic attitude towards it. So much so that at his instructions a Special Officer was appointed to collect some data as regards the need for such legislation in the province of Delhi. This special officer did not succeed to the extent we hoped and has admitted his failure on page 4 of his report. He says that in the absence of any authentic and consolidated records some sanction of law is necessary which was wanting, and, therefore, he could not do as much as he could have done. Besides there was another obstacle in his way and that was shortness of time. He tried his level best and like a drowning man he struggled hard, but in my opinion he has come to no definite conclusion. I must equally thank the Muslim League Party specially its Leader and Deputy Leader and other office bearers who have taken a great interest in this measure. The Special Officer has tried to find out the number of Wakfs in Delhi, but by mere guess work he has given the number of Wakfs in Delhi as 600 of which he says 65 to be with an income of about Rs. 500. But in the Archaeological report on Hindu and Muslim endowments, written as far back as 1916, I find that the number of mosques in Delhi was 442, the number of mausoleums in which high personalities like kings and nobles are buried is 447, dargahs 14, imambaras 6, and madrassas about a dozen.

Mr. President (The Honourable Sir Abdur Rahim): I do not know what the Honourable Member is talking about. This is only a Resolution and he should not go into the merits of the Bill.

Maulvi Muhammad Abdul Ghani: So I submit there is every necessity for this kind of legislation. Of my own accord I did not like to proceed with it. On the 18th March there was a big gathering of Muslims in Delhi,—above 30,000,—and they demanded such legislation. It was not by individual opinion that I wanted to thrust this kind of legislation to the people of Delhi. However, I should be brief because there is no necessity of placing all these things before the House. I will only point out one or two salient points bearing on the subject. Delhi people are very keen to have adequate representation on the Mujlis which is provided under clause 8, but they want that the words “residents of Delhi” should be specifically mentioned. I do not grudge that and I hope the Select Committee will go through it and see that that demand is acceded to. In the opinion of some people I have given ample power to the Local Government so much so that I have preferred to have a nominated president. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is again going into the merits of the Bill.

Maulvi Muhammad Abdul Ghani: Well, Sir, I move the Resolution.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That this Assembly do recommend to the Council of State that the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi be referred to a Joint Committee of this Assembly and of the Council of State, and that the Joint Committee do consist of 18 members.”

The Honourable Sir Reginald Maxwell (Home Member): Sir, Government support the motion.

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

“That this Assembly do recommend to the Council of State that the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi be referred to a Joint Committee of this Assembly and of the Council of State, and that the Joint Committee do consist of 18 members.”

The motion was adopted.

THE INDIAN SUCCESSION (AMENDMENT) BILL.

Dr. F. X. DeSouza (Nominated Non-Official): Sir, I move:

“That the Bill further to amend the Indian Succession Act, 1925, be taken into consideration.”

In my Statement of Objects and Reasons I have stated fully the circumstances under which it was necessary for me to introduce this Bill in this Honourable House, but I find on further consideration and reference to the various District Associations throughout Southern India that there are many controversial points in this measure which necessitate further enquiry and further eliciting of opinion. Where the shoe pinches is not the necessity of obtaining probate but the necessity of having to pay probate

duty. The Bill will have to be redrafted accordingly. Without, therefore, wasting the time of the House in discussing the merits or demerits of the Bill as it stands I accept the amendment proposed by the Honourable the Law Member that the Bill should be circulated for eliciting public opinion.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That the Bill further to amend the Indian Succession Act, 1925, be taken into consideration.”

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move:

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st July, 1942.”

I do not want to give any further reason as the Honourable the Mover himself has felt the desirability of such a course.

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

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st July, 1942.”

The motion was adopted.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move:

“That the Bill further to amend the Code of Criminal Procedure, 1898, for the abolition of Sessions trials with the aid of assessors be circulated for the purpose of eliciting opinion thereon by the 31st August, 1942.”

Sir, the history of these assessors is rather a long one. I do not like to go into the whole history as the Government Benches do not want me to, but what I submit is, as I have stated in the Statement of Objects and Reasons, that they came into being in place of the old Kauzis and Muftis who used to be associated with the English District Judges in operating the law and giving the sentence. Almost the whole thing was done by them, they sat with the District Judges, they heard the evidence and, according to certain rules of interpretation, which were in accordance with the Muhammadan Law, gave their verdict as to the factum of the man having committed the offence as well as prescribed the sentence, and if the District Judge differed from them he had to make a report to the Qazi-ul-Qauzat in respect of it and he used to confirm or set aside the Fatwa of the Kauzi or Mufti. Up to 1862, that practice continued and, later on, English Law came into force gradually, and these gentlemen were gradually removed. In the Code of Criminal Procedure, 1862, we find that instead of Kauzi and Mufti the trial was held with the aid of two gentlemen who were called assessors. From 1862 onwards, two assessors continued to be associated with the District Judges, and, in 1923, we find that the number was increased from two to three or more. Probably the idea at that time was that two may not have a good opportunity of expressing good opinion, and, therefore, there may be three or four. Practice, however, shows that it is absolutely a useless farce, and I personally think that no gentleman who has ever practised at the Bar and dealt with cases can ever have a good word to say in respect of trials with the aid of assessors. What is the use of

[Qazi Muhammad Ahmad Kazmi.]

such people whose opinion is of absolutely no value? The Bill is intended only for circulation for eliciting opinion thereon, and it will not be necessary for me at this stage to go very deeply into the merits of the Bill itself, but I have got one or two reports on the Administration of Criminal Justice in the Province of Bihar and Orissa from which I would like to quote. In 1932, the Report says:

"The Sessions Judge of Manbhum-Sambalpur reports that little aid is generally received from the assessors available since they are not sufficiently educated and are lacking in a sense of responsibility. The Sessions Judge of Muzaffarpur reports that he did not find the assessors useful. The Sessions Judge of Darbhanga, the statistics of which present a contrast to those of most other districts, reports that the assessors are not always of assistance to the Court: there was, however, no sufficient reason to suspect the *bona-fides* of the opinions expressed by them—the majority of the assessors are not intelligent."

This is a thing which is to be found in almost every administration report on criminal justice throughout India. At some time it might have been a source of some income to the assessors; but, as a matter of fact, that little income is not so much to be considered by this House as the inconvenience to the assessors themselves; and if the Government try to get persons who are intelligent and who may have some opinions to express, then they will have to pay them a larger amount; but even that would not matter if really criminal justice can be carried on with the help of intelligent people; but my submission is that the judges do not think that any value can be attached to the opinions of assessors who sit with them. Judges who are trained in law and who know the relevancy or irrelevancy of matters do not attach the least value to the assessors' opinion. If the judge finds that he agrees with the assessors, he says I agree with so many assessors; if he disagrees, then he says I disagree: this is the only use of assessors and this is a useless waste of public money and no useful purpose is served by them. So I propose that this Bill may be circulated for the purpose of eliciting public opinion.

The Honourable Sir Sultan Ahmed (Law Member): Sir, our attitude is one of neutrality at present; but I should have thought that these were not the days when a system which had been in existence for over eighty years should have been brought before the House for modification. But if the House likes to have the Bill circulated, the Government certainly will not stand in the way.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member wish to say anything?

Qazi Muhammad Ahmad Kazmi: I do not think there is anybody who is opposed to the Bill; everybody is in favour of circulation.

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

"That the Bill further to amend the Code of Criminal Procedure, 1898, for the abolition of Sessions trials with the aid of assessors be circulated for the purpose of eliciting opinion thereon by the 31st August, 1942."

The motion was adopted.

THE MUSLIM PERSONAL LAW (SHARIAT) APPLICATION (SECOND AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I beg to move:

"That the Bill further to amend the Muslim Personal Law (Shariat) Application Act, 1937 (Second Amendment), be circulated for the purpose of eliciting opinion thereon by the 31st August, 1942."

I understand that in respect of this Bill the Government may leave it to the opinion of the Muslim Members, and I personally had a talk with most of them. . . .

The Honourable Sir Sultan Ahmed (Law Member): Non-official Members.

Qazi Muhammad Ahmad Kazmi: This Bill is practically for one community. It was in 1935 that the Bill was introduced in this form which is commended to this House by this amendment; but at that time it was thought advisable that, instead of making the Muslim Personal Law obligatory on all persons without any condition, it would be necessary to split it up into two parts, one part necessarily and compulsorily applicable to every Muslim, while, in the case of wills and legacies, the thing may be left at the option of the person concerned. That was incorporated in the Bill at the time it came before the House; it was not before the Select Committee that this amendment was considered fit to be incorporated. This incorporation was mostly due to the fact that we had already passed in 1920 in this House a Bill regarding Cutchi Memons who have been following the old customary law of India for a very long time. In 1920, a Bill was enacted on the same lines on which the present Act before the House was enacted, though it was left to the option of the persons concerned to make a declaration to the prescribed authority, and then the Muslim Personal Law was to be applicable to them. It was just to incorporate that in the Cutchi Memons Act that this Act was also split up into two parts, one about compulsory application, and the other about qualified application. But in 1938 even the Cutchi Memon community, who have been very much in favour of Muslim law, thought it fit to get a repeal of the old Act of 1920. Now, according to that Act, the whole of the Muslim Personal Law applies to them. This Bill is intended only to make up that defect of the present Act, and I commend it for the consideration of the House. It is only to be circulated for eliciting opinion, and the House will have to consider its merits when the opinions of the Muslim community have been obtained.

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

"That the Bill further to amend the Muslim Personal Law (Shariat) Application Act, 1937 (Second Amendment), be circulated for the purpose of eliciting opinion thereon by the 31st August, 1942."

The motion was adopted.

THE USURIOUS LOANS (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, for the time being I do not move this Bill.

(1511)

THE INDIAN MEDICAL COUNCIL (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Medical Council Act, 1933.

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

"That leave be granted to introduce a Bill further to amend the Indian Medical Council Act, 1933."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

THE SUGAR INDUSTRY (PROTECTION) REPEALING BILL.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill to repeal the Sugar Industry (Protection) Act, 1932.

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

"That leave be granted to introduce a Bill to repeal the Sugar Industry (Protection) Act, 1932."

The motion was adopted.

Dr. Sir Ziauddin Ahmad: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of Sections 386 and 539B).

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

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of Sections 386 and 539B)."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

THE INDIAN TEA CESS REPEALING BILL.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill to repeal the Indian Tea Cess Act, 1903.

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

"That leave be granted to introduce a Bill to repeal the Indian Tea Cess Act, 1903."

The motion was adopted.

Dr. Sir Ziauddin Ahmad: Sir, I introduce the Bill.

(1512)

THE INDIAN STATES (PROTECTION AGAINST DISAFFECTION) AMENDMENT BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move for leave to introduce a Bill to amend the Indian States (Protection against Disaffection) Act, 1922, for a certain purpose.

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

"That leave be granted to introduce a Bill to amend the Indian States (Protection against Disaffection) Act, 1922, for a certain purpose."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

Mr. President (The Honourable Sir Abdur Rahim): That finishes the agenda.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 25th March, 1942.

(1513)

LEGISLATIVE ASSEMBLY

Wednesday, 25th March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Waman Gopal Joshi, M.L.A. (Berar: Non-Muhammadan).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

COMPARTMENTAL OR SUPPLEMENTARY SYSTEM OF EXAMINATIONS IN UNIVERSITIES.

†260. *Maulvi Muhammad Abdul Ghani: (a) Will the Honourable Member for Education, Health and Lands be pleased to state whether there is compartmental or supplementary system of examination in the Aligarh, Delhi and the Benares Universities? If so, in what form?

(b) Will he also please state if such system of examinations exists in other Universities of India? If so, in which of them, and how does it work?

The Honourable Mr. N. R. Sarker: (a) and (b). Compartmental or Supplementary examinations in some courses are in vogue in all Indian Universities including the Aligarh Muslim, Benares Hindu and Delhi Universities. The details are available in the calendars of the respective Universities.

REPAIRS OF ANCIENT MONUMENTS IN DELHI.

†261. *Maulana Zafar Ali Khan: (a) Will the Honourable Member for Education, Health and Lands be pleased to state if the repairs to the ancient monuments in Delhi previously done by the Central Public Works Department have now been transferred to the Director General of Archaeology?

(b) Is it a fact that a portion of the Khairul Manazil mosque at Delhi has recently fallen down, and that the Moth-ki-Masjid requires immediate attention to save it from collapse? If so, will the Honourable Member kindly state the amount spent annually on repairs to each of these mosques during the last three years?

(c) Is he also aware that the ancient monuments in Delhi represent the Muslim art and culture of more than seven centuries, and does he know that Muslims are extremely anxious for their safety?

†Answer to this question laid on the table, the questioner being absent.

(d) Will he kindly state if any qualified engineering staff is attached to the Director General of Archaeology to prepare estimates and supervise repairs to the ancient monuments at Delhi? If not, why has he been allowed to do that work himself by getting it transferred from the Central Public Works Department?

(e) Will he kindly state if any list of approved contractors is maintained by the Central Public Works Department and whether any building work is entrusted to any contractor who has not previous experience of such work and whose financial condition is not sound?

(f) Will he kindly state if the principles adopted by the Central Public Works Department in giving contracts are followed by the Director General of Archaeology? If not, why not?

The Honourable Mr. N. R. Sarker: (a) Yes. The Archaeological Survey took over the execution of repairs to protected monuments in Delhi from the Public Works Department in 1938.

(b) A part of the main entrance to the Khairul Manzil mosque fell down in January, 1942. It is reported that the condition of the Moth-ki-Masjid is not such as to require immediate attention to save it from collapse. No repairs to these monuments were carried out during the last three years.

(c) Yes.

(d) There is no qualified engineer on the staff of the Director General of Archaeology, but estimates are prepared and repairs supervised by a conservation assistant who is experienced in such work, under the direction of a qualified architect. The execution of repairs was transferred to the Director General of Archaeology because when it was decided that his office should not move to Simla but should be permanently located in Delhi, it was considered that the work could be supervised by the Director General with the assistance of the staff referred to above.

(e) The reply to the first part is in the affirmative and to the second in the negative.

(f) Yes. The second part of the question does not arise.

UNSAFETY OF SHOPS IN NEW DELHI.

†262. ***Mr. Umar Aly Shah:** (a) Will the Honourable the Education Member kindly state whether Government have directed that landlords should make structures safe so as to protect lives of citizens?

(b) Are Government aware that shops in New Delhi are left unsafe in case disorder prevails?

(c) Is it a fact that the New Delhi Municipal Committee do not allow persons to sleep in the shops and these are therefore in danger of being burgled, etc.?

(d) Are Government aware that the windows, doors and show cases are of glass and are quite unguarded?

(e) Is it a fact that insurance companies are refusing to insure such shops, even against burglary, theft or larceny risk?

†Answer to this question laid on the table, the questioner being absent.

(f) Will Government kindly state how they intend to relieve the shopkeepers?

The Honourable Mr. N. R. Sarker: The information has been called for and a reply will be furnished to the House when it is received.

OPENING OF A LANE IN KAROL BAGH, DELHI.

263. ***Mr. Muhammad Azhar Ali:** (a) Is the Honourable Member for Education, Health and Lands aware that as far back as 1938 a representation signed by the residents of NN Block Naiwala, Karol Bagh, Delhi requesting the Chairman, Delhi Improvement Trust, to open a lane was made but no action has so far been taken nor the residents have so far been informed of the fate of that representation?

(b) Is he aware that reminder, dated the 14th April, 1939, wherein the old subject matter was repeated, did not result in any favourable consideration nor any reply was received by the signatories?

(c) Is he aware that another representation made again did not have any response?

(d) Is he further aware that there have been representations in the year 1941 but no reply has so far been given to the signatories?

(e) Will he be pleased to consider the desirability of ordering the improvement to be carried out by the Trust at an early date by acquiring the land from the lessee who is prepared to give up the land for the purpose?

The Honourable Mr. N. R. Sarker: (a) A representation was made to the Delhi Improvement Trust on the 12th November, 1938, to which a reply was sent on the 14th January, 1939.

(b) Yes; a further representation dated the 14th April, 1939, was received by the Trust, but it did not disclose any new facts.

(c) and (d). Between the 14th April, 1939, and 13th January, 1942, no representation appears to have been received. Another representation dated the 13th January, 1942, was, however, received and an enquiry was held at the site in question on the 9th March, 1942.

(e) I will consider whether any action in the matter should be taken by Government.

Mr. Muhammad Azhar Ali: In view of the fact that no reply has been received, what action does the Honourable Member propose to take?

The Honourable Mr. N. R. Sarker: No action is necessary, because there were no new facts elicited. The first letter was replied to, but to the second letter on the same subject no reply was needed.

LAND ACQUIRED AND BUILDINGS PURCHASED BY THE DELHI IMPROVEMENT TRUST.

264. ***Mr. Muhammad Azhar Ali:** Will the Honourable Member for Education, Health and Lands state the particulars of lands and buildings

acquired and purchased by the Delhi Improvement Trust and the purposes for which each one was purchased or acquired since the Trust came into existence?

The Honourable Mr. N. R. Sarker: The time and labour involved in the collection of the information asked for by the Honourable Member will not be commensurate with the results.

CLERKS' QUARTERS TO BE BUILT IN DELHI.

265. *Mr. Muhammad Azhar Ali: (a) Will the Labour Secretary please state the total number of clerks quarters which are proposed to be built in Delhi during the next financial year and how many of them will be (i) unorthodox and (ii) orthodox?

(b) Is it proposed to build any 'C' type orthodox quarters this year as well? If not, why not?

(c) Is it a fact that it is proposed to build all these quarters in Karol Bagh on a site for which Government will be required to pay a heavy sum to the Delhi Improvement Trust? If so, why cannot this expenditure be avoided by confining the construction within the limits of New Delhi Municipal Committee?

(d) Was any proposal to build officers' bungalows in Karol Bagh area ever considered and is it proposed to build officers' bungalows there also? If not, what are the reasons for this attempted isolation of the clerical staff to an area which is situated outside the limits of New Delhi Municipal Committee?

(e) Do Government propose to consider the desirability of confining the construction of all the quarters of clerks and others within the area of New Delhi Municipal Committee? If not, why not?

Mr. H. C. Prior: (a) and (b). It has been decided to construct about 100 clerks' quarters during the next financial year. These quarters will correspond roughly to 'D' type unorthodox clerks quarters but will be allotted, by priority of arrival seniority to all classes of clerks who cannot get the allotment of the existing quarters, whether orthodox or unorthodox.

(c) Yes; developed sites are not available in New Delhi and owing to difficulties in securing material required for development of sites, a developed plot of land belonging to the Delhi Improvement Trust near Karol Bagh has been purchased from the Trust at the actual development cost. The possibility of constructing the additional quarters on vacant spaces between the existing quarters in New Delhi was also examined but the only area that could be utilised was sufficient only for 30 quarters.

(d) No. I have stated above the reasons for building the quarters outside the limits of the New Delhi Municipal Committee: these considerations did not apply to the recent construction of officers bungalows.

(e) Where suitable sites within the area of New Delhi Municipal Committee are available for the number of quarters proposed they will certainly be used.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member kindly tell us what is the cost involved in the construction of these 100 "D" type quarters?

Mr. H. C. Prior: I think it is about Rs. 18 lakhs, but I should like to verify it.

Pandit Lakshmi Kanta Maitra: Was the sanction of the Standing Finance Committee obtained for the purpose of that construction?

Mr. H. C. Prior: I think so, but there again I should like to verify it.

OFFICIATING ALLOWANCES TO JUNIOR READERS ACTING AS SENIOR READERS IN THE GOVERNMENT OF INDIA PRESSES.

266. *Mr. Ananga Mohan Dam: (a) With reference to his answer to unstarred question No. 60, asked by Bhai Parmia Nand on the 26th February, 1941, that the matter was under consideration, will the Labour Secretary please state what has been done in respect of granting officiating allowance to Junior Readers required to do Senior Readers work without any remuneration when deputation or leave vacancies occur in that cadre in the Government of India Presses?

(b) Is it a fact that in the case of temporary posts of Senior Readers created last year in the New Delhi Press, officiating allowance was allowed to lower grade Readers officiating in higher grades of Senior Readers? If so, will the Labour Secretary please state if he is prepared to remove the anomaly by making the same provision in the case of leave vacancies and deputation posts of the permanent establishment?

(c) Is he further aware of the fact that in the case of a recent transfer of a Senior Reader to the Calcutta Press on probation a deputation post in the Senior Reader's cadre fell vacant which could not be filled by promotion of a Junior Reader on account of this deficiency in the rules?

(d) In view of the hardships of the Junior Readers and also in view of his answer to starred question No. 274, asked by Mr. Satyendra Chandra Mitra, on the 30th January, 1929, that the responsibilities of a Reader vary according to the grade in which he is employed, will the Labour Secretary please state if he proposes to make the necessary provision for the grant of officiating allowances to Junior Readers acting as Senior Readers in the permanent establishment as well in accordance with Fundamental Rule 30?

Mr. H. C. Prior: (a) and (d). Orders are about to issue under which a reader in the lower scale while officiating in a higher scale for a period exceeding one month will be eligible to officiating pay under Fundamental Rule 30.

(b) No. The facts are that certain temporary posts of readers were sanctioned for the New Delhi Press on higher rates of pay to cope with increase of work due to war and junior readers were appointed to hold those posts substantively. No officiation was, therefore, involved. The latter part of the question does not arise.

(c) The vacancy occurred by the transfer of an upper grade reader who retained a lien on his substantive post in the New Delhi Press. The vacancy was, therefore, an officiating one and the promotion of a lower grade reader to it was not permissible under the existing orders, which as stated in reply to part (a) above are being revised.

CENTRALISED PRIMARY AND MIDDLE SCHOOL EXAMINATIONS IN BALUCHISTAN.

267. *Mr. H. A. Sathar H. Essak Sait (on behalf of Maulvi Syed Murtuza Sahib Bahadur): (a) Will the Honourable the Education Member please state whether it is a fact that there exist in Baluchistan Centralised primary and middle school examinations?

(b) Do such examinations exist in the Punjab to which Baluchistan schools are affiliated?

(c) If the answer to part (b) above be in the negative, will the Honourable Member please state why this distinction exists in Baluchistan which is indeed very backward in education?

The Honourable Mr. N. R. Sarker: (a) Yes.

(b) There is a centralised examination at the end of the Middle Stage in the Punjab but I am not aware whether the test at the end of the primary stage is centralised or not. Incidentally, I may mention that schools in Baluchistan are not under the Punjab Education Department.

(c) Does not arise.

ORDER REQUIRING STUDENTS TO DISCONTINUE STUDIES AFTER TWO CONSECUTIVE YEARS' FAILURE IN BALUCHISTAN.

268. *Mr. H. A. Sathar H. Essak Sait (on behalf of Maulvi Syed Murtuza Sahib Bahadur): Will the Honourable the Education Member please state:

(a) whether it is a fact that an order has been issued by the Education Department in Baluchistan to the effect that those students who remain for two consecutive years in the same class should not be allowed to continue their studies;

(b) whether such an order exists anywhere in India; and

(c) whether it is not a fact that under this order a pupil who for some reason or the other fails in his examinations consecutively for two years even in very early stages of his education would be prevented from acquiring any education at all and be forced to remain uneducated and even illiterate for the rest of his life?

The Honourable Mr. N. R. Sarker: (a) Yes. The order was issued by the Central Government on the unanimous recommendation of a Provincial Conference of Headmasters and Headmistresses of Secondary Schools in Baluchistan.

(b) Similar orders are also in force in certain other provinces, e.g., Bihar, the United Provinces and the Central Provinces and Berar.

(c) Not necessarily. The Superintendent of Education, Baluchistan, has discretion to permit a pupil to be retained for a third year in the same class if the boy's education has been retarded in the two previous years owing to illness or other sufficient cause.

Mr. H. A. Sathar H. Essak Sait: Is it a fact that in Bihar and other provinces mentioned by the Honourable Member this order prevails from

the beginning of the educational career or after some particular examination? In Madras I know that it is in the S. S. L. C. stage that this order comes into force. In the provinces mentioned by the Honourable Member is it just like in Baluchistan?

The Honourable Mr. N. R. Sarker: Yes, it is as in Baluchistan.

Mr. H. A. Sathar H. Essak Sait: With reference to his reply to part (c), it is evident that the Honourable Member himself realises that this does work rather adversely. Will he look into this question personally and see that some relief is given to all these boys, because, as stated in part (c), the education of the boys is being retarded from the very beginning of their school career and something ought to be done?

The Honourable Mr. N. R. Sarker: The provision for relief is already there. The Superintendent of Education always hears what the difficulties are, and if he is satisfied, he allows the boy to go on for a third year.

Mr. H. A. Sathar H. Essak Sait: Is he one officer for the whole province?

The Honourable Mr. N. R. Sarker: Yes.

COLLEGES AND GIRLS' HIGH SCHOOLS IN BALUCHISTAN.

269. *Mr. H. A. Sathar H. Essak Sait: Will the Honourable the Education Member please state:

(a) whether there is a single college of any grade in Baluchistan; and

(b) whether there is a single Government Girls' High School in Baluchistan?

The Honourable Mr. N. R. Sarker: (a) No; but the new Government Higher Secondary School, which is due to be opened this summer, will contain Intermediate classes.

(b) No; but the present programme of educational expansion in Baluchistan provides for the construction of a new Government High School for girls in Quetta, which it is hoped will be opened in 1943.

GIRLS' HIGH SCHOOLS IN BALUCHISTAN.

270. *Mr. H. A. Sathar H. Essak Sait: (a) Will the Honourable the Education Member please state how many Girls' High Schools exist in Baluchistan which are run by different communities?

(b) How many Muslim girls are educated in these Girls' High Schools?

(c) Is it a fact that last year an order was issued by the Education Department in Baluchistan prohibiting the use of Urdu as the medium of instruction in these denominational Girls' High School? If so, why?

The Honourable Mr. N. R. Sarker: (a) Two.

(b) 173.

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

GOVERNMENT PRIMARY SCHOOL OPPOSITE ISLAMIA HIGH SCHOOL IN QUETTA.

271. *Mr. H. A. Sathar H. Essak Sait: (a) Will the Honourable the Education Member please state whether it is a fact that Government have constructed a Primary School in Quetta at a cost of a lakh and half of rupees just opposite the Islamia High School in Quetta?

(b) Are Government aware that to avoid this unhealthy competition the Islamia High School decided to shift their Primary Department from its present location in the High School building and started building a new Primary School somewhere else?

(c) Is it a fact that Government later announced that they would locate their Pishin High School in the Primary School building at Quetta?

(d) Are Government aware that the Islamia High School is the only High School managed by Muslims in Baluchistan?

The Honourable Mr. N. R. Sarker: (a) Yes.

(b) The Islamia High School have commenced building a new Primary Department on a different site. Their motives for doing so are not known.

(c) Yes; but the High School classes have been housed in the Primary School building as a purely temporary measure, because the Higher Secondary School building is not yet quite ready for occupation. They will, it is hoped, be moved to the new building within the next three months. I may add that the School was in Quetta before the earthquake of 1935 and was transferred to Pishin as a temporary expedient.

(d) Yes.

Mr. H. A. Sathar H. Essak Sait: Why should it not continue at Pishin, until the new building is ready?

The Honourable Mr. N. R. Sarker: There was a primary school building at Quetta. When the Government have got their own school building, which could house the high classes temporarily, it was transferred.

Mr. H. A. Sathar H. Essak Sait: The Honourable Member has not understood me. This Pishin school was there already. It was suddenly transferred to the Quetta Primary School building. I ask why. It could have continued there.

The Honourable Mr. N. R. Sarker: Because the Primary school building is there. So, it was transferred as a temporary expedient to the Primary school. It will have to be transferred to the new building this year.

Mr. H. A. Sathar H. Essak Sait: What I stated was that the school did continue there in Pishin. It has now been transferred to Quetta. Why this temporary transfer for a few days?

The Honourable Mr. N. R. Sarker: For administrative convenience.

Mr. H. A. Sathar H. Essak Sait: That leads to unhealthy competition between the two schools. Was that taken into consideration?

The Honourable Mr. N. R. Sarker: There was no competition because there was an enrolment of 65 out of which two came from the Islamia High School.

ORDER REQUIRING CLOSING DOWN OF HIGH SCHOOL CLASSES OF PRIVATE HIGH SCHOOLS IN QUETTA.

272. *Mr. H. A. Sathar H. Essak Sait: Will the Honourable the Education Member please state:

(a) whether it is a fact that an order was served on all the privately managed High Schools in Quetta to close down their High School classes;

(b) whether this order has been temporarily set aside for one year due to very strong protest from all communities; and

(c) if the answer to part (a) above be in the affirmative, will the Honourable Member be pleased to state the policy underlying this order?

The Honourable Mr. N. R. Sarker: (a) Government recognition and grant-in-aid for High Classes, which had been extended to denominational High Schools as a temporary measure after the earthquake of 1935, were ordered to be discontinued with effect from April, 1942, when the Government Higher Secondary School was expected to be opened in the new building at Quetta.

(b) The application of this order has been postponed for one year because the Government High School building is not yet ready for occupation.

(c) There are not enough students in Quetta who proceed to higher education, to justify five high schools in that town. The proposal to concentrate high school classes in the Government Higher Secondary School at Quetta has for its object the avoidance of unnecessary duplication of higher classes and consequent waste of public money. It is also considered that the adoption of this proposal would make it possible to provide in the Government School a better type of education with varied courses of study, which it would not be possible to do if the limited number of students reading in the higher classes were distributed among a number of schools.

Mr. H. A. Sathar H. Essak Sait: With reference to clause (c), would not the waste of money have been saved by the Government by not undertaking this school building, rather than closing five other schools?

The Honourable Mr. N. R. Sarker: There are not sufficient students for five different schools.

Mr. H. A. Sathar H. Essak Sait: Then why have it? That money could have been utilised for furthering primary education.

The Honourable Mr. N. R. Sarker: The proposal is to give a good education in a central High School which it is not possible for private schools.

UNSTARRED QUESTIONS AND ANSWERS.

RECRUITMENT OF CERTAIN STAFF FOR WAR TECHNICAL TRAINING SCHEME.

75. Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Labour Secretary please state what is the method of recruitment of the following categories of staff in the War Technical Training Scheme:—(i) Chief Instructors, (ii) Assistant Chief Instructors, (iii) Instructors, and (iv) Learner-instructors?

(b) What are the minimum educational and technical qualifications required of the candidates referred to in part (a) above?

(c) What is the ratio of communal representation observed in the recruitment to the categories of staff referred to in part (a) above? Will the Labour Secretary please lay on the table a statement containing the following information regarding the War Technical Training Scheme of the Government of India:—(i) the name of the Head of the Technical Training Scheme, (ii) the centres of the Scheme all over India, (iii) the number of Chief Instructors and other staff employed in each centre, (iv) the number of trainees being sent out from each centre, and (v) the technical and educational qualification of the staff employed at the various centres and the rates of pay given?

(d) Is it a fact that there are three Sikh Assistant Chief Instructors, two Hindu Assistant Chief Instructors and only one Muslim who has recently been promoted thereto? If so, why? If not, what are the facts and the reasons thereof?

(e) What steps have Government taken to ensure a sufficient number of Muslims getting their share of these posts? If none, why? What do they propose to do now to redress these communal inequalities?

Mr. H. C. Prior: (a) There are only three classes of Instructor—Specialist Instructors, Supervisor Instructors and Mistry Instructors. There are also training classes at certain centres for candidates for the second and third classes. The Specialist Instructors are British and were recruited from the United Kingdom through the Ministry of Labour from among Instructors at English Training Centres. At one centre the Specialist Instructors have been given the designation of Chief Instructors and the Supervisor Instructors the title of Assistant Chief Instructors. Supervisor and Mistry Instructors are recruited by the Heads of Training Centres usually by advertisement in the press. Where difficulty is experienced in obtaining suitable men, the Regional Inspector is consulted and if he cannot help, men are conscripted from industry under section 10 of the National Service (Technical Personnel) Ordinance, 1940, through the agency of National Service Labour Tribunals.

(b) The qualifications required of Supervisor and Mistry Instructors are shown in the statement laid on the table. Persons who are accepted

(1524)

UNSTARRED QUESTIONS AND ANSWERS

1525

for training as Instructors are also expected to have these qualifications, but owing to the shortage of skilled personnel it has not been found possible to insist on them in the case either of persons appointed as Instructors or of those accepted as Instructor trainees.

(c) No ratio of communal representation is observed in the recruitment of Instructors. The replies to the second part of this question are as follows:—

(i) There is no "Head of the Technical Training Scheme". The Scheme is run directly by the Labour Department of the Government of India.

(ii) A booklet* containing particulars of the 311 Technical Training Centres is laid on the table.

(iii). (iv) and (v). The collection of this information would involve an expenditure of time and labour which in present circumstances could not be justified. The total number of trainees who have so far passed out from Training Centres is 4,872.

(d) In the absence of the name of the Centre, it is not possible to reply to this question.

(e) It has not been necessary to take any steps. There is an acute shortage of Instructors and if any orders were issued regarding communal representation, it would interfere seriously with the progress of the Scheme and the war effort. If Honourable Member is aware of any suitable persons, will he pass their names to this Department.

GOVERNMENT OF INDIA.

DEPARTMENT OF LABOUR.

Technical Training Scheme.

I. Superior Instructors.

(a) Pay Rs. 75—200 per month according to qualifications and experience.

(b) Candidates must—

- (1) have passed the matriculation or an equivalent examination;
- (2) have completed a course of instruction at an engineering college or technical institution;
- (3) have served an apprenticeship in the trade and have had subsequent practical experience;
- (4) be able to read and work accurately to drawings; and
- (5) be not less than 25 years of age.

Experience in teaching will be an additional qualification.

*Not printed in these debates, but the copy has been placed in the Library of the House.—Ed. of D.

II. *Mistry Instructors.*

(a) Pay Rs. 40—100 according to qualifications and experience..

(b) Candidates must have served an apprenticeship in the trade and have had 5 years subsequent practical experience. They must also be able—

(1) to read and write;

(2) to read and work to drawings; and

(3) to use measuring instruments.

A knowledge of English will be an additional qualification.

III. All candidates will be required to undergo a practical test before appointment.

FUNCTIONS OF NATIONAL LABOUR TRIBUNALS.

76. **Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Labour Secretary please state what are the functions of the National Labour Tribunals?

(b) Will he please throw light on the activities of the Punjab and North-West Frontier Labour Tribunal in respect of the Muslim and non-Muslim Technical Staff who left the employment of Moghulpura Railway Workshop, Lahore? Was any differential treatment meted out to Muslims and non-Muslims? If so, why and with what result? If not, what are the facts?

Mr. H. C. Prior: (a) The function of National Service Labour Tribunals is to control the employment and distribution of skilled and semi-skilled labour and ensure that it is used as effectively as possible in the prosecution of the war.

(b) Government have no reason to suppose that the Muslim labour referred to is being treated in any way differently from other communities.

RECRUITMENT OF TECHNICAL STAFF OF THE DELHI POLYTECHNIC HIGH SCHOOL.

77. **Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Honourable the Education Member please state what is the method of recruitment to the technical staff of the Delhi Polytechnic High School and what are the minimum educational and technical qualifications prescribed for the candidates in respect of the following categories of the staff:—(i) Instructors in Wood Work and Assistants to the Instructor, (ii) Instructor in General Engineering and Workshop Practice and Assistant to the Instructor, (iii) Teacher-in-charge of the Technical High School, (iv) Heads of the four Technical Departments of the Technical High School, and (v) Head Clerk and other clerks?

(b) What is the communal ratio observed in recruitment to the categories of staff referred to in part (a) above? Is it the Punjab ratio of 50 per cent. or the all-India ratio of 25 per cent. in regard to Muslims? What are the reasons for observing either of the ratios? Have they been reached in all cases? If not, why not?

(c) Will the Honourable Member please lay on the table a statement in respect of both temporary and permanent personnel containing the names, posts held, date of appointment to that post, previous employment, if any, date of promotion, and the technical and educational qualifications possessed by the incumbents of the posts referred to in part (a) above?

The Honourable Mr. N. R. Sarker: (a) The Delhi Polytechnic consists of a Technical High School and four senior Vocational Departments. The Principal and Vice-Principal have been appointed by the Government of India in consultation with the Federal Public Service Commission and the staff of the Commerce Department has been taken over from the Government Commercial Institute, Delhi, which has been absorbed into the Polytechnic. All other appointments have been made by the Principal after advertising the vacancies in leading papers. The minimum qualifications prescribed for the categories of staff referred to by the Honourable Member are given below:

<i>Designation.</i>	<i>Minimum qualifications.</i>
(i) Instructors in Wood Work	Specialist in wood work possessing diploma of recognised institution.
(ii) Assistant to (i) above	Practical experience in wood work.
(iii) Instructor in General Engineering and Workshop Practice.	Specialist in General Engineering and Workshop Practice possessing diploma of recognised institution.
(iv) Assistant to (iii) above	Engineering and Workshop Practice.
(v) Teacher-in-Charge of the Technical High School.	This is not a separate appointment. One of the senior teachers of the Technical High School has been appointed to hold immediate charge of the High School for administrative convenience.
(vi) Heads of Technical Departments . .	Of the four Senior Vocational Departments of the Polytechnic, two are managed by the Principal and the Vice-Principal; a third is in the charge of a senior teacher of the Technical High School and no separate Heads of Departments have been appointed for these three Departments. The fourth is the Commerce Department and its Head was transferred from the old Government Commercial Institute, Delhi.
(vii) Head Clerk and other clerks . . .	Passing the Matriculation Examination and experience of office work.

(b) The percentage laid down for the recruitment of Muslims is the all-India ratio of 25 per cent., as the Delhi Polytechnic is an all-India Institution directly under the control of the Government of India. The percentage is calculated for the staff as a whole and not for each Department. The proportion of Muslims is actually in excess of the prescribed minimum

(c) A statement is attached.

Statement.

No.	Name.	Community.	Post held.	Date of appointment.	Previous employment.	Academic and/or Technical qualifications.
1	2	3	4	5	6	7
1	Mr. W. W. Wood	European	Principal	29-12-1940	Principal, Mid-Essex Tech. College of Arts, Chelmsford. E.	F.R.I.B.A., M.I.Struct.
2	Mr. S. C. Sen	Hindu	Vice-Principal	30-6-1941	Chief Engineer, Diakeswari Cotton Mills, Dacca.	B.Sc. (Glas.).
3	Mr. Misbahul Haq	Muslim	Teacher in Maths. (Grade I).	15-7-1941	Teacher, Government High School, Delhi.	B.A., B.T.
4	Mr. Qutubuddin	Do.	Teacher in Maths. (Grade II).	15-7-1941	Do.	M.A. (English) and B.A. with A and B Courses of Maths. S.A.V.
5	Mr. B. R. Saini	Hindu	Teacher in Maths. (Grade III).	15-7-1941	Private tutor	B.A., S.A.V.
6	Mr. Ram Rakha Mal	Do.	Teacher in English (Grade II).	15-7-1941	Teacher, Government High School, Delhi.	B.A., B.T.
7	Mr. Krishan Dass	Do.	Do.	15-7-1941	Do.	M.A.
8	Mr. Vishwa Mitter (Resigned from the forenoon of the 2nd of March, 1942 and Mr. Vas Dev, B.A., appointed temporarily in his place).	Do.	Teacher in English (Grade III).	15-7-1941	Supervisor, Deptt. of Central Excises and Salt, North-West India, Delhi.	M.A. (English); M.A. (Persian).
9	Mr. Duni Chand	Do.	Teacher in History and Geography (Grade II).	15-7-1941	Teacher, Government High School, Delhi.	M.A. (History), S.A.V. (1st Class with History and Geography as special subjects).

10	Mr. Rashid Ahmad	Muslim	Teacher in Urdu (Grade II).	15-7-1941	Manager, Anjuman Taraqqee Urdu, Delhi.	M.A., M.O.L. (Persian) and Adib Fazil.
11	Mr. Viqar Azim	Do.	Do.	15-7-1941	Teacher, Jamia Millia, Delhi.	M.A. (Urdu), Munshi (Persian), B.T.
12	Mr. Om Dutta	Hindu	Teacher in Hindi (Grade II).	15-7-1941	Teacher, Government High School, Delhi.	M.A. (Skt.), M.O.L., O.T. (T).
13	Mr. Mool Raj	Do.	Teacher in Phy. and Hygiene (Grade II).	15-7-1941	Do.	B.A., B.T., S.A.V.
14	Mr. R. R. Seth	Do.	Teacher in General Science (Grade II).	15-7-1941	Chief Chemist, Allahabad Glass Works, Naini, Allahabad.	B.Sc., Ph.D., A.I.C.
15	Mr. Imdad Ali	Muslim	Instructor, Woodwork Shop Practice (Grade II).	15-7-1941	Teacher, Government Industrial School, Delhi.	Diploma in wood work from Mayo School of Arts.
16	Mr. Chandra Kishore	Hindu	Physical Training Instructor (Grade II).	15-7-1941	P. T. Supervisor, Government Normal School, Ghakhar.	B.A., S.A.V., A.P.T.C.
17	Mr. Maha Narain	Do.	Teacher in Commerce (Grade II).	15-7-1941	Teacher, Government High School, Delhi.	Higher Examination in Commerce.
18	Mr. Mohd. Ahmed	Muslim	Teacher in Indian History and Urdu (Grade III).	15-7-1941	Clerk, Reserve Bank of India, Delhi.	B.A.
19	Mr. Jagat Parkash Bhimat	Hindu	Workshop Assistant in Engg.	15-7-1941	Meter Checker, Delhi Electric Supply and Traction, Co., Ltd., Delhi.	Matric. Licensed Electrical Foreman, Delhi Province; Part I of Final Grade Examination, C. & G. London in Elec. Engg.

No.	Name.	Community.	Post held.	Date of appointment.	Previous employment.	Academic and/or Technical qualifications.
1	2	3	4	5	6	7
20	Mr. Mohan Singh Chopra	Sikh	Workshop Assistant in Woodwork.	15-7-1941	Head Draughtsman, Oriental Building and Furnishing Company, Delhi.	Mayo School of Arts Diploma in Woodwork. Sanad of Government Industrial School, Ferozepore.
21	Mr. Shafiq-ul-Hasan (Mr. Riaz Ahmed, Diploma in Metal Work, Mayo School of Arts, appointed in place of Mr. Shafiqul Hasan from the 18th February, 1942).	Muslim	Instructor in Engineering Workshop Practice. (Grade II).	15-7-1941	Assistant Chief Instructor, War Technical Training Centre, Delhi Polytechnic, Delhi.	Diploma in Engineering (Punjab College of Engineering) and other examinations of City and Guilds, London, and Institute of Mechanical Engineers.
22	Mr. K. M. Chakravarty	Hindu.	Instructor in Music (Grade III).	15-7-1941	Music Teacher, M. K. P. Intermediate College, Dehra Dun.	Diploma in Music.
23	Mr. N. R. Chowdhury	Do.	Instructor in Art (Grade II).	1-9-1941	Artist, Hindustan Talimi Sangh.	Diploma in Art. (Visva Bharati).
24	Mr. B. D. Bhatia	Do.	Teacher in Physics, Chemistry and Maths (Grade II).	9-2-1942	Technical Chemist to the Oriental Science Apparatus Works, Limited, Ambala Cantt.	B.Sc. (Hons.) (Chemistry) and M. Sc. (Hons.) (Tech.).
25	Mr. Lakshmi Datt Dikshit	Do.	Librarian	15-7-1941	Teacher, D. A. V. High School, B.A. Daultapur.	
26	Mr. Basheshwar Nath	Do.	Laboratory Assistant	15-7-1941	Laboratory Assistant, Government High School, Delhi.	Ninth Class.
27	Mr. H. R. Kaulra	Do.	Head of the Commerce Department.	1-4-1941	Head Master, Government Commercial Institute, Delhi.	B.A., B.Com.
28	Mr. D. N. Handa	Do.	Teacher in Commerce. (Grade II).	1-4-1941	Lecturer, Government Commercial Institute, Delhi.	B.Com., S.A.V.
29	Mr. Shiv Chand	Do.	Do.	1-4-1941	Do.	B.Com., L.C.C.
30	Mr. B. L. Bhargava	Do.	Do.	1-4-1941	Do.	M.A., B.Com.
<i>Clerical Establishment.</i>						
31	Mr. Kishori Lal	Do.	Head Clerk	1-4-1941	Clerk, Government High School Matric. Delhi.	
32	Mr. Jai Narain Gupta	Do.	Personal Assistant to Principal.	15-7-1941	Stenographer, Buildings and Roads, Department of P.W.D., Bikaner (Rajputana)	
33	Mr. Abdul Majid Khan	Muslim	Cashier	1-3-1941	Clerk, Anglo-Arabic College, Delhi.	Studied upto F.A. Qualified Stenographer.
34	Mr. Aziz Ullah Khan Ghori	Do.	Clerk	13-10-1941	Clerk, Reserve Bank of India Delhi.	Matric and Commercial Diploma (Delhi).

PAUCITY OF MUSLIMS IN THE DELHI POLYTECHNIC HIGH SCHOOL.

78. Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Honourable the Education Member please state if it is a fact that the Heads of three out of the four Departments of the Delhi Polytechnic High School are non-Muslims? If so, why?

(b) Is it a fact that of the four members of the Commerce Department of the Technical High School none is a Muslim?

(c) Is it a fact that the staff comprising of twelve teachers in the Applied Science Department of the Technical High School contains not a single Muslim?

(d) If the replies to parts (a), (b) and (c) above be in the affirmative, what are the reasons for this apparent absence of Muslims from the most important posts in this premier industrial Government institution?

(e) Have any steps been taken to secure Muslims with adequate technical qualifications to fill the posts? If not, why not?

The Honourable Mr. N. R. Sarker: (a) No. Only one separate post of Head of Department has so far been filled. He is a non-Muslim. The attention of the Honourable Member is invited to item (vi) of the reply given to part (a) of his unstarred question No. 77.

(b) Yes.

(c) Yes. The staff of this Department consists of part-time workers who work in an honorary capacity or receive a nominal remuneration.

(d) and (e). The attention of the Honourable Member is invited to the reply given to part (b) of his unstarred question No. 77.

MEDIUM OF INSTRUCTION, ETC., IN THE DELHI POLYTECHNIC HIGH SCHOOL.

79. Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Honourable the Education Member please state what is the medium of instruction in technical subjects at the early stage, the middle stage and the advanced stage in the Delhi Polytechnic High School?

(b) What are the educational and technical qualifications of those responsible for imparting instructions to the students at each stage in Wood Work and General Engineering?

(c) Does the Vice-Principal of the Delhi Polytechnic do any teaching work in technical subjects? If so, what? If not, why not?

(d) Is it a fact that the Vice-Principal has delegated his teaching work to a non-Muslim official who was not selected at the interview and selection made on the 2nd May, 1941?

(e) What other candidates were selected as a result of that interview? Will the Education Member give their names, community, posts to which appointed, and present posts held by each, with technical qualifications possessed by them?

The Honourable Mr. N. R. Sarker: (a) The Technical High School is divided into lower and upper stages. The medium of instruction is Hindustani in the lower and English, with elucidation in Hindustani where necessary, in the upper.

(b) The attention of the Honourable Member is invited to the statement furnished in reply to part (c) of his unstarred question No. 77.

(c) Yes. The Vice-Principal teaches Engineering Drawing in the Technical High School and General Engineering in the Senior Engineering Department. He supervises the teaching of all other Engineering subjects and is also responsible for the conduct of evening classes.

(d) No. With the establishment of the Senior Vocational Departments, the Vice-Principal had to take up teaching work for the evening classes. He had also to undertake more administrative work. The Principal therefore relieved him of part of his teaching work during the day by appointing a part-time worker on a temporary basis. Other teaching duties have since been added to this post and a full-time teacher has been appointed after duly advertising the vacancy.

(e) The attention of the Honourable Member is invited to entries 3 to 23, 25, 26, 31 and 32 of the statement referred to in the reply to part (c) of his unstarred question No. 77.

SUPERVISION OF TECHNICAL INSTRUCTION IN THE DELHI TECHNICAL HIGH SCHOOL.

80. Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Honourable the Education Member please state who supervises the technical instruction in the Technical High School?

(b) What are the technical qualifications of the head teacher of the Technical High School? If he has no technical qualifications, why has he been put in charge of the Technical High School?

The Honourable Mr. N. R. Sarker: (a) The Principal himself supervises the technical instruction.

(b) One of the senior teachers of the Technical High School has been placed in immediate charge of the School for the sake of administrative convenience. He works under the general supervision of the Principal and this part of his work does not call for any special technical qualifications.

COMPETENCY OF THE INDIAN LEGISLATIVE ASSEMBLY TO ENTERTAIN A BILL RELATING TO A CERTAIN CLASS OF MULTI-UNIT CO-OPERATIVE SOCIETIES.

Mr. President (The Honourable Sir Abdur Rahim): On the 17th February, 1942, I ruled that the question raised by Mr. K. C. Neogy, whether the Indian Legislative Assembly was competent to entertain a legislative proposal in the form of a Bill relating to a certain class of multi-unit co-operative societies, was not one which could be properly dealt with by the Chair on a point of order under Rule 15. I think, however, that I ought to state my reasons more fully in support of this conclusion, as it is contrary to the practice which has hitherto prevailed in this Assembly, though it is difficult to say how it originated, as I am not aware of any considered ruling on the subject. Its origin could not be imputed to anything in British Parliamentary practice, for no question of the legislative competence of the British Parliament in any matter can arise, as it virtually enjoys unrestricted law-making authority acquired through assertion over a long period of years supported by the will of the

[Mr. President.]

people. However the practice arose, it has now become incumbent on the Chair to reconsider the entire position, having in regard the scheme of the Act of 1935 purporting to create autonomous provinces with the legislative spheres of the Central and the Provincial Legislatures, definitely demarcated in Lists I, II and III and the establishment of the Federal Court for obtaining authoritative decisions on questions relating to the proper interpretation of the Act, as affecting the extent of the authority of the Central and Provincial Legislatures.

Any one, who has the least conception of the difficulties and complexities involved in determining the exact scope and limitations of the various subjects entered in these Lists, will realise that such a function can be best discharged by learned judges sitting in a court of law after hearing the arguments of learned lawyers and taking into consideration previous decisions in analogous cases. If the President of the Assembly were to attempt to discharge such duties himself, he would find that the Assembly could not be turned into a court of law for such time as would be necessary for the purpose, without serious detriment to the progress of public business. Such a state of things, it may be presumed, could not have been contemplated by those responsible for the framing of the Rules and Standing Orders for regulating the conduct of the business of the Legislature.

Rule 15, which lays down that a President shall decide all *points of order* as they arise and that his decision shall be final, also says that while a Member may, at any time, submit a point of order, he shall confine himself to stating the point. This limitation might well be taken to suggest that the questions that may be raised on a point of order could not have been intended to include important questions of law of a far-reaching character relating to the interpretation of the Government of India Act. The President's responsibility, in fact, is to see that the business of the House is conducted in an orderly manner and in accordance with the Rules and Standing Orders and that if any Member thinks that the proceedings are not being so conducted in any respect, he is given the right to draw the attention of the Chair to the matter on a point of order and obtain his ruling as promptly as possible so that the proceedings may go on without further difficulty.

But it is the sole privilege and duty of the House to decide every "question" that arises on a motion moved by a Member. In the case of a Bill all motions, including amendments relating thereto, from the stage of introduction until it is ultimately adopted or rejected have to be decided upon by the House on questions put by the Chair, the duty of the Chair, generally speaking, being to exclude from the consideration of the House all matters which are irrelevant or beyond the scope of the motion under consideration or which should not be introduced or admitted because the requirements of any especial procedure prescribed in the Government of India Act or the Rules and Standing Orders of the Assembly have not been complied with. Rule 17A indeed emphasises that the President shall not refuse to put or delay the putting of the question on such a motion, that is, a motion relating to a Bill, unless the putting of such question is expressly prohibited or directly precluded by any provision of the Government of India Act, the Rules or the Standing Orders.

COMPETENCY OF THE INDIAN LEGISLATIVE ASSEMBLY TO ENTERTAIN A
BILL RELATING TO A CERTAIN CLASS OF MULTI-UNIT CO-OPERATIVE
SOCIETIES 1535

The questions that have to be put by the Chair at the different stages of a Bill for its disposal are familiar to every Member and all those questions are decided by the Members voting "Aye" or "No". The Chair has no voice in the matter except that when there is an equality of votes he is to give his casting vote. The Members vote one way or the other for any reasons that appeal to them best and have not to assign any reason for their votes.

Section 100 of the Government of India Act, 1935, lays down that the Legislative Assembly has not the power to make laws with reference to certain subjects. There can be no doubt that this warning is addressed to the Assembly which has the power to make laws under the Government of India Act, and not to the President who has no such power. If it were otherwise, it would mean that the occupant of the Chair for the time being, whether he be the President or the Deputy President or a Chairman, has the authority to lay down finally that the Assembly may make certain laws and may not make certain other laws which *prima facie* is an untenable proposition. Supposing the Chair's decision be against a particular legislative proposal, not only will the Assembly be debarred altogether from considering it but even the Federal Court would not be in a position to interfere. On the other hand, if the Assembly itself rejects a Bill on whatever ground, it will be open to the Government or a non-official Member, as the case may be, to approach the Assembly again in the matter subject to fulfilment of the conditions laid down in that behalf by the Rules and Standing Orders.

Now let us look at the position from a practical point of view. So far as Government measures, which form the bulk and the most important part of the legislative business which the Assembly has to deal with, are concerned, the Assembly would naturally rely upon the Government not to put forward a Bill or an amendment unless their Law Officers were satisfied that the Assembly was competent to make such a law. In the case of a non-official Bill or amendment, though there may be no such guarantee, there will always be the Law Officers of the Government and other lawyers to advise the House whether a certain legislative proposal is or is not within the competence of the Legislative Assembly. The President, if he thinks fit, may also under Standing Order 32, address the Assembly on the subject in order to help the House in its deliberations but whatever views he may so choose to express will not be binding on the House not being a decision on a point of order under Rule 15.

I may mention that on inquiry made from Canada and Australia (*vide* Legislative Assembly Debates, 25th February, 1938, pages 1157—59) it appeared that the Speakers of those Legislatures do entertain questions of competence on a point of order and give their rulings but it is competent for the House to dissent from the Speaker's ruling. Our rules, however, do not admit of dissent by the House from a ruling of the Chair and the practice in this connection as prevalent in the Canadian and Australian Legislatures is, therefore, unsuited to the Indian Legislative Assembly.

Mr. N. M. Joshi (Nominated Non-Official): May I suggest, Sir, that this ruling may be circulated because it will be printed in the proceedings very late, and it will not be available for our guidance immediately?

Mr. President (The Honourable Sir Abdur Rahim): It will be printed in the proceedings of the House in the ordinary course.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following two Messages have been received from the Council of State. The first is as follows:

"Sir, I am directed to inform you that the Council of State at its meeting held on the 24th March, 1942, agreed without any amendment to the following Bills, which were passed by the Legislative Assembly at its meeting held on the 20th March, 1942, namely:

1. A Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary the rate of the excise duty on motor spirit leviable under the Motor Spirit (Duties) Act, 1917, to vary the rate of the excise duty on kerosene leviable under section 5 of the Indian Finance Act, 1922, to vary the rate of the excise duty on silver leviable under the Silver (Excise Duty) Act, 1930, to levy customs duties in addition to the duties of customs leviable under the Indian Tariff Act, 1934, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax and super-tax and to continue the charge and levy of excess profits tax and fix the rate at which excess profits tax shall be charged;
2. A Bill to amend the Agricultural Produce (Grading and Marking) Act, 1937;
3. A Bill further to amend the Indian Tolls (Army) Act, 1901."

The second Message runs as follows:

"Sir, I am directed to inform you that the Message from the Legislative Assembly to the Council of State desiring their concurrence in the Resolution recommending that the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi be referred to a Joint Committee of the Council of State and of the Legislative Assembly and that the Joint Committee do consist of 18 members, was considered by the Council of State at their meeting held on the 25th March, 1942, and that the Resolution was concurred in by the Council.

2. I am also to inform you that the following Members of the Council of State have been nominated to serve on that Committee, namely:

- (1) The Honourable Malik Sir Feroz Khan Noon,
- (2) The Honourable Mr. E. Conran-Smith,
- (3) The Honourable Saiyad Mohamed Padshah Sahib Bahadur,
- (4) The Honourable Mr. Abdool Razak Hajee Abdool Suttar,
- (5) The Honourable Sirdar Sahib Sir Suleman Cassum Haji Mitha,
- (6) The Honourable Khan Bahadur Alli Buksh Mohamed Husain,
- (7) The Honourable Haji Syed Mohamed Husain,
- (8) The Honourable Sir Mohammad Yakub,
- (9) The Honourable Mr. Hossain Imam."

THE WEEKLY HOLIDAYS BILL.

Mr. H. C. Prior (Labour Secretary): Sir, I move:

"That the Bill to provide for the grant of weekly holidays to persons employed in shops, commercial establishments, restaurants and theatres, as reported by the Select Committee, be taken into consideration."

It is not necessary for me to speak at any great length regarding the report of the Select Committee. The main amendment proposed by the Select Committee is the omission of commercial establishments from the

scope of the Bill. I foreshadowed, when I moved that this Bill be referred to the Select Committee, that we would recommend to the Select Committee that commercial establishments should be excluded from the scope of the Bill. The reason why we did so was that our intention had been that commercial establishments should be closed on one day in the week. That would have been possible to enforce, but, at the same time, we were quite satisfied that in the present war conditions it was not possible to require commercial establishments to be closed on one day in the week and that all that it would be possible to do would be to require that clerical persons employed in such commercial establishments should have a weekly holiday. That is what is provided in the Bengal and Bombay Acts. But in Bombay it is necessary now for the Bombay Government to grant very large number of exemptions from that clause. I have a large number of them here with me and I can refer Honourable Members to them. We do not think it is advisable, at this stage, to introduce a provision giving power to the Provincial Governments to provide by notification, that there should be weekly holidays for people in commercial establishments, if they have to issue at once by notification exemptions from that order. At the same time, we are quite prepared to accept the view put forward by the Select Committee that immediately on the conclusion of the war we should take steps to extend the Act to commercial establishments.

The further amendment proposed is non-specification of the day on which the shops are to be closed. This, I think, needs very little explanation at this stage. Further, we have made a rather simple provision to ensure that even if a shop is closed and a person is employed in the shop, he shall be entitled to get his holiday on another day. One may just close the shop and yet keep some man employed doing something, and thus the law is complied with, but the man has not got his holiday. If a shop-keeper does that, then he shall have to give him a holiday on another day. We have also changed the time for the weekly half-holiday. We thought that 1 o'clock was too early and we have fixed a later time. That is all I need say at this stage. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to provide for the grant of weekly holidays to persons employed in shops, commercial establishments, restaurants and theatres, as reported by the Select Committee, be taken into consideration."

I find that Mr. Essak Sait has given notice of an amendment—the very first one—by which he seeks to. . . .

Mr. H. A. Sather H. Essak (West Coast and Nilgiris: Muhammadan): Sir, I want to move only amendment No. 2.

Mr. N. M. Joshi (Nominated Non-Official): Sir, when the motion for sending this Bill to the Select Committee was considered by the House, I had said that the Bill moved by the Government of India was a very halting measure and very inadequate to protect the interests of the employees of the commercial establishments, shops, theatres and other occupations. Unfortunately, the Select Committee, instead of widening the scope of the Bill, has curtailed its scope by taking out from the scope of the Bill commercial establishments. Sir, the Honourable the Mover of this Bill said that, on account of war, some of the commercial establishments may have to remain open on those days which may be fixed

[Mr. N. M. Joshi.]

as weekly holidays. Sir, I quite realise that some of the commercial establishments may have to be kept open, but surely not all the commercial establishments in the country. I, therefore, feel that the Select Committee should not have taken the commercial establishments out of the scope of the Bill, inasmuch as the Provincial Governments have power to give exemptions to commercial establishments whenever such exemptions were necessary. The Honourable the Mover of the Bill just now said that these exemptions are larger in number. I do not think the exemptions will be larger in number than the shop assistants who would have got the benefit of the Bill if the commercial establishments had been kept within the scope of the Bill and exemptions were given.

The Select Committee has made another change which in my judgment is also undesirable, and that change is that the Provincial Governments have been given power to fix weekly holidays on different days for different shops, different classes of shops or for large areas. Sir, I do not object to the Provincial Governments being given power to fix different days for different classes of shops or even for different areas. But I object to the Provincial Governments being given power to give different dates for different individual shops. I feel that if different holidays are kept for different individual shops, it will be very difficult for Inspectors who may be appointed to see that the provisions of this Bill are carried into effect to do their duty. If every shop has a different holiday, then the inspection will be very difficult; and although we may pass this Bill, and although the Provincial Governments may apply the provisions of this Bill to their Provinces, still, on account of the difficulty of inspection, the Bill will remain a dead letter in practice. An employer may not carry into effect or may avoid the provisions of this Bill, and he may not be found out. I feel that these two changes made by the Select Committee are not desirable changes and should not have been made.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I simply wish to draw the attention of the House to paragraph 4 of the Select Committee's report. There it is said that Provincial Governments may determine what the closing day shall be for any particular shop. This provision is really intended to accommodate particular communities if they prefer a closing day other than Sunday. For this purpose clause 3 was amended. Originally it stood as

Mr. President (The Honourable Sir Abdur Rahim): I understand there are amendments to that effect. The Honourable Member need not deal with that question now. He can do so when the amendments are reached.

Maulvi Muhammad Abdul Ghani: I will content myself by saying that there are amendments to make the provision more clear, so that persons belonging to any particular community may not have any grievance against the Provincial Governments in fixing a particular day of the week as a holiday.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, taking the Bill as a whole, I should like to state that to my mind its only value is that "something is better than nothing". I am fortified in this belief

in the fact that most firms already give a day's holiday every week as a holiday. I know that Sunday is generally given as a holiday in most firms, who also give a half holiday on Saturday. So, Sir, this Act will mainly apply to those small shops and small holdings who, I agree with the Honourable the Mover, do make their servants work very hard indeed, for long and weary hours. I would rather this Act were called the "Holiday Act" and not the "Weekly Holiday Act", but, Sir, what is there in a name? The Select Committee has emphasised the fact that at the end of the war, commercial firms would be included in the operation of this Act. I would like this point to be more mandatory than as it is now—permissive, that is, not 'may' but 'shall' be included. After all, we are asking in this Act, amended and otherwise, to exclude commercial firms.

In my opinion the greatest slave drivers of their employees are the Banks, and this Act should be applied with the greatest severity to such money making institutions and commercial firms. These are private firms working for the benefit of their shareholders and I am convinced that many of them employ their staffs for long hours ranging from ten to twelve hours a day. May I suggest to the Honourable Member that in all commercial firms and Banks who are exempted from the operation of this Act, they should be compelled to give some over-time wages to their over-worked staff as is done in all Railways and workshops. I submit, it is not right to make anyone, be it in the interest of the war or anything else, to risk his health simply to conform to the principles of this Act. I suggest to the Honourable Member, that it would be only fair if firms and banks are permitted to work their employees for long hours and, if they are excluded from the provisions of this Act, they must pay these men over-time wages. This is all the more justifiable because this over-work of the staff results in a large financial gain to these firms and banks. Surely, the Honourable Member must realise that the value of the output of work of any employee is in the inverse ratio to the length of occupation of the labourer, because, after a certain time (human nature has a certain limit) his work deteriorates. As long as he can work efficiently, the firm gets its benefits in rupees, annas and pies. The bank does the same. Therefore, who should employees be made to perform over-time of work to enrich his employers unless the employees are paid adequate overtime wages?

Then, Sir, take for instance those of a religious persuasion like the Seventh Day Adventist who do not work on Saturday, with them the need of a holiday on a different day is necessary. There is another institution which I understand has been excluded from this Act. I refer to those slave-driving institutions, I mean our hospitals. The nurses in many of our hospitals have two shifts a day of work for nurses of 12 hours each; others have three shifts of eight hours each. May I ask the Honourable Member whether he excludes firms or banks or anything else, he must include hospitals in the operation of this Act. These young women, slave-driven, working under the most unhealthy circumstances, working face to face with risks and danger to their health and, yet they are made to work 12 hours a day at a stretch. I think all hospitals be included in the benefits of this measure.

Now, Sir, the next point to which I wish to refer, before I conclude, is this. There is the question of Inspectors. I do hope the Honourable

[Lieut.-Colonel Sir Henry Gidney.]

Member realises and I am sure he does, how necessary it is to select these Inspectors from a proper and reliable class. They can abuse their powers as has been done by Inspectors of all kinds. I think the punishments for those who offend against the Act are too light and should be made severer.

Sir, had it not been war time I would have moved an amendment to throw out this Bill lock, stock and barrel; but I can realise the concern of the Honourable Member and his genuine, though limited, desire to relieve the employee. I can also realise that, being war time, exceptional circumstances need special treatment; and in giving my support to the Bill I appeal to him to take notice of the few points I have suggested.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I take it as a fundamental principle that our labourers should be made to work and not kept idle, but at the same time they should be given the full benefit of their work. If during war conditions you want to exempt certain commercial concerns, this, I think, is not the right way of doing it. I think that if, on account of war conditions, people do extra work on a day which would have been a holiday, they should get some overtime allowance. It would, therefore, have been better if we had stuck to the original Bill and provided for extra allowance for these labourers if the commercial concerns kept their places open, because they are getting extra money for it.

Then, Sir, I find that this law will apply to people on monthly or weekly wages, but what about people on daily wages? If such a man does not work on that day, he will get no wages, and no safeguard has been provided for that. Therefore, the tendency among employers will be to keep men not on monthly or weekly wages, but on daily wages, so that they may pay for only six days in the week and not for seven days. I think it is desirable to insert a safeguard against that.

I also do not see why we should be particularly harsh on these restaurants and so on. I do not know if the intention is that for one day in the week we should give a holiday to our stomachs, which will follow if these restaurants and theatres are kept closed for one day every week. If that is not the intention, I do not see why these should be closed and every other shop kept open. We should adopt a uniform principle, and if these restaurants and shops want to keep open for seven days, they should give extra overtime allowance for one day to their workers. That is the right solution; I think Government are catching the wrong end of the stick and proceeding in a way which will please neither the labourers nor the public. The labourers should get the full value of their work, and if, on account of special conditions, they are forced to work, they should get overtime or extra for that particular day. I lay very great stress on this, that we should teach our labourers to work, but also pay them well.

Mr. C. C. Miller (Bengal: European): Sir, there is one assurance which I should like to hear from the Honourable Member in charge of the Bill,—I have asked for it before and received it in a qualified form and I should like, if possible, to have it in an unqualified form,—the assurance

being that the introduction of this piece of legislation in no way affects the existing legislation on the same lines which is now in force in no less than four provinces. That, Sir, is the only point I have to make.

Mr. H. C. Prior: Sir, I will first take the point raised by Mr. Miller and the request for an assurance that this Bill will not interfere with the Acts already in force in various provinces. The provision of this Bill in clause 1 (3) is, that it shall come into force in a province only if the Provincial Government by notification in the official Gazette so directs. Until the Provincial Government so directs the Bill has no force in any province and cannot interfere with any legislation already in force in that province. If a Provincial Government does introduce this Bill there may be a conflict between this Bill and the legislation already in force; but we do not see any possibility of a Provincial Government, which has already passed legislation dealing with this particular matter, introducing this Bill by notification in their own province. The reason we have brought forward this Bill is that we want those provinces who have not already introduced legislation to adopt the terms of this Bill, and that is possibly one of the reasons why the Bill can be described by Mr. Joshi as a halting measure. We want the Bill to be such that a Provincial Government will be prepared to introduce it. We have discussed with Provincial Governments the terms of the Bill and the Bill is one which we hope Provincial Governments will be prepared to introduce by notification. If we had included provisions such as those which Sir Henry Gidney asks us to provide, *viz.*, over-time and such like, we should be widening the scope of the Bill and it would be more than likely that Provincial Governments would not find it possible to introduce it. We have to keep the Bill a simple one so that Provincial Governments may be likely to use their powers of introducing the Bill by notification.

That, again, is the answer that I think I must give to Sir Henry Gidney on the matter of Inspectors. The Inspectors will not be appointed by the Government of India but by the Provincial Governments, after they have adopted this Bill by notification. But we will certainly bring to the notice of Provincial Governments the point made by Sir Henry Gidney.

With regard to the point raised by Mr. Joshi regarding closure on different days, I think there are specific amendments dealing with that and I could deal with it more suitably then.

As regards hospitals which Sir Henry Gidney touched on, I think that is going outside the scope of the Bill; and I am inclined to think that his remarks regarding hospitals should be addressed more to the Honourable Member for Education, Health and Lands than to the Honourable Member for Labour.

Sir Henry Gidney asked that the Bill should be mandatory. That again is not what we consider necessary in this case. Had it been mandatory, the difficulties visualised by Mr. Miller might have occurred. We want the Bill to be such that Provincial Governments can introduce it; we do not want it to conflict with existing legislation. We have, therefore, given the power to Provincial Governments.

[Mr. H. C. Prior.]

Sir Ziauddin also raised the question of over-time. But that also falls outside the scope of the Bill as it has been introduced. We recognize that men should be paid for the work they do, but a number of us are working over-time and are not getting paid for that and I do not think, at this stage, we could possibly widen the scope of the Bill to include a provision for that, and I hope that the halting nature of the measure, referred to by Mr. Joshi, will not be put down to the fact that we while working over-time one hour become inefficient as Sir Henry Gidney has suggested is likely to happen in case of prolonged over-time.

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

"That the Bill to provide for the grant of weekly holidays to persons employed in shops, commercial establishments, restaurants and theatres, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed to consider the Bill clause by clause.

Clause 2 was added to the Bill.

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

"That clause 3, stand part of the Bill."

Mr. H. A. Sathar Essak Sait: Sir, I move:

"That for clause 3 of the Bill the following be substituted:

3. (1) Every shop shall remain entirely closed on one day of the week, which day shall be specified by the shop-keeper in a notice permanently exhibited in a conspicuous place in the shop.
- (2) The day so specified shall not be altered by the shop-keeper more often than once in three months."

This amendment of mine brings this Bill in conformity with the other existing measures of allied character in the provinces. We have altogether four provincial measures dealing with this subject. The Punjab, Bombay, Bengal and Sind have already passed legislative measures providing for regulating the working hours and such like matters connected with shops and business houses. Out of these only two provinces have provided for the entire closing of shops on a particular day in the week, namely, Punjab and Bengal. Section 6 sub-section (3) of the Bengal Act provides that the day on which the shop shall remain entirely closed will be specified by the shop-keeper in a notice which shall be displayed in a conspicuous place in the shop. The Punjab Act also provides the same; in Section 7 sub-section 2(i), the Act lays down "that the choice of a closed day shall rest with the owner or occupier of a shop or commercial establishment and shall be intimated to the prescribed authority within two months of the date on which this Act comes into force." So both these enactments leave it to the shop-keeper to choose the day on which he will close his shop. With regard to the remaining two enactments, they do not provide for a weekly holiday in the sense that the shop has to be entirely closed. What they provide for is that the employees in shops and restaurants and other places should have a weekly holiday and it is not necessary that the shops should be entirely closed. Therefore, we are not concerned with those two enactments at all.

My amendment, if accepted, will bring this measure in conformity with the enactments that now exist. The Select Committee in paragraph 4 of their Report have also indicated that they were unanimously of the opinion that shops whose proprietors belong to communities which prefer a closing day other than Sunday, should have a provision to give effect to their wishes. It is difficult to provide in a measure like this separate days for the different communities because it will be, first of all, very difficult to find out which community prefers which day and the machinery for eliciting the opinion of different communities will be a difficult matter itself. Therefore my amendment provides a very simple measure for meeting the wishes of the people. It seeks to leave it to the owner of the shop to decide which day will suit him. I can quite realize that this will not be as easy as having one single uniform day for the whole province, but this being a new measure which has been introduced in this legislature we cannot be too sure as to the disturbance that such a measure may create. Therefore, Sir, I think, that the remedy which I have suggested by my amendment is one that will be acceptable to the whole House, in that it provides for the requirements of every class and community and at the same time sees to it that the main objects of this Bill are carried, namely, that every shop is compelled to close on one day in the week. Sir, I commend this amendment to the acceptance of the House and I hope they will pass it.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That for clause 3 of the Bill the following be substituted:

3. (1) Every shop shall remain entirely closed on one day of the week, which day shall be specified by the shop-keeper in a notice permanently exhibited in a conspicuous place in the shop.
- (2) The day so specified shall not be altered by the shop-keeper more often than once in three months."

Mr. N. M. Joshi: Sir, I rise to oppose this amendment. Sir, when I spoke a few words on the motion for the consideration of the Report of the Select Committee, I had found fault with the change made by the Select Committee, namely, enabling the Local Governments to have different holidays for different shops. Now, Sir, this amendment goes much further than that. It does not give power to the Local Government to fix the days on which shops should be closed, but this gives power to the shop-keeper himself to decide on what day the shop will be closed. I feel that this will further increase the difficulties of the Inspector in seeing that the provisions of this Act are carried out in practice. If every shop-keeper fixes a different day and changes that day every three months. . . .

Mr. C. C. Miller: He need not change it every three months.

Mr. N. M. Joshi: He may; the law provides. If every shop-keeper fixes a different day and changes that day every three months, the poor Inspector most probably will have to spend his whole time in maintaining a register and changing it every three months. I, therefore, feel, Sir, that these amendments are intended, no doubt, to make the work of the shopkeeper easy, and, if accepted, the object of the Bill will be seriously affected.

[Mr. N. M. Joshi.]

Sir, I was told that this will enable the different communities to have different days. Well, suppose the Muslims want to keep their shops closed on Friday, they need not ask for a change every three months. I can understand the Muslims saying that the Muslim shops should be closed on Fridays; that is understandable, although I do not approve of it. You may keep Friday or Sunday or any day as the day off, and that is the right thing to do. But now to say, instead of saying that the shops will be closed on Friday, that it may be closed on Friday or any other day—every three months different days—is, I think, creating confusion and making the work of the Inspector very difficult. I, therefore, feel that an amendment of this kind will not be of much use.

Only one word more; we are by this amendment thinking of the interests of the shop-keepers. This Bill is introduced to protect the interests of the employees. I could have understood my Honourable friend to introduce an amendment saying that the closing of the shop should depend upon the common vote of the employees of a shop, but he does not do that. He wants to leave the choice of the day to the shop-keeper and not to the employee. He forgets the fact that the Bill is intended for the protection of the interests of the employee and not of the shop-keeper. I, therefore, feel that the amendment should not be supported by the House; and although the original clause itself was bad enough, the amendment is worse still, and, therefore, should be opposed by the House.

Mr. C. C. Miller: Sir, I am sorry to differ from the Honourable Member who spoke last and to rise in support of this amendment. Indeed it has always been our view that the principle of the Bengal Act was a just principle and if we had received support for that view a little earlier we might even have prevailed on an obdurate government, in which case the amendment would not have been necessary; but I would point out in regard to Mr. Joshi's remarks that the man under this Bill who pays the piper, is the employer. The employer now has to pay the employee one day's wages for work which he does not perform, and that being the case it seems only fair to temper the wind to the shorn lamb and to give the employer the choice of the day on which he must pay that day's wages.

Mr. N. M. Joshi: Who is to enjoy the holiday, the employer or the employee?

Mr. C. C. Miller: The employee enjoys the holiday, but the employer pays for his enjoyment.

Mr. N. M. Joshi: That is according to the law.

Mr. C. C. Miller: I also think that the three months' notice is a perfectly wise one. It will probably not be utilised in many cases and my Honourable friend should also remember that in every shop there must be a large notice stating the day, and, if necessary, the half day of closure; and if a shop is open on a day on which the notice says it should be closed, it is sufficiently obvious to every one that the shop-keeper is transgressing the law. I, therefore, have pleasure in supporting this amendment.

Mr. Huseinbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): Sir, I have every sympathy with what my friend, Mr. Joshi, has said, but I am afraid this time he has overstretched himself when he says that all this is being done by my friend, Mr. Essak Sait, in the interests of the employers. How can an employer carry on his business if employees are absent? The reason why the employer is given this right is that he has to consult his employees before he can decide. Employees cannot meet together—half a dozen, or a dozen or two dozen employees may have each different points of view. The whole objective is one day and that one day has to be given. Nobody here, I think, grudges that one day must be given.

A great point has been made about this three months' notice. I find that the Punjab Legislature has provided for three months:

"Provided that no shop-keeper shall, not more than once in every three months, alter the day or half day so specified."

This three months period is very very reasonable. If my friend, Mr. Joshi, will kindly hear me he will agree. In fact the Muslim calendar depends upon the moon; and the *Amaras* or new months which the Hindus have got also has a lot to do with the moon.

Mr. N. M. Joshi: What about Fridays?

Mr. Huseinbhai Abdullabhai Laljee: It may be Fridays, it may be Ramzan, Mohorum, or anything else—he does not know and I am sorry, although he has so much to do with labour he ought not to have understood that many times it has happened that under the Negotiable Instruments Act a day has been fixed for the Id, but the Id falls on a subsequent day or the previous day, and, invariably, those who observe the Id or the *Amaras* know this; but the Local Government and the Negotiable Instruments Act have to fix the day a year before; that is the main reason why three months has been provided. The Punjab Government, surely, might be given all credit for having the fullest sympathy with employees.

I do not agree with another thing that my friend, Mr. Joshi, said and it is this, that the Inspectors will have a lot of work. We know very well that in one locality it may mostly be a Muslim or Hindu locality but once a board has been put up, the great Inspector has to go once in three months and I do not know why my friend has so much sympathy with the Inspector rather than with the convenience of the employees. Would he like the Muslim employees thousands in numbers to work on an Id day, because that holiday has not been established; rather than that the great Inspector should take the trouble to go round and take a note once in three months. I hope it is not so. The Inspector, after all, is an employee himself and not a great master who is provided by his great master a lot of time and money and even Provident Fund, which the ordinary employer cannot do; and my friend ought to have more sympathy with the employer who is an ordinary man and his ordinary employees than with the great Inspector. With these words I support the amendment which is really necessary because of the conditions prevailing in this country, and let it be understood that Inspector's duty is to help the employees as well as employers as a public servant.

Mr. H. C. Prior: Sir, the subject matter of this amendment was put before us in the Select Committee by Members of the European Group, and at that stage possibly I deserved the epithet of obdurate, because, at that time, I felt that there were very strong objections to this amendment. Mr. Joshi has given us some of those objections, as he sees them, of administrative difficulty. Possibly, I exaggerated those objections, possibly Mr. Joshi has exaggerated those objections now. There seems to be some force in the view that if a notice is posted in the shop, it will be possible for an Inspector, without keeping a multitude of registers, to know what date that shop is going to be closed. If the shop-keeper is going to be so very clever that on Thursday he will put up Wednesday and on Wednesday he will put up Thursday, I think the public may notice it and may bring it to the notice of the Inspector, and I think the employees also. And I think the employee can also bring it to the notice of the Inspector. I do not think the substitution of notices is likely to be very often resorted to in order to save closing of the shop. There are considerable advantages in this amendment. The proposal which we accepted in the Select Committee suffered to a certain extent from vagueness. This proposal does not so suffer from those disadvantages. It lets the shop-keeper know exactly where he stands, and that, I think, is a considerable advantage. Therefore, Sir, I have to say that I have changed my mind, that Government have changed their mind, and we are prepared to accept the amendment.

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

"That for clause 3 of the Bill the following be substituted:

3. (1) Every shop shall remain entirely closed on one day of the week, which day shall be specified by the shop-keeper in a notice permanently exhibited in a conspicuous place in the shop.

(2) The day so specified shall not be altered by the shop-keeper more often than once in three months."

The motion was adopted.

Mr. H. A. Sathar H. Essak Sait: I wish to move No. 8 on the Revised Consolidated List, Sir.

Mr. President (The Honourable Sir Abdur Rahim): What about Nos. 4, 5, 6 and 7?

Mr. H. A. Sathar H. Essak Sait: I am not moving them.

Dr. Sir Ziauddin Ahmad: On a point of order. We have just moved that for clause 3 of the Bill the following be substituted. Can there be an amendment to that?

Mr. President (The Honourable Sir Abdur Rahim): No. 8 is an amendment to the original clause of the Bill. All the rest of the amendments fail.

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

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

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

"That clause 4 stand part of the Bill."

Dr. Sir Ziauddin Ahmad: Sir, I have an amendment to clause 4. It reads thus:

"That in clause 4 of the Bill, after the word 'theatre', occurring in the third line, the words 'on daily, weekly or monthly wages' be inserted."

The object of my amendment is to prevent persons being employed on daily wages. If this amendment is not accepted, then I fear that most of the employees will be employed on daily wages only for six days in the week, and not for seven days. I know there has been a tendency in some of the educational institutions to employ the staff immediately after the long vacation and dismiss them soon after in order to save the salary of the vacation period, so much so, they had to make a rule that any person who has served for nine academic months has earned the pay even if he was not employed by the employer. Similarly, there ought to be a rule that any person, who has worked for six days a week even on daily wages, has earned his wage for the seventh day also. I think you should have a rule of that kind. The amendment I propose will cover all kinds of cases, whether you employ a man on daily wages, weekly wages or on monthly salary, because he will have one day's holiday. If this amendment is not accepted, the result will be chaos, and most of the employers will take advantage of the position and employ their employees on daily wages, and not on weekly wages. Therefore, I move this amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 4 of the Bill, after the word 'theatre', occurring in the third line, the words 'on daily, weekly or monthly wages' be inserted."

Mr. H. C. Prior: Sir, in spite of the lucid explanation which the Honourable Member has given in regard to the intention of his motion, I cannot see that it really would have the effect which he suggests it would have: in fact, it seems to me that the amendment would limit the scope of the Bill. We have provided that every person employed—that is every person, whether he is employed on daily, weekly or monthly wages; but if you insert the words "daily, weekly or monthly" it may result in taking out somebody. I see no point in the amendment. I must oppose it.

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

"That in clause 4, of the Bill, after the word 'theatre', occurring in the third line, the words 'on daily, weekly or monthly wages' be inserted."

The motion was negatived.

Sir George Spence (Secretary, Legislative Department): Sir, I move:

"That to the proviso to clause 4 of the Bill the following be added at the end:

"or entitle to an additional holiday a person employed in a shop who has been allowed a whole holiday on the day on which the shop has remained closed in pursuance of section 3."

[Sir George Spence.]

Sir, in the Bill, as introduced, clause 4 did not apply at all to persons employed in shops. Persons employed in shops were included in the clause in the Select Committee, and this amendment is designed to clarify the precise effect in their case. The intended effect, as explained by Mr. Prior in moving the consideration motion, is not that if he has had a holiday on the day on which the shop was closed, he shall have another day, but only he shall get a holiday if on the day when the shop was closed, he was none the less employed in, for instance, checking the stock or keeping accounts. Sir, I move.

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

"That to the proviso to clause 4 of the Bill the following be added at the end:

'or entitle to an additional holiday a person employed in a shop who has been allowed a whole holiday on the day on which the shop has remained closed in pursuance of section 3.'

The motion was adopted.

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

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

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

"That clause 5 stand part of the Bill."

Sir George Spence: Sir, I move:

"That in sub-clause (1) of clause 5 of the Bill, for the word and figure 'section 4', the word and figure 'section 3' be substituted."

This amendment, Sir, merely corrects a slip.

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

"That in sub-clause (1) of clause 5 of the Bill, for the word and figure 'section 4' the word and figure 'section 3' be substituted."

The motion was adopted.

Mr. H. A. Sathar H. Essak Sait: Sir, I move:

"That after sub-clause (2) of clause 5 of the Bill the following new sub-clause be added:

'(3) The weekly day on which the shop is closed 'in pursuance of'—*I am correcting the article*—a requirement under sub-section (1) shall be specified by the shopkeeper in a notice permanently exhibited in a conspicuous place in the shop and shall not be altered by the shopkeeper more often than once in three months'."

I do not think I need make a long speech to commend this amendment to the House. The first amendment that was accepted by the House

makes it necessary that this clause also should have the same effect, and that is why I have proposed this amendment. This is really a consequential amendment, and I hope the House will accept it.

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

"That after sub-clause (2) of clause 5 of the Bill the following new sub-clause be added:

'(3) The weekly day on which the shop is closed in pursuance of a requirement under sub-section (1) shall be specified by the shopkeeper in a notice permanently exhibited in a conspicuous place in the shop and shall not be altered by the shopkeeper more often than once in three months'."

The motion was adopted.

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

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clauses 6 and 7 were added to the Bill.

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

"That clause 8 stand part of the Bill."

Mr. H. A. Sathar H. Essak Sait: I move:

"That in part (b) of sub-clause (1) of clause 8 of the Bill, after the word 'therein' the words 'in pursuance of rules made under clause (c) of sub-section (2) of section 10' be inserted."

This clause deals with the powers that are granted to the Inspector to examine the premises and also papers, documents, books, etc., in the shop. Here, clause (b) gives unlimited power to the inspector and it runs thus:

"... make such examination of any such establishment and of any record, register or notice maintained therein. . . ."

To give such wide powers to the Inspector is not desirable. If the clause is allowed to remain as it is, the Inspector can ask for domestic accounts, or any other paper or papers that may be in the shop without any limit whatever. Therefore, my amendment seeks to limit the power in such a way that only such papers, documents, etc., shall be inspected by the Inspector as are necessary for the purposes of this Act. I say that the powers of the Inspector to examine these records, registers, or notices shall be limited to the examination of such records which the establishment is compelled to maintain in pursuance of rules made under the relevant clauses of this Bill. Only such papers, records, etc., should be examined by him. That is the idea underlying my amendment, and I commend it to the House. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in part (b) of sub-clause (1) of clause 8 of the Bill, after the word 'therein' the words 'in pursuance of rules made under clause (c) of sub-section (2) of section 10' be inserted."

Mr. H. C. Prior: I accept it.

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

"That in part (b) of sub-clause (1) of clause 8 of the Bill, after the word 'therein' the words 'in pursuance of rules made under clause (c) of sub-section (2) of section 10' be inserted."

The motion was adopted.

Mr. H. A. Sathar H. Essak Sait: I move:

"That in sub-clause (2) of clause 8 of the Bill, after the word 'notice' the words 'maintained in pursuance of rules made under clause (c) of sub-section (2) of section 10' be inserted."

The object of this amendment is the same as that of the one which has just been accepted by the House. I need not, therefore, make a long speech explaining it. I commend the amendment to the House. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in sub-clause (2) of clause 8 of the Bill, after the word 'notice' the words 'maintained in pursuance of rules made under clause (c) of sub-section (2) of section 10' be inserted."

Mr. H. C. Prior: I support it.

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

"That in sub-clause (2) of clause 8 of the Bill, after the word 'notice' the words 'maintained in pursuance of rules made under clause (c) of sub-section (2) of section 10' be inserted."

The motion was adopted.

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

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clauses 9, 10 and 11 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. H. C. Prior: Sir, I move:

"That the Bill, as amended, be passed."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill, as amended, be passed."

Mr. N. M. Joshi: At this stage I should like to ask one question of the Honourable Member in charge of the Bill. This Bill may be applied to the territories of the Government of India by the Commissioners of those territories, but in the adjoining province of the Punjab there is already a measure of wider scope to regulate hours and other things which this Bill does not regulate. I would, therefore, suggest to the Government of India to apply to Delhi the measure which prevails in the Punjab and not this halting measure. I would like the Government of India to tell me whether they will agree to my suggestion. I know that the employees of

the shops in Delhi are very anxious that they should have proper regulations for working conditions in the shops, and they are anxious that the Punjab Regulations should apply to them and not this small measure.

Lieut.-Colonel Sir Henry Gidney: Sir, I support it.

Mr. H. C. Prior: I have rather been taken by surprise. I understand that there are legal powers by which we can introduce the Punjab Act in the Delhi Province, but it would be necessary for us to consult the Chief Commissioner and to consider all the implications involved. We would certainly give the matter our consideration.

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

"That the Bill, as amended, be passed."

The motion was adopted.

THE INDUSTRIAL STATISTICS BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (Commerce Member): Sir, I move:

"That the Bill to facilitate the collection of statistics of certain kinds relating to industries, as reported by the Select Committee, be taken into consideration."

Sir, the Select Committee has not made any serious changes in the Bill as it was presented to the House on the first reading. Such changes as have been made in clause 3 are merely to elucidate further the points on which statistical information may be required by the Government. The only change of any substance that has been made is in clauses 9 and 10 where provision for a sentence of imprisonment or fine or both is made to be imposed on those officials who divulge secrets collected by way of statistical information. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to facilitate the collection of statistics of certain kinds relating to industries, as reported by the Select Committee, be taken into consideration."

Mr. N. M. Joshi (Nominated Non-Official): Sir, I have no desire to oppose this motion, but, at the same time, I desire to say that the Bill, as it was placed before the Select Committee, was a Bill of a very restricted scope, and I thought that the Select Committee would widen the scope of the provisions of this Bill. The Bill is restricted to the collection of statistics in industries. I thought that the Select Committee would provide that the Government of India and the Provincial Governments may have power to collect statistics regarding any occupation. We need statistics and knowledge and more light regarding all occupations and not only of industries. Then, Sir, the Government of India, although they have provided that the Bill should give power for the collection of statistics regarding industries, in the actual Bill itself they provide that statistics regarding the matters which relate to labour welfare should be collected only as regards factory industries. That is, if you want to collect figures regarding cost of production and other matters regarding mining, then this Bill does not empower the Provincial Governments and the Government of India to do that. They can collect statistics relating to labour

[Mr. N. M. Joshi.]

welfare in mining but not relating to production and other matters in mining and I thought that this is unnecessary restriction. When we are passing a measure for getting more information regarding each industry, we should get knowledge regarding all industries and not only factory industries. There is the mining industry in India; there is the plantation industry in India and we do not propose to give power to the Local Government and to the Government of India for the collection of statistics regarding these important occupations. I feel that this is a great defect of the measure as it has come out of the Select Committee.

Then, Sir, there is another defect. As regards factory industries, we can collect statistics regarding cost of production but as regards other industries we do not empower the Government of India and the Provincial Governments to collect statistics relating to cost of production. Sir, one of the objects of this Bill is to get knowledge regarding conditions and welfare of labour and this information is intended to be used for the settlement of industrial disputes. In settling an industrial dispute, as I have said several times, the financial position of the industry or the economic position of the industry should have nothing to do with the wages to be paid to the employees, according to their proper standard of life, whether the industry can afford to pay it or not. I can take up that stand but several times the employers do not accept that stand. They sometimes claim that the industry cannot afford to pay certain wages, which are necessary for keeping the labourers in comfort. If an employer makes that statement that industry cannot afford to pay certain rates of wages there is no means of finding out whether the industry is run in an economical manner or not and therefore the figures regarding the cost of production are absolutely necessary to settle industrial disputes and that cannot be done as regards mining and the plantation industries. We can get those figures under this Bill regarding factory industries but if we have to settle any disputes regarding mining, then the cost of production figures will not be available. I feel that this is a great defect of this measure and the Government of India should remove these defects. Unfortunately in this House we cannot get anything passed against the wishes of the Government, and therefore, I have not taken the trouble of moving any amendments to this measure, and, moreover, we must economise time in these days and we must practise economy in other matters also, but I hope that the Government of India will take steps to remove the defects which I have pointed out.

Dr. T. E. Gregory (Government of India: Nominated Official): I should like to clarify the position with regard to the mining statistics and the agricultural statistics which Mr. Joshi asked for. There is nothing in this Bill which prevents the collection of agricultural statistics, including the collection of statistics relating to the cost of production. In fact, I should like to remind the Honourable Member that the Imperial Council of Agricultural Research has issued something like 20 volumes on the question of the cost of production.

Mr. N. M. Joshi: But you have not got the power to compel an employer if he refuses to give you the statistics.

Dr. T. E. Gregory: That raises a difficult question of interpretation whether an employer can be compelled or not but there is nothing in this Bill which, in fact, prevents investigation into the cost of production in agriculture and such investigations have been in fact held in the past. Similarly, there is nothing in this Bill to prevent the scope of the statistical activities of the Chief Inspectors of Mines from being expanded and I think there is some danger that the House will overlook how very wide the scope of the present Bill is. I do not want to dilate at length upon the importance of a measure of this kind at a time when plans for reconstruction are being so universally discussed. This Bill certainly does enable us to achieve two important objects. In the first place, it enables us to arrive at a much greater degree of uniformity in the collection of statistics than has hitherto been possible and a much more important matter is that this Bill enables us to apply compulsion. In the opinion of many competent authorities we have now reached the limit of voluntary co-operation of persons engaged in business and in industry and we believe that the time has now come when various recalcitrant elements which have impeded our efforts in the past should be compelled to furnish information if the information is wanted. There is nothing in this Bill, I would say, which prevents, if it is thought necessary, investigations into the cost of production. Item (a) of sub-clause (1) of clause 3 makes it perfectly possible to conduct investigations into costings. I would, however, like to remind the House that investigations into costings are exceedingly difficult undertakings, as they may involve investigation of some very private matters relating to the position of individual firms, and I think it would be agreed from the very beginning that such inquiries must be conducted with very great discretion. Nevertheless, I do insist on the fact that the Bill covers an enormous field of economic activity and that the mere fact that it is confined to industries does not preclude, under this legislation investigations into agricultural and mining matters and I think we have quite enough to do in organising a proper statistical service in terms of the present Bill.

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

"That the Bill to facilitate the collection of statistics of certain kinds relating to industries, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed to consider the Bill clause by clause.

Clause 2 was added to the Bill.

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

"That clause 3 stand part of the Bill."

Sir F. E. James (Madras: European): Sir, I move:

"That in sub-clause (1) of clause 3 of the Bill, after the word 'matters', the following be inserted:

'and in respect of such industries as the Central Government may prescribe from time to time.'

The effect of this amendment, if accepted, would be that the Provincial Governments would only collect statistics in regard to those industries which have been prescribed from time to time by the Central Government.

[Sir F. E. James.]

The reason for this suggestion is two-fold. First of all, it is admitted, by the very form of the Bill, that in collecting statistics co-ordination is essential if those statistics are to be of any value whatsoever. Therefore, the provinces should be enjoined only to collect those statistics which refer to particular industries detailed by the Central Government itself. In other words, the Central Government lays down the industries in respect of which the Provincial Governments are to collect the statistics. In the second place, I think it is very likely that the admirable intentions of Government in this respect may be wholly thwarted, if Provincial Governments are left completely free to collect statistics from all classes of industries, ranging from the large organised industries to the small cottage industries. In that regard, I would draw the attention of the Honourable Member in charge of the Bill to the note of the Central Government itself dated the 2nd November, 1939, conveyed by Dr. Mathai, who then, I believe, was the Director-General of Commercial Intelligence and Statistics. In paragraph 6 of that note he points out that in the present circumstances of India it would be almost impossible to attempt a complete census of industrial production. He, therefore, suggests that in the initial stages the Statistics Act may be confined to the collection of information regarding the leading organised industries of the country.

Again, in paragraph 7 he suggests that the industries to be taken up for investigations in the early stages should not be too large and that about 25 should be specified in addition to those included in the present monthly statements as the most suitable beginning. My Honourable friend, the Commerce Member, himself, when this matter was discussed on the floor of the House on the previous occasion, seemed to recognise the difficulty of allowing these statistics to be collected from all and every type of industry. He said, when this Bill was before this House, that is "refers to factories and industries and it is not possible to bring in agricultural plantations and other things into the orbit of this measure." Therefore, he himself realised the difficulty of applying a compulsory measure of this description on too wide a basis. The only possible effect, therefore, of our amendment is, not that the scope of the Bill should in any way be restricted, but that the statistics to be collected should be those concerning industries which from time to time would be prescribed by the Central Government. I would like to make it perfectly clear that in moving this amendment we are not endeavouring to limit the ultimate scope of the Bill. We are endeavouring, however, to ensure that before the whole range of the industry is brought within its scope, the statistics which are collected are made as accurate as possible and are duly co-ordinated at the Centre. That is why we suggest that we should proceed by stages and that the Government of India should prescribe from time to time those industries in connection with which the collection of statistics by the Provincial Governments should be permitted. Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in sub-clause (1) of clause 3 of the Bill, after the word 'matters' the following be inserted:

'and in respect of such industries as the Central Government may prescribe from time to time'."

Mr. N. M. Joshi: Sir, I rise to oppose this amendment. The object of the amendment clearly is to take away the power of the Provincial

Governments to collect statistics if they want to collect statistics regarding their own province without being asked by the Central Government. I have no doubt that in many cases collection of statistics all over the country is necessary, but sometimes it is necessary to collect statistics for the province also. Those statistics may not be necessary to be collected in every province, but one province may require certain statistics. I do not know why the Provincial Government should be made to go to the Central Government to get power to collect statistics for that particular industry. I feel that the effect of the amendment will be to deprive the Provincial Government of the power given under this Bill to collect statistics regarding certain industries. I, therefore, hope the Government of India will not accept this amendment.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, it is the desire of the Government of India to make this Act workable as far as possible and practicable. They realise the difficulties of collecting statistics over a very wide range particularly in the initial stages. Their own proposal would be, in the initial stages at any rate, to direct their attention and focuss the energies of the provincial staff in the collection of statistics of particular industries. With reference to this, all Provincial Governments will, it is expected, collect the statistics in the form prescribed by the Provincial Governments under, if necessary, the instructions or directions of the Central Government issued under section 11. Uniformity of statistics to the extent that it is desired by the Central Government is, therefore, ensured for the industries which the Central Government desires to collect statistics about. But having said that, it is not constitutionally possible for the Central Government to prevent a Provincial Government from collecting statistics either of a different nature or with reference to those industries with which the Central Government does not concern itself at present. No doubt, the value of those statistics may not be so great as the value of those statistics collected at the instance of the Central Government on a uniform basis by all the provinces. But that is a factor which must be taken into consideration by the Provincial Governments if they are so enthusiastic as to go about and collect all statistics about various industries. I do not see how we can put an embargo on their efforts. Constitutionally and legally, it is impossible to do so. Besides there is nothing to prevent the Provincial Governments from having other legislation of their own and they have expressed a desire not to have their powers limited in this matter. In one or two provinces there is already a Statistics Act. As I have already suggested in my opening remarks, the Central Provinces have an Act of this kind. Therefore, I do not think it will be right nor will it be constitutionally proper on our part to say that any statistics of industries which the Central Government do not prescribe cannot be collected by any Provincial Governments. For these reasons, I am unable to accept the amendment.

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

"That in sub-clause (1) of clause 3 of the Bill, after the word 'matters' the following be inserted:

'and in respect of such industries as the Central Government may prescribe from time to time'."

The motion was negatived:

Mr. E. L. C. Gwilt (Bombay: European): Sir, with your permission, I should like to take up amendments Nos. 2, 3, 4, 5, 6 and 7 together.

Mr. President (The Honourable Sir Abdur Rahim): Are they all identical?

Mr. E. L. C. Gwilt: They are amendments merely of a drafting nature.

Mr. President (The Honourable Sir Abdur Rahim): They cannot all be moved together. The Honourable Member must move them one by one.

Mr. E. L. C. Gwilt: Sir, I move:

"That in part (b) (ii) of sub-clause (1) of clause 3 of the Bill, the words 'of labour' be omitted."

Sir, this, and the other amendments up to No. 7 are merely drafting amendments and they are intended to do away with redundancy and frequent references to 'labour' and 'workers', about which there can be no misunderstanding because in part (b) itself it is said:

"any of the following matters so far as they relate to welfare of labour and conditions of labour."

Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in part (b) (ii) of sub-clause (1) of clause 3 of the Bill, the words 'of labour' be omitted."

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I personally do not think that there is anything wrong in the drafting, but if my Honourable friend feels that the elegance of the wording in the Bill will improve, I bow to his superior wisdom and accept it.

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

"That in part (b) (ii) of sub-clause (1) of clause 3 of the Bill, the words 'of labour' be omitted."

The motion was adopted.

Mr. E. L. C. Gwilt: Sir, I move:

"That in part (b) (iii) of sub-clause (1) of clause 3 of the Bill, the words 'of labour' be omitted."

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

"That in part (b) (iii) of sub-clause (1) of clause 3 of the Bill, the words 'of labour' be omitted."

The motion was adopted.

Mr. E. L. C. Gwilt: Sir, I move:

"That in part (b) (iv) of sub-clause (1) of clause 3 of the Bill, the words 'of workers' be omitted'."

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

"That in part (b) (iv) of sub-clause (1) of clause 3 of the Bill, the words 'of workers' be omitted'."

The motion was adopted.

Mr. E. L. C. Gwilt: Sir, I move:

"That in part (b) (v) of sub-clause (1) of clause 3 of the Bill, the words 'of workers' be omitted'."

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

"That in part (b) (v) of sub-clause (1) of clause 3 of the Bill, the words 'of workers' be omitted'."

The motion was adopted.

Mr. E. L. C. Gwilt: Sir, I move:

"That in part (b) (vii) of sub-clause (1) of clause 3 of the Bill, the words 'provided for labour' be omitted'."

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved.

"That in part (b) (vii) of sub-clause (1) of clause 3 of the Bill, the words 'provided for labour' be omitted'."

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir I must resist this amendment. This is a very specific thing provident and other funds 'provided for labour'. The amendment does not make any sense.

Sir F. E. James: Sir, I ought to defend my Honourable colleague against the suggestion that he has moved an amendment which makes non-sense. If my Honourable friend will look at the governing part of clause 3(1)(b), he will find that all those items refer to "welfare of labour" and "conditions of labour". If that is the case, what else could the provident and other funds refer to but those which are "provided for labour". However, we will not dispute the matter. I think my Honourable friend feels strongly about it and, therefore, I do not think we shall press the amendment.

Mr. E. L. C. Gwilt: I beg leave of the House to withdraw the amendment.

The amendment was, by leave of the Assembly, withdrawn.

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

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

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

"That clause 4 stand part of the Bill."

Sir F. E. James: Sir, I wish to make a few observations on this clause. We tabled an amendment with respect to this clause, but it is not being moved. The purpose of that amendment was to ensure that there should be a specified authority at the Centre upon whom is enjoined the task of co-ordinating the statistics which are supplied by the Provincial Governments. The whole of this Bill is based on the assumption that there is to be some co-ordinating machinery at the Centre, which can make

[Sir F. E. James.]

the best use of the statistics which are collected in the provinces. I should like to ask my Honourable friend, Dr. Gregory, who is now in the House, whether he can tell the House anything as to the progress which has been made in that respect after the recommendations of the Bowley-Robertson Report, which recommendations specifically refer to the machinery at the Centre for collecting statistics.

Dr. T. E. Gregory: Sir, I am afraid I cannot report any progress with regard to the co-ordination of provincial statistics. The general position is that the Office of the Director General of Commercial Intelligence and Statistics has been put under the Economic Adviser to the Government of India, and when the Provincial Governments are considering such matters as cost of living indices, and matters of that kind, they invariably refer to the Economic Adviser. But I am afraid that the question of what kind of machinery will be imposed appropriate to work under this particular Bill, we have not yet taken into consideration awaiting the passing of this Bill first.

Sir F. E. James: I take it, it will be taken up in due course.

Dr. T. E. Gregory: Undoubtedly.

Sir F. E. James: Otherwise, there is no reason in having this Bill.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Since the question of sense was so freely referred to in the House, I may say that while the task of collecting statistics and the cost of that collection so far as provincial statistics are concerned will fall on the Provincial Governments, certainly the task of co-ordinating these statistics, being a task of the Central Government, the cost of that staff will fall on the Central Government. It is agreed that staff will be necessary for the purpose of co-ordinating statistics collected by Provincial Governments. Otherwise, there would be no justification in putting the Provincial Governments to the task of collecting these statistics if these statistics were to remain un-co-ordinated in the Central Government archives.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That clause 5 stand part of the Bill."

Mr. E. L. C. Gwilt: Sir, I move:

"That to sub-clause (1) of clause 5 of the Bill the following proviso be added:

Provided that if such information or returns have already been furnished in such forms and with such particulars to another authority duly appointed by the Provincial Government such persons shall not be required to furnish such information or returns to the Statistics Authority, but shall inform him as to the authority to whom he has already furnished such information or returns."

Sir, by this amendment, we seek to avoid the duplication of what may well be weeks of work. For instance, information may be sought by the authority appointed under this Bill when it is put on the Statute-book identical to that which has already been rendered by the industry concerned under the Workmen's Compensation Act or the Factories Act or the Payment of Wages Act. The collection of precisely the same information will throw unnecessary burden on the shoulders of the industry. If, therefore, the information constituting statistics sought for under this Bill when it is passed into law is identical with the information already given by the industry under another Act, it need not be duplicated; but the authority appointed under the Act shall be informed as to the authority to whom the industry has already on a previous occasion furnished the information or returns that are required. Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That to sub-clause (1) of clause 5 of the Bill the following proviso be added:

Provided that if such information or returns have already been furnished in such forms and with such particulars to another authority duly appointed by the Provincial Government such persons shall not be required to furnish such information or returns to the Statistics Authority, but shall inform him as to the authority to whom he has already furnished such information or returns."

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir,

I may at once say that I am in sympathy with the underlying purpose of this amendment but I am unable to accept it, for a simple reason. My Honourable friend said that if the precise information is conveyed already in some other return, the same information need not be asked for under this Statistics Act. The difficulty is to judge what that precise information is and whether the information already conveyed by some other return is precisely the same as that which is required under this Act. But I am prepared to go as far as this. The Central Government propose to send instructions and directions to Provincial Governments as to the nature of the statistics that will be required. We hope to prescribe certain forms in consultation with various authorities and those forms will be the forms which have to be filled up. We propose also to suggest that in those forms if the precise kind of information that we require has already been submitted by any of those factories under any other Act, permission may be given to the factory owner to say that this information has been submitted in such and such return. But to have a precise clause like this which will lead to endless disputes between factory owners and the Provincial Governments, as to whether the information required has already been submitted or not and in the precise form that is required under this Act, would lead to administrative difficulties and complications. For that reason and for that reason alone I am not in a position to accept this amendment, but I undertake to give those directions and to see that our forms provide for returns stating that the precise information has already been given under some other Act.

Mr. E. L. C. Gwilt: Sir, in view of the assurance given by the Honourable the Commerce Member, I beg leave of the House to withdraw the amendment.

The motion was, by leave of the Assembly, withdrawn.

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

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clauses 6 to 8 were added to the Bill.

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

"That clause 9 stand part of the Bill."

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I move:

"That in clause 9 of the Bill, the words 'with imprisonment for a term which may extend to six months, or' be omitted."

When this Bill was first introduced, there was no provision for the punishment of imprisonment, and the Select Committee have added it. In these days, I fail to see why imprisonment should be insisted on. We are not going to gain anything by imprisoning people. Ample punishment has been provided for offences under clause 9 of the Bill; provision has been made for a fine of one thousand rupees, which is too much, and it is in excess of what is provided in clause 8. I think, therefore, this amendment is necessary, and I hope the House will accept it.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 9 of the Bill, the words 'with imprisonment for a term which may extend to six months, or' be omitted."

Mr. N. M. Joshi: Sir, I should like to support this amendment. This change proposed by the Select Committee prescribing imprisonment for the disclosure of certain information is not in accordance with the scheme of penalties on this Bill or several other measures of this kind. It is the business of the Government of India to speak on behalf of the employees; it is not for me. But as a student of this kind of legislation I see that the Government of India have not done justice in accepting the amendment. I have gone through the scheme of penalties in the factory legislation where the effect of the failure of an employer to comply with the provisions of the Factory Act, e.g., fencing his machinery, may cause death to several of his employees. But for a breach of a rule of that kind he is only given fine. The Government of India, however, seem to be anxious to protect the interests of the employers here to such an extent that they go out of their way to accept a punishment of six months' imprisonment, which is quite out of place in legislation of this kind. Sir, if the Government of India do not do justice to their employees, the House should do it.

Mr. E. L. C. Gwilt: Sir, while I appreciate the soft-heartedness of the two Honourable Members who have spoken on this amendment I consider that the penalties provided in the Bill are by no means too heavy. Incalculable harm may be done to an industry if information which comes into the hands of the authorities concerned is divulged.

Mr. N. M. Joshi: Why can't you change the Factories Act?

Mr. E. L. C. Gwilt: An industry may well be a national asset and, while I do not wish to exaggerate the issue, very great damage can be done by divulging information to interested parties which may well result in workers being thrown out of work and the loss of national income, possibilities I would ask Mr. Joshi not to overlook. I maintain, therefore, that if any amendment is justified it would be in the direction of increasing the punishment and not lessening it. Sir, I oppose.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, this amendment was suggested by the Select Committee and I felt, in view of the fact that Government said that the costs of production in factories should be available to Government or the officers of the Statistical Department of the Provincial and Central Governments, that a revision of the punishment to be imposed on any official who divulges statistics was justified. I was not prepared to accept the amendment that the costs of production should be excluded from the collection of statistics, and consequently I felt that the interests concerned should be absolutely assured that that information which is very valuable from the point of view of rival industries should not be disclosed. And, therefore, it is that Government were prepared to accept the amendment that imprisonment also should form one of the kinds of punishment that may be imposed on an officer who divulges this particular information. I am not prepared to state now whether the punishments under the Factories Act are all justified or not, whether they should be increased or decreased. That will be taken into consideration when the Factories Act is revised. I do not know when the Factories Act was passed and the circumstances at that time. My Honourable friend, Mr. Joshi, may be justified in his suggestion that more serious punishment—a term of imprisonment or other kinds of punishment should be imposed; but that would hardly form a justification for not accepting an amendment which we feel is right and proper in this case.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I must say that this punishment is too hard, and I see no reason why it should be so severe. In clause 8, no imprisonment is provided for, and the Select Committee have not given any tangible reasons to induce this House.

The Honourable Mr. M. S. Aney: Has the Honourable Member listened to the speech of the Commerce Member? He gave the reasons.

Mr. Lalchand Navalrai: That is no reason. They may be nervous and have provided for imprisonment without showing that the law will be used prejudicially to the industry. To provide for a sentence of six months' imprisonment is very hard and the House should not be a party to this.

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

"That in clause 9 of the Bill, the words 'with imprisonment for a term which may extend to six months, or' be omitted."

The motion was negatived.

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

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clause 10 was added to the Bill.

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

"That clause 11 stand part of the Bill."

Sir F. E. James: Sir, I move:

"That in clause 11 of the Bill, after the words 'The Central Government may' the following be inserted:

'subject to the condition of previous publication by notification in the official gazette'."

Sir, this clause really is the meat of the Bill, because it must be admitted that unless this clause was here,—power of the Central Government to give directions to the Provincial Governments,—the Bill would have to be very much more detailed than it is at present. My Honourable friend, the Commerce Member, has already spoken of giving directions regarding forms which are to be filled in in connection with these statistics. Well, we non-officials have some experience of the forms which are devised by Government Departments dealing with industrial matters, and they are not always intelligible.

Sir Henry Richardson (Nominated Non-Official): Never.

Sir F. E. James: I will not say "never". Some of them are, but when they are intelligible, they have generally been devised on the advice of non-officials. Therefore, we thought that if the Central Government were obliged to publish those directions to the Provincial Governments—namely, the various items with detailed descriptions of the heads under which statistics are to be collected—if those were required to be published under the 'previous publication procedure' that would be safer. I am told by my Honourable friend, the Secretary of the Legislative Department, that this is highly inappropriate. Well, I accept the advice coming, as it does, from so competent a quarter. At the same time we should like to hear from the Honourable Member in charge of the Bill as to the procedure that he is likely to adopt in drawing up the directions which are to be sent to the Provincial Governments, and as to whether any opportunity will occur, at any time, for advice to be tendered to him by those who are likely to be the persons enjoined to fill in these forms and otherwise provide the statistics. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 11 of the Bill, after the words 'The Central Government may' the following be inserted:

'subject to the condition of previous publication by notification in the official gazette'."

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, my Honourable friend, Sir Frederick James, has already quoted the authority of one to whose knowledge and experience and advice I must bow in matters of this kind, that it will be highly inappropriate to provide for previous publication of the directions which the Central Government can give to Provincial Governments. My Honourable friend's experience must itself have shown to him that it would be grossly inappropriate on the part of the

Central Government to publish those directions for previous consultation. But in my opening speech I said that in prescribing these forms, or in suggesting what forms should be prescribed, the Central Government is anxious to take into consultation various persons and authorities. I referred in particular to those who are well-versed in the collection or the preparation of statistics and to the Indian Statistical Institute in particular. I may say that at the last meeting of the Consultative Committee of Economists. I said that their advice may be invaluable with reference to the kind of statistics that may have to be collected in this matter. I am equally anxious to get the advice of commercial bodies on this matter before the forms are prescribed finally. It is with reference to the forms that I understand my Honourable friends are most anxious and that advice I am prepared to take before the forms are finally settled by the Central Government, but with reference to the various kinds of directions which may have to be given, and those directions my Honourable friend will realize will not be merely in regard to forms, to the Provincial Governments I do not think that it will be proper for the Central Government to publish them beforehand.

Sir F. E. James: Sir, I beg leave of the House to withdraw the amendment.

The amendment was, by leave of the Assembly, withdrawn.

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

"That clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill.

Clause 12 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I move:

"That the Bill, as amended, be passed."

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

"That the Bill, as amended, be passed."

The motion was adopted.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, as there is no work for Friday, the 27th of March, I request that the meeting for that day be cancelled.

Mr. President (The Honourable Sir Abdur Rahim): The meeting put down for Friday, the 27th of March, 1942, is cancelled and the House will adjourn till Tuesday, the 31st of March.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 31st of March, 1942.

LEGISLATIVE ASSEMBLY

Tuesday, 31st March, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Sir Kenneth Grant Mitchell, C.I.E., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

†273*—277*.

WITHDRAWAL OF POWER FROM BOOKING CLERKS FOR REFUND OF FARES OF UNUSED RAILWAY TICKETS IN KARACHI DIVISION.

278. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that under Rule 104 of the Commercial Manual for the North Western Railway, Chief Booking Clerk or Incharge Booking Clerks, wherever employed, can take back tickets purchased but not availed of and refund the necessary fares to the travelling public if tickets are returned within time?

(b) Is it a fact that this power has been withdrawn from the Chief and Incharge Booking Clerks, *vide* Karachi Division, North Western Railway, Circular No. 3000-CG/27, dated the 7th January, 1942? If so, who has ordered the withdrawal of the rule and is he competent to do so?

(c) Is it a fact that owing to reduced train service the public cannot find accommodation in trains and therefore the number of such tickets is fairly large?

(d) Is it a fact that Assistant Station Masters and Station Masters on large stations have work outside their offices and cannot generally be found easily and therefore the public are greatly inconvenienced by the withdrawal of this rule? If so, why were the changes referred to in part (b) above ordered?

(e) Does the Honourable Member propose to issue instructions that rules are to be strictly observed and inconvenience to public avoided? If not, why not?

The Honourable Mr. S. N. Roy: (a) and (c). Yes.

(b) Yes, the Divisional Superintendent, Karachi, who acted within his competence.

†For these questions and answers, see pages 1593—97 of these debates.

- (d) Yes. The changes were made because fraud was suspected.
- (e) I understand that the Divisional Superintendent, Karachi, is taking steps to withdraw his orders.

PROPOSED CHANGES IN RAILWAY PASS RULES.

279. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is proposed to alter the Pass Rules for Railway employees as a war measure or otherwise? If so, what are the principal changes?

(b) Is it contemplated to increase the pay limit for Intermediate and Second Class Passes? If so, what limits are proposed?

(c) Will these changes be temporary for the duration of war or permanent?

The Honourable Mr. S. N. Roy: (a), (b) and (c). Government have no such proposals under consideration at present.

Mr. Lalchand Navalrai: Is there a demand for more passes being granted?

The Honourable Mr. S. N. Roy: There is always a demand for passes being raised.

Mr. Lalchand Navalrai: Are Government considering the question of granting passes to those who are not now given passes?

The Honourable Mr. S. N. Roy: At the present time there is no proposal for increasing passes.

PRIVATE PRACTICE BY NORTH WESTERN RAILWAY DOCTORS.

280. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether the Railway Doctors on the North Western Railway are allowed the right of private practice outside the Railway circle? If so, what are the rules and orders on the subject?

(b) If the reply to first portion of part (a) above be in the negative, are there any instances of Divisional Medical Officers, Assistant Medical Officers, Assistant Surgeons and Sub-Assistant Surgeons who have been given the exceptional concession of private practice? If so, will the Honourable Member please lay a statement of such persons on the table of the House?

(c) If the reply to part (b) above be in the affirmative what are the considerations for exceptions? Is it proposed to apply rules and orders equally to all officials? If not, why not?

(d) Will the Honourable Member please state whether individuals, or the places where such doctors are stationed, are considered for the grant of concession of exceptions to the rule governing private practice?

The Honourable Mr. S. N. Roy: (a) and (c). I would refer the Honourable Member to the information laid on the table of the House on 10th August, 1938, in reply to parts (a) and (b) of Sardar Sant Singh's starred question No. 1258 asked on 8th April, 1938.

(b) Does not arise.

(d) All the circumstances of each case are considered on their merits before permission is granted or withheld.

Mr. Lalchand Navalrai: I would like to know the basis on which certain doctors are granted certain concessions while others are not. Certain doctors are allowed outside private practice whereas others are not. What is the basis on which this is done?

The Honourable Mr. S. N. Roy: Permission is only granted if the permitting authority is satisfied that private practice can be undertaken without detriment to their duties towards the employees of the railway and their families.

Mr. Lalchand Navalrai: Who gives them the permission? Is it the Chief Medical Officer, or the Divisional Medical Officer?

The Honourable Mr. S. N. Roy: I am not sure. I think probably there are different officers for different grades.

NORTH WESTERN RAILWAY EMPLOYEES DRAWING REDUCED WAGES.

281. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether there are any employees on the North Western Railway, who are drawing reduced wages, owing to reductions having been ordered in their wages, prior to the issue of the Railway Board's letter No. E 40 AT 8, dated the 9th April, 1941? If so, why are they still being penalized when the reductions have been stopped?

(b) Will the Honourable Member please lay a statement on the table of the House showing the number of such persons for each Division, separately, and the amount of total reduction in their wages?

The Honourable Mr. S. N. Roy: (a) The letter quoted by the Honourable Member contains instructions for holding in abeyance the infliction of the penalty of reduction for the future. I am unable to say whether there are at the moment any employees who are drawing reduced wages as a result of orders passed before the issue of the letter.

(b) I regret I cannot undertake the researches necessary to secure this information.

Mr. Lalchand Navalrai: May I know why the Honourable Member is not going to get the information and satisfy himself, so that, if there is any wrong done, it should be righted?

The Honourable Mr. S. N. Roy: Because, Sir, as I have stated in reply to part (a) of the question, the orders that have been issued apply to the future.

EXTENSIONS TO GAZETTED OFFICERS ON EAST INDIAN AND BENGAL AND ASSAM RAILWAYS.

***282. *Mr. Muhammad Nauman:** (a) Will the Honourable Member for Railways be pleased to state the number of the Railway officers in the

[†]Answer to this question laid on the table, the questioner being absent.

gazetted rank on the East Indian Railway, and the Bengal and Assam Railway, who have been granted extension for one year or more?

(b) Will he please state the chief factors which were taken into consideration in making this decision in each individual case separately?

(c) Who were the other officers who could have succeeded if this extension were not granted and do Government propose to compensate them for this period later on?

The Honourable Mr. S. N. Roy: (a) East Indian Railway 14; Bengal and Assam Railway three.

(b) and (c). I would refer the Honourable Member to the reply given to part (b) of question No. 210 asked by Mr. Lalchand Navalrai on the 19th March, 1942. Government have had no occasion to consider who would have succeeded to the posts held by officers granted extensions of service.

NORTH WESTERN RAILWAY SALES BRANCH.

283. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if it is a fact that Railways are unable to carry any further traffic and have therefore withdrawn all concessions of cheap tickets and rates?

(b) Is it a fact that the "Sales Branch" was brought into being with a view to attract traffic by rail? If so, what is the necessity of maintaining the Sales Department now?

(c) If the reply to first portion of part (b) above be in the negative, what were the reasons for opening a "Sales Branch" on the North Western Railway and whether those grounds still exist for continuing the department?

(d) What was the total annual expenditure incurred on the North Western Railway Sales Branch, and what was the comparative advantage derived from it during the calendar year 1941?

(e) Is it proposed to close this department and save expenditure thereon? If not, why not?

The Honourable Mr. S. N. Roy: (a) The capacity of Railways is being severely taxed and unnecessary travel is being discouraged by the withdrawal of concessions, and cheap tickets.

(b) Attracting traffic to the railway was one of the duties of the Sales Branch. As regards the second part, the staff are being utilised to deal with urgent problems that have arisen under present circumstances.

(c) Does not arise.

(d) The expenditure was approximately Rs. 85,000. I am not in a position to assess the advantages derived from it, in terms of earnings. Its activities in 1941 have been in directions other than that of securing traffic.

(e) No. No saving will be obtained thereby and to disband them will only mean having to replace them by others to do the work they are now doing.

Mr. Lalchand Navalrai: May I know what is the kind of work on which they have been employed?

The Honourable Mr. S. N. Roy: They have been employed on a campaign to obtain a quicker turn round of wagons, better wagon loads, quicker transit of goods, and also on problems of co-ordination of rail and road traffic in provinces and Indian States covered by the Railway.

Mr. Lalchand Navalrai: Will the Honourable Member find out whether the present employes' number can be reduced and work thrown on the rest of the staff?

The Honourable Mr. S. N. Roy: That matter is already under correspondence.

Mr. President (The Honourable Sir Abdur Rahim): The answers to the other questions of Mr. Lalchand Navalrai will be laid on the table.

OUT-AGENCIES ON NORTH WESTERN RAILWAY.

†284. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state the number of out-agencies on the North Western Railway in the calendar years 1939, 1940 and 1941?

(b) What is the total amount of commission paid to the contractors during the three years referred to in part (a) above?

(c) Is it proposed to close all agencies during the course of war at places where alternate means of railway booking and goods offices exist? If not, why not?

The Honourable Mr. S. N. Roy: (a).

Year.	No. of out-agencies on North Western Railway.
1939	43
1940	46
1941	51

(b) Nil.

(c) I understand there is no out-agency situated at a place where alternative means of railway booking and goods offices exist. It is, therefore, not proposed to close any of the out-agencies.

"COMMERCIAL STAFF" MEETINGS ON NORTH WESTERN RAILWAY AT KARACHI

†285. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that for the last three or four months a "Commercial Staff" meeting is held every month on the North Western Railway at Karachi?

[†]Answer to this question laid on the table, the questioner having exhausted his quota.

(b) Is it a fact that about 100 employees are invited from various stations on the Karachi Division, who occupy a substantial portion of higher class accommodation in the train service thus causing inconvenience to the travelling public? If so, why are such meetings held at a time when every effort is being made to discourage travel by rail?

(c) On which other divisions of the North Western Railway are such monthly "Commercial Meetings" held? If none, why is the travelling public in Sind area only inconvenienced by giving substantial accommodation for railwaymen's travel?

(d) What is the total amount of travelling allowance paid to the railway employees for attending the "Commercial meetings" at Karachi with effect from the 1st January, 1942 and whether such expenses are justified with the results obtained? If so, how?

(e) Is it proposed to abandon such meetings at least during the course of the war? If not, why not?

The Honourable Mr. S. N. Roy: I have called for information and a reply will be laid on the table of the House in due course.

DETENTION OF OUTGOING PASSENGERS AT TICKET COLLECTORS GATES ON NORTH WESTERN RAILWAY IN SIND.

†286. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the public is detained at Ticket Collectors Gates on the North Western Railway in the Sind Province while going out of platforms, as the Ticket Collectors have recently been ordered first to cancel the tickets collected from the passengers going out of the stations with the cancelling nipper and then collect tickets from other passengers?

(b) Since when has this system been introduced?

(c) Is it a fact that the public is greatly detained and inconvenienced by this practice?

(d) What steps do Government propose to take to avoid detention to the travelling public at exit gates at the stations? If none, why?

The Honourable Mr. S. N. Roy: (a) and (b). The reply is in the negative. I understand orders were issued on the 16th February, 1942; that Ticket Collectors are to cancel collected tickets after the rush of passengers has abated.

(c) No.

(d) Does not arise.

DACOITIES ON RAILWAY STATIONS AND TRAINS IN SIND.

†287. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that recently several raids by dacoits on railway stations and trains have occurred in the Sind area of the North Western Railway? If so, will he be pleased to give particulars of:—(i) such raids, (ii) loss and injury to human life, and (iii) loss to property of the railway administration and staff?

†Answer to this question laid on the table, the questioner having exhausted his quota.

(b) Is it a fact that panic prevails at small roadside stations in Sind and telegraphic requests have been made by the railway staff to the authorities for protection of life and property? If so, what action has been taken to afford immediate protection?

(c) Is it a fact that the railway administration has to bear the expenses incurred in engaging extra police? If so, why are not more police being engaged to protect life and property till peaceful conditions are restored in this part of the country?

(d) What relief has been given by the administration to the employees or their children who have suffered in these raids?

The Honourable Mr. S. N. Roy: (a) Yes. I lay on the table of the House a statement giving the information required.

(b) The answer to the first part of the question is in the affirmative. As regards the second part, I am unable to give details of the action taken by the Provincial Government.

(c) No. The Railway Administration bears the expense of police engaged in "order" duties, while the Provincial Government is responsible for the provision of an expenditure on police engaged on "crime" duties. In regard to the second portion of the question, representations have been made by the Administration to the Sind Government and I have no doubt all possible action is being taken.

(d) Relief will be given in accordance with the provisions of the Workmen's Compensation Act. Government has no information as to whether any relief has already been given.

Summary of incidents reported.

- | | |
|---|--|
| 1. <i>Mahesar Station</i> (Rohri-Khanpur Section). | At 20-30 hours on 4th March, 1942, 8 or 9 dacoits, armed with guns and hatchets, raided the station. |
| | <i>Murdered Shopkeeper Manghomal</i> (living within railway premises); injured Bakhthiar pointsman; removed ticket tube containing tickets and cash Rs. 8 or 9. |
| 2. <i>Reti Station</i> (Rohri-Khanpur Section). | At 23 hours on 8th March, 1942, dacoits, armed with guns and hatchets, raided the station. |
| | <i>Murdered Assistant Station Master</i> (Satbachan Singh), <i>Signaller</i> (Fazal Qadir) and <i>Porter</i> (Ghulamoo); looted vendors' shops; removed property valued at Rs. 50 and station ticket tube containing Rs. 31-13. |
| 3. <i>Sabu Rahu Station</i> (Tando Adam-Sakrand-Tharushah Section). | At 23 hours on 9th March, 1942, about 15 dacoits, armed with guns and hatchets, surrounded the station and fired 40 cartridges, smashing doors and windows of booking office and of Station Master's quarters. Took away property worth about Rs. 220. No one was injured or killed. |

REFUND OF DEDUCTIONS MADE FROM PAY OF NORTH WESTERN RAILWAY EMPLOYEES.

†288. *Mr. Lalchand Navalrai: With reference to the reply given to my starred question No. 135, asked on the 6th March, 1942, regarding refund of reduction money to the employees on the North Western Railway, will the Honourable Member for Railways be pleased to state the result of the investigations made and the orders issued thereon?

The Honourable Mr. S. N. Roy: The orders passed are that within the Karachi Division of the North Western Railway the reductions current on the date of the judgment, and actually enforced after that date, should be cancelled.

COMPETITIVE EXAMINATION FOR POSTAL RECRUITMENT.

289. *Mr. H. A. Sathar H. Essak Sait: Will the Honourable the Communications Member be pleased to state:

- (a) whether the newly introduced first competitive examination for appointment to the posts of Inspectors of Post Offices and Head Clerks to the Superintendents of Post Offices and Inspectors, Royal Mail Service, was held in December 1939 in all circles;
- (b) whether the result of this examination held in Bombay Circle was declared in February 1940 and April 1940;
- (c) how many competitors sat for this examination and how many of them were successful;
- (d) how many of the successful candidates were Muslims;
- (e) whether a proportionate number of vacancies in these posts have been reserved for Muslims under the Home Department Resolution, dated the 4th July, 1934, if not, why not; and
- (f) how Government propose to make up the deficiency of Muslims in these posts?

The Honourable Mr. S. N. Roy: (a) Yes.

(b) The result was declared in February, 1940, and on account of a mistake, a revised result was declared in April, 1940.

(c) 384 candidates appeared at the examination for the Bombay Circle of whom 57 obtained qualifying marks. 37 were actually selected for appointment.

(d) None.

(e) No; vacancies in the Inspectors' cadre are filled by promotion of officials already serving in the Department who are successful in the examination and the Resolution referred to by the Honourable Member applies to direct recruits only.

(f) Does not arise.

†Answer to this question laid on the table, the questioner having exhausted his quota.

Mr. Lalchand Navalrai: May I know whether those that have been selected have been employed, or they have been kept on the waiting list?

The Honourable Mr. S. N. Roy: I have said that 57 obtained qualifying marks, of whom 37 have actually been selected for appointment.

Mr. Lalchand Navalrai: I want to know whether by now they have been given appointments?

The Honourable Mr. S. N. Roy: That is a point on which I want notice.

Mr. Muhammad Azhar Ali: Does the Honourable Member mean, as no Muslim candidate has so far been selected from this Circle, that there are no Muslims to enter the competitive examination or they are not competent enough to enter the competitive examination?

The Honourable Mr. S. N. Roy: This, Sir, is not a competitive examination. It is a qualifying examination. Nor is it true that Muslims do not qualify, because in other Circles Muslims have qualified.

Mr. H. A. Sathar H. Essak Sait: Is there any particular reason why Muslims do not qualify in this particular Circle?

The Honourable Mr. S. N. Roy: That is not a question that I can answer. It is the candidates who should be asked that question.

Mr. H. A. Sathar H. Essak Sait: The Honourable Member can surely make inquiries as to why in this particular Circle not a single Muslim candidate is able to qualify?

The Honourable Mr. S. N. Roy: If the Honourable Member wishes to know whether from this end we try to moderate the papers, we do.

Sir Syed Raza Ali: Has the Honourable Member satisfied himself that there is nothing wrong with the system of examinations obtaining in this particular Circle?

The Honourable Mr. S. N. Roy: The examinations are always by Circles, and on several occasions in the past we have carefully examined the papers to see whether there was any particular hardship involved with particular reference to Muslim candidates.

Sir Muhammad Yamin Khan: What does the Honourable Member mean by "we"? I want an elucidation?

The Honourable Mr. S. N. Roy: Both the Government of India and the Director General of Posts and Telegraphs.

Maulvi Muhammad Abdul Ghani: What was the number of Muslim employees called for interview?

The Honourable Mr. S. N. Roy: I must ask for notice.

Mr. Lalchand Navalrai: May I know if this examination is being conducted by departmental people, or it is through outside agencies, such as, educational departments and others?

The Honourable Mr. S. N. Roy: The examinations are conducted departmentally.

PASSENGERS WITH TICKETS NOT ALLOWED TO ENTRAIN OR DETRAIN ON NORTH WESTERN RAILWAY.

†290. ***Mr. Lalchand Navalrai:** (a) Will the Honourable the Railway Member please state if it is a fact that on the North Western Railway passengers are not allowed to entrain even after they have purchased the requisite tickets? If so, why, and under what rule?

(b) Is it a fact that passengers who have entrained with tickets are detrained at intermediate stations? If so, why?

(c) Is it a fact that some passengers travelling for Sind with tickets from Lahore were detrained from 20 Down Express on the 15th February, 1942, at Lahore Cantonment Railway Station by the Station Master? If so, who were the passengers and of what position?

(d) If the answer to part (c) above be in the affirmative, why were they detrained?

(e) What steps do Government propose to take to see that such passengers with tickets are neither obstructed in getting into trains nor detrained?

The Honourable Mr. S. N. Roy: (a) On all Railways tickets are only issued subject to the condition that room is available in the train for which the tickets are issued.

I would refer the Honourable Member to Rule 22 of the North Western Railway Time and Fare Table.

(b) I understand this would be most unusual. The second portion of the question does not arise.

(c) and (d). I understand a party consisting of the Premier of Sind, and two others applied, late on the 15th February—the date of entraining,—for three first class berths by 20 Down Express.

Accommodation was found for the Premier and one member, but there was no room for the third member of the party in the train service. An extra coach, reserved for a Military Party joining at Lahore Cantonment, was on the train and the Railway Staff at Lahore Main Station had, by error, put the third member of the party into this coach and he was asked to vacate at Lahore Cantonment. I am informed that the North Western Railway held a full enquiry into the matter and that the staff at fault will be dealt with.

(e) I am not satisfied that any action is called for.

TERMINATION OF THE VENDING CONTRACTS AT ALLAHABAD RAILWAY STATION.

†291. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable Member for Railways please state if it is or it is not a fact that the

†Answer to this question laid on the table, the questioner having exhausted his quota.

†Answer to this question laid on the table, the questioner being absent.

contracts of vending of sweetmeats, pan biri and cigarettes, fruits, dahi-bara, tea for Hindus, and milk, cream and curd at Allahabad Railway Station were with individual vendors for several decades?

(b) Is it or is it not a fact that about the end of 1939, their contracts were terminated without specifying any reasons?

(c) Is it or is it not a fact that some of the said vendors after a number of oral representations and requests made a formal representation to the Divisional Superintendent on the 10th of August, 1940?

(d) Is it or is it not a fact that the Divisional Superintendent by his reply, dated the 23rd August, 1940, informed them that the reason for the termination of their contracts was that the 'sanitary committee considered the food-stuffs displayed by them unsuitable for human consumption'?

(e) Is it or is it not a fact that on a further representation that no sanitary committee ever visited their shops, nor were they ever warned for bad quality of their food-stuffs, the Divisional Superintendent withdrew his remarks and apologized for them?

(f) What were the reasons for the termination of the contracts of these vendors and were they ever communicated to them? If so, when?

The Honourable Mr. S. N. Roy: (a), (b), (c), (d), (e) and (f). I would refer the Honourable Member to the reply given in another place to the Honourable Mr. P. N. Saprú's question No. 115 of 24th March, 1941. I have no information as to when the reasons for the termination of their contracts were communicated to the various vendors.

RAILWAY COLLISION AT WARESALIGUNJ RAILWAY STATION.

292. ***Mr. N. M. Joshi:** Will the Honourable Member for Railways be pleased to state:

(a) whether it is a fact that a collision occurred between 167 Up Goods Train and 47 Up Passenger Train at Waresaligunj Station at 21-42 hours on the 23rd May, 1936;

(b) whether it is a fact that as a result of the collision referred to in part (a) above, Mr. Lekh Narain Prasad, Assistant Station Master with seventeen years' service, was suspended and then dismissed on the 27th July, 1936;

(c) whether it is a fact that Mr. Lekh Narain Prasad was put on his trial on a charge under section 101 of the Indian Railway Act in the Court of the Sub-divisional Officer, Nawada (Gaya district) and was convicted;

(d) whether it is a fact that Mr. Lekh Narain Prasad preferred an appeal and was acquitted by the Sessions Judge, Gaya, on the 28th June, 1937;

(e) whether it is a fact that after acquittal, Mr. Lekh Narain Prasad applied for re-instatement repeatedly but in vain;

(f) whether it is a fact that in Bilta Case in 1937, Mr. Ralph was reinstated after his acquittal;

- (g) whether it is a fact that in Sakaldiha Case in 1934, Mr. Shajad Khan was reinstated, though he was convicted and awarded three months' rigorous imprisonment;
- (h) whether it is a fact that Mr. Lekh Narain Prasad was reinstated; and
- (i) if the answer to part (h) above be in the negative, whether Government propose to consider (i) the question of giving him some other job, and (ii) the question of giving him his gratuity?

The Honourable Mr. S. N. Roy: (a) and (b). Yes.

(c), (d), (e), (g) and (h). Government have no information.

(f) No. He was permanently reduced.

(i) Government do not propose to ask the Railway Administration to re-open the case.

WORKING OF DUPLICATING MACHINES BY TYPISTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†293. ***Mr. Amarendra Nath Chattopadhyaya:** (a) With reference to his reply given to unstarred question No. 128, asked by Mr. Muhammad Azhar Ali on the 15th March, 1941, will the Honourable the Railway Member please state whether it is a fact that in the Supply Department, Defence Department, and General Headquarters, the duplicating machines are worked by electricity, but the duplicating work is entrusted to daftries of the respective offices?

(b) Is it a fact that the work of turning out copies on the duplicating machines has been entrusted to the typists of the Railway Clearing Accounts Office, Delhi, and the machine is worked by electricity in that office too?

(c) If the answer to parts (a) and (b) above be in the affirmative, will the Honourable Member be pleased to reconcile the different practices followed in the offices mentioned above and state why this differential treatment is accorded to the typists of the Railway Clearing Accounts Office, Delhi?

(d) Are Government now prepared to make arrangements in line with the other offices and relieve the typists of the Railway Clearing Accounts Office of their long standing grievance? If not, why not?

The Honourable Mr. S. N. Roy: (a) The practice in the different departments is, I understand, not uniform.

(b) Yes.

(c) The practice followed is a matter of convenience and no question of differential treatment arises.

(d) Does not arise.

†Answer to this question laid on the table, the questioner being absent.

DECENTRALISATION OF THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†294. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Railway Member be pleased to state if it is a fact that the question of decentralisation of the Railway Clearing Accounts Office, Delhi, has been under consideration for some time? If so, has it finally been decided? If not, why not?

(b) If the answer to part (a) above be in the affirmative, will the Honourable Member be pleased to give a definite date by which Government propose to take action in the matter?

(c) If the answer to part (a) above be in the negative, have any arrangements been made by Government to locate that office in one place by constructing their own building and providing residential quarters for the staff of the Railway Clearing Accounts Office to remove their long standing grievance? If not, why not?

(d) If the answer to part (c) above be in the affirmative, will the Honourable Member be pleased to state a definite date by which Government propose to locate that office in one building of their own and provide residential quarters for the staff?

The Honourable Mr. S. N. Roy: (a) Yes, but no final decision has been reached. The question involves several financial and administrative issues which are being closely examined in consultation with the Indian Railway Conference Association.

(b), (c) and (d). Do not arise.

VENDING CONTRACTS AT ALLAHABAD RAILWAY STATION GIVEN TO MESSRS. BALLABHDAS ESHWARDAS.

†295. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable the Railway Member please state if it is or it is not a fact that after terminating the contracts of all the vendors at Allahabad, the new contract for all of them was given to Messrs. Ballabhdas Eshwardas? If not, what are the real facts?

(b) Is it or is it not a fact that Messrs. Ballabhdas Eshwardas have got contracts at a large number of other stations also?

(c) Is it or is it not a fact that the policy of Government in the matter of the contracts is that there should be no monopoly for any particular person, that so far as possible contracts should be given separately to individuals and that local men should have a preference? If not, what is the policy?

(d) Is it or is it not a fact that the large number of contracts given to Messrs. Ballabhdas Eshwardas contravenes the policy referred to in part (c) above?

†Answer to this question laid on the table, the questioner being absent.

(e) Have Government considered the advisability of restoring the vending contracts at Allahabad Railway Station to the old vendors or to some others belonging to Allahabad?

The Honourable Mr. S. N. Roy: (a) I would refer the Honourable Member to the replies given to parts (a) and (f) of the Honourable Mr. P. N. Saprú's question No. 115 of 24th March, 1941. It is not known whether the contracts of all vendors at Allahabad were so terminated.

(b) Yes.

(c) I would refer the Honourable Member to the Summary of Proceedings of Meetings with the Central Advisory Council for Railways held on the 13th, 15th and 18th March, 1940.

(d) and (e). No.

CONTRACTORS EMPLOYED BY GOVERNMENT CLOTHING FACTORIES UNDER THE SUPPLY DEPARTMENT.

†296. ***Nawab Siddique Ali Khan:** (a) Will the Honourable Member for Supply be pleased to state the stations at which Government Clothing Factories under the auspices of the Supply Department are engaged on making clothing for Defence Services?

(b) Will Government be pleased to state if a firm of contractors known as Associated Agencies is employed by these Factories for making clothing? If so:

(i) since when is it so employed;

(ii) at what stations is it operating;

(iii) is it a fact that this firm is enjoying a monopoly in this line so much so that it alone is given about half of the work;

(iv) will Government be pleased to place on the table of the House a statement showing the total amount of work given by each Factory to this firm during the year 1941-42 and the total amount of work given to all other contractors as a whole;

(v) what are the reasons for giving this firm the monopoly;

(vi) are no local firms or contractors available in sufficient numbers who could be employed;

(vii) what is the number of contractors employed by the Government Clothing Factories where this firm is employed; and

(viii) is it a fact that this firm is preventing other contractors from expanding and shutting out new firms from entering the field?

(c) Do Government propose to review their policy and methods of awarding clothing work amongst their contractors?

The Honourable Sir Homi Mody: I place on the table a statement giving the information required.

†Answer to this question laid on the table, the questioner being absent.

Statement.

- (a) (1) Shahjahanpur.
(2) Madras.
(3) Calcutta.
(4) Bombay.
(5) Lahore.
(6) Agra.
(7) Delhi.
(8) Sialkot.
(9) Secunderabad.
(10) Cawnpore.

(b) Yes, by Madras, Calcutta and Lahore Factories only.

(i) Madras since 30th May 1940; Calcutta 27th November 1940, and Lahore 17th July 1941.

(ii) At various stations in Madras Presidency, several in the Punjab and also at Calcutta.

(iii) No. On the total amount of work allotted during the year, as shown against the next part of the question, the work allotted to this firm amount to:

	Per cent.
Madras	39.49
Calcutta	4.02
Lahore	26.13

(iv) The required information for the first eleven months of the year i.e., April, 1941, to February, 1942, is given below:—

	Cost of Making up Rs.	No. of garments in units.
Madras—		
Associated Agencies	24,19,600	21,76,992
Others	36,78,560	33,34,872
Calcutta—		
Associated Agencies	1,03,385	1,16,557
Others	25,04,166	27,85,205
Lahore—		
Associated Agencies	1,74,630	1,38,892
Others	4,89,131	3,92,692

(v) This does not arise.

(vi) Other firms are available.

(vii) Including this firm the number of contractors employed is:

Madras	13
Calcutta	23
Lahore	17

(viii) No. After this firm was put on the working list of the Factories concerned, several new firms were added from time to time as indicated below:

	Firms.
Madras	5
Calcutta	5
Lahore	8

(c) Policy and methods are constantly under review.

PROMOTIONS OF GUARDS ON NORTH WESTERN RAILWAY.

†297. *Sardar Sant Singh: (a) With reference to the reply to part (a) of starred question No. 435, on the 20th March, 1941, regarding promotion of Railway Guards on the North Western Railway, is the Honourable the Railway Member aware that recommendations for promotions by Divisional Superintendents were made in certain cases on seniority, in others on satisfactory record only and in others on educational qualifications?

(b) Is he aware that in still other divisions on the North Western Railway some senior guards in grade I, were not recommended because on the previous occasion they had not been selected by the Headquarters Office for promotion?

(c) Is the Honourable Member now prepared to lay down for the guidance of all Divisional Superintendents that recommendations should be made only on seniority unless the record is unsatisfactory in which case reasons for not recommending any such senior man should be recorded?

(d) Are Government prepared to issue instructions that the Selection Boards should also record the reasons for superseding the claims of any seniors?

The Honourable Mr. S. N. Roy: (a) No, I understand that seniority, record of service, educational qualifications are all considered in making selections.

(b) I am informed that on a certain division some guards were excluded because they had not secured selection by the Headquarters Selection Board on a previous occasion, but this is not the usual practice and the Railway has now taken action to prevent a recurrence of what occurred there.

(c) and (d). No, I can see no reason at present to interfere with the discretion of the General Manager in this matter, but I will consider the suggestion that the reasons for superseding the claims of senior men should be recorded.

PROMOTIONS OF GUARDS ON NORTH WESTERN RAILWAY.

†298. *Sardar Sant Singh: (a) With reference to his reply to starred question No. 435, on the 20th March, 1941, regarding the promotion of guards on the North Western Railway, will the Honourable the Railway Member state whether in the Quetta and Ferozepore Divisions, several seniormost guards, grade I, were not at all recommended for promotion although they had a blotless record of service for over 20 years? Is it a fact that they also appealed against this decision?

(b) Is it a fact that the guards referred to in part (a) above were asked to attend the Divisional Offices and were all of a sudden made to sit for a test and declared unfit for further promotion?

(c) Is it a fact that they were not made to sit for the test along with their juniors who had already been recommended to the Headquarters for promotions?

(d) How were the juniors given preference over their seniors who had satisfactory record of service without any common test having been held?

†Answer to this question laid on the table, the questioner being absent.

STARRED QUESTIONS AND ANSWERS

(e) Is it not a fact that these juniors were not tested at all before being recommended? If so, why was this procedure of rejecting the claims of the seniors adopted?

(f) What steps do Government propose to take to do justice to the aggrieved senior guards?

The Honourable Mr. S. N. Roy: (a) It is presumed that the question refers to the promotion of guards grade II to grade III. All senior grade II guards on the Quetta Division were recommended for promotion. Some senior guards on the Ferozepore Division were not recommended as they were not considered fit for promotion. These men, it is understood, sent in an appeal.

(b) No. The guards were called for an interview after they appealed. They were not made to sit for a test and have not been finally declared unfit for promotion.

(c) Does not arise.

(d) As I have already stated in reply to part (a) of question 297, selections for promotion are made on the basis of seniority and general fitness.

(e) A test was not considered necessary either for the men who were recommended or those not recommended. As regards the second part, as I have explained, no special procedure was adopted in respect of any guard.

(f) Government do not consider that any injustice has been done.

RECOMMENDATIONS FOR T. 5 COURSE ON NORTH WESTERN RAILWAY.

†299. *Sardar Sant Singh: (a) Will the Honourable the Railway Member please state if it is a fact that for T. 5 Course on the North Western Railway, i.e., Senior Assistant Station Masters Course, the Divisional Superintendent, Lahore, last year did not recommend any guards, but sent the names of persons from other branches and that the Divisional Superintendents, Multan and Karachi, recommended men with less than five years service?

(b) Are the North Western Railway authorities prepared to lay down definite instructions for recommending men for T. 5 Course which should be followed uniformly by all Divisions?

The Honourable Mr. S. N. Roy: (a) The reply to the first part of the question is in the negative and to the latter part in the affirmative.

(b) Instructions already exist but I understand these are being examined to see if any clarification is necessary to ensure uniformity of practice.

UNSTARRED QUESTIONS AND ANSWERS.

†81—89.

UNIFORMS FOR TRAINS CLERKS ON NORTH WESTERN RAILWAY.

90. Qazi Muhammad Ahmad Kazmi: With reference to his answer to starred question No. 569, asked on the 1st April, 1941, regarding uniforms

†Answer to this question laid on the table, the questioner being absent.

‡For these questions and answers, see pages 1597—1602 of these debates.

of Trains Clerks on the North Western Railway, will the Honourable the Railway Member please state whether it is a fact that the Yards Staff, Yards Supervisors, Yard Foreman, etc., their co-workers in yard, who have no dealings with the public and who get salaries equal to and even larger than Trains Clerks are supplied with full uniforms? If so, have Government considered the advisability of supplying uniforms to Trains Clerks? If not, why not?

The Honourable Mr. S. N. Roy: Information has been called for and a reply will be laid on the table of the House in due course.

PROMOTION OF TRAINS CLERKS AS INTERCHANGE STOCK VERIFIERS.

91. Qazi Muhammad Ahmad Kazmi: Will the Honourable the Railway Member be pleased to refer to his reply to starred question No. 570, asked on the 1st April, 1941, regarding promotion of Trains Clerks to Interchange Stock Verifiers' jobs and state if any one has been promoted to those jobs? If not, why not?

The Honourable Mr. S. N. Roy: None. For one post which was filled in July, 1941, no Trains Clerk appears to have applied.

BLOCK ON PROMOTION OF TRAINS CLERKS IN DELHI DIVISION.

92. Qazi Muhammad Ahmad Kazmi: Will the Honourable Member for Railways be pleased to refer to his reply to starred question No. 571, asked on the 1st April, 1941, and state whether it is a fact that Trains Clerks in Delhi Division, with over 20 years' service, are barred at Rs. 60 causing discontent? If so, do Government propose to do something to remove discontent?

The Honourable Mr. S. N. Roy: As regards the first part the answer is in the negative. As regards the second part Government understand that of the additional posts sanctioned in grade II mentioned in the reply to part (a) of starred question No. 164 asked on 13th November, 1941, 15 have been allotted for Trains Clerks on the Delhi Division.

RESTORATION OF THE POST OF HEAD TRAINS CLERK, SPECIAL GRADE, AT KHANALAMPURA.

93. Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for Railways please state whether it is or it is not a fact that the only prospect of promotion for the Trains Clerks is to the jobs of Head Trains Clerk, the highest post being that of Head Trains Clerk, special grade?

(b) Is it or is it not a fact that about 1932 there were three such posts on the North Western Railway out of which one was at Khanalampura, but that was retrenched in that year, leaving only two such posts on the North Western Railway?

(c) Is it or is it not a fact that along with the post of Head Trains Clerk, the post of Yard Supervisor at Khanalampura was also retrenched?

(d) Is it or is it not a fact that the post of Yard Supervisor has been restored at Khanalampura and given to an Anglo-Indian?

(e) Is it or is it not a fact that *actually* the work for Trains Clerk at Khanalampura is much more and in any case no less than it was prior to the retrenchment in 1932? If not, what is the real condition?

(f) Have Government considered the advisability of restoring the post of Head Trains Clerk, special grade, at Khanalampura? If not, why not?

The Honourable Mr. S. N. Roy: (a) No; Trains Clerks are also eligible for promotion as Guards or Yard Foremen if they qualify themselves for these posts and are considered suitable.

(b) Yes. The post of Head Trains Clerk at Khanalampura was abolished in 1934.

(c) Yes.

(d) Yes.

(e) and (f). Government understand that the work at Khanalampura is not at present such as to justify the creation of a post of Head Trains Clerk there.

MUSLIM TRAFFIC INSPECTORS ON BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

94. Qazi Muhammad Ahmad Kazmi: Will the Honourable the Railway Member be pleased to state whether it is a fact that on the Bombay, Baroda and Central India Railway there is no Mohammedan Traffic Inspector? If so, why?

The Honourable Mr. S. N. Roy: The reply to the first part is in the affirmative as far as the Broad Gauge section is concerned; information concerning the Metre Gauge section is being obtained and a further reply will be laid on the table of the House. As regards the second part, promotion is not regulated on a communal basis, and there is at present no Muslim who has been able to secure promotion on seniority and suitability.

BAN ON CERTAIN PROMOTION OF INTERCHANGE STOCK VERIFIERS ON BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

95. Qazi Muhammad Ahmad Kazmi: Will the Honourable the Railway Member be pleased to state whether it is a fact that Movement Inspectors and Rolling Stock Inspectors on the East Indian Railway are taken from Interchange Stock Verifiers, whereas similar promotions are denied on the Bombay, Baroda and Central India Railway? If so, do Government propose to adopt the same procedure on the Bombay, Baroda and Central India Railway?

The Honourable Mr. S. N. Roy: Information has been called for and a reply will be laid on the table of the House in due course.

A COMPLAINT OF TICKETLESS TRAVELLING.

96. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways please refer to the reply given to part (a) of starred question

No. 6, asked on the 11th February, 1942, *viz.*, "who was apparently travelling without a ticket", and state the action taken against the person who was travelling without a ticket; and if no action has been taken the reason therefor?

The Honourable Mr. S. N. Roy: Government have no information as to whether the complainant was actually travelling without a ticket or, if so, whether any action was taken or not.

CORRUPT PRACTICES OF TICKET CHECKERS AT HOWRAH AND SEALDAH.

97. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways please refer to the reply given to part (d) of starred question No. 7, asked on the 11th February, 1942, in connection with corrupt practices of Ticket Checkers, *viz.*, "I understand they are under investigation", and state the result of such investigation?

The Honourable Mr. S. N. Roy: Government have no information as to whether the investigations have been completed, and, if so, with what result.

SUB-LETTING OF CERTAIN VENDING CONTRACTS BY BALLABHDAS ESHWARDAS.

98. Maulvi Muhammad Abdul Ghani: (a) Will the Honourable Member for Railways please refer to the reply given to part (b) of starred question No. 39, asked on the 16th February, 1942, *viz.*, "the sub-letting of catering contracts is prohibited" and state if it is a fact that the contract for vending of certain comestibles at Delhi Main Railway Station has been sub-let to one Umrao Singh resident of Katra Lachho Singh near Fountain, Delhi, by Ballabhdas Eshwardas? If not, what are the correct details?

(b) Is it a fact that the contract for the sale of sweet meats, *Namkeen* and *Puries* at Moradabad Railway Station has been sub-let to one Ram Chander of Hathras by Ballabhdas Eshwardas? If not, what is the degree of relationship between Ram Chander and Ballabhdas Eshwardas?

The Honourable Mr. S. N. Roy: (a) and (b). No such information has hitherto come to the notice of Government. Enquiries will be made.

POSITION OF MEDICALLY UNFIT STAFF AS REGARDS EMPLOYMENT ON STATE RAILWAYS.

99. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways please refer to the replies given to:

(i) part (e) of unstarred question No. 16 on the 16th February, 1942, *viz.*, "No, there is no specific rule to this effect";

(ii) starred question No. 1096, asked on the 10th March, 1936, *viz.*, "Every endeavour is made to find alternative employment for the staff declared medically unfit for employment in their own category", and

(iii) unstarred question No. 392, asked on the 20th March, 1936, "on the East Indian Railway the general policy in the case of staff who are declared medically unfit in the category is to make an endeavour to find suitable posts for them in a lower category"; and state the correct position on the State Managed Railways in respect of those who fail to pass the test in medical fitness?

The Honourable Mr. S. N. Roy: I am unable to understand what difficulty the Honourable Member finds in reconciling the statements he has quoted. The general policy is, as was stated by Sir Muhammad Zafrullah Khan in reply to question No. 392 asked on the 20th March, 1936, that in the case of staff who are declared medically unfit in the category in which they are employed but declared fit for service in a lower category, every endeavour is made to find suitable posts for them in the category for which they are declared fit. It may sometimes happen that such posts are not available in which case there is no alternative to discharging them, but if there is a likelihood of such posts becoming available in the near future they are granted leave and absorbed at the end of their leave.

REFUSAL OF LEAVE TO A RAILWAY EMPLOYEE AT AMBALA STATION.

100. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways please refer to the reply given to part (d) of unstarred question No. 17, asked on the 16th February, 1942, regarding refusal of leave by the Yard Supervisor to a railway employee, *viz.*, "No, I understand that the Divisional Superintendent, after further inquiry, was satisfied that the Yard Supervisor was not blameworthy," and state:

- (a) the rule or regulation under which the Government Railway Administration or the Divisional Superintendent is authorised to refuse permission to its servants to have recourse to Law Courts against other servants;
- (b) the date on which the Divisional Superintendent made further enquiries; and
- (c) whether he will lay on the table of the House the proceedings of the further enquiry?

The Honourable Mr. S. N. Roy: I am aware of no rule or regulation which requires a Government Servant to obtain the permission of the Divisional Superintendent, or the Railway Administration for the institution of proceedings in a Court of Law against another Government Servant.

(b) Government have no information about the dates.

(c) Government are not prepared to lay any papers on the table of the House concerning the further enquiries made by the Divisional Superintendent

CRITERION FOR APPOINTMENT TO SELECTION POSTS ON EAST INDIAN RAILWAY.

101. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways please refer to the reply given to part (a) of the unstarred question No. 18, asked on the 16th February, 1942, regarding criterion for appointment to selection posts, viz., "No such orders as are referred to in the question have been traced"; and state if the Honourable Member has referred to line six from the last line of Annexure A to General Manager, East Indian Railway, Circular No. A. E. 2460/3, dated the 30th August, 1940, regarding selection posts, wherein he will find the words "lack of personality"?

The Honourable Mr. S. N. Roy: Yes, I have now referred to the circular quoted, but consider that the reply to unstarred question No. 18 asked on the 16th February, 1942, was correct.

DATES OF CERTAIN CATERING CONTRACTS OF BALLABHDAS ESHWARDAS.

102. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways please state the date from which Ballabhdas Eshwardas, Catering Contractors, East Indian and North Western Railways, were given contracts for the stations on the Allahabad, Lucknow and Moradabad Divisions and for the office of the Divisional Superintendent, Delhi Division, in addition to the "Area" contracts of Howrah and Dinapore Divisions?

The Honourable Mr. S. N. Roy: East Indian Railway, Allahabad Division—contracts were given on different dates between 1st July, 1939 and 1st February, 1940. Lucknow Division—on 1st August, 1939 and 5th August, 1939, Moradabad Division—on 16th June, 1939, North Western Railway, Delhi Division—22nd January, 1942.

CASES UNDER THE PAYMENT OF WAGES ACT IN COURTS AT MORADABAD.

103. Maulvi Syed Murtuza Sahib Bahadur: Will the Honourable Member for Railways please state:

- (a) the total expenditure in the cases under the Payment of Wages Act in the courts at Moradabad incurred by the East Indian Railway during 1940-1942;
- (b) the total amount claimed in those cases;
- (c) the names of the counsels and the sums paid to each of them by the Railway;
- (d) the justification for paying such sums to the counsels by the Railway;
- (e) whether the second counsel was engaged on the payment of a large amount by the Railway on the suggestion or recommendation of:
 - (i) the District judge.
 - (ii) the Government Pleader, or
 - (iii) the Provincial Government;
- (f) if it is a fact that the second counsel (Mr. Kidar Nath) is the same who was engaged in the Hardwar Ticket Fraud Case; and

- (g) the reasons for engaging Mr. Kidar Nath on large fees by the Railway in each and every case instituted against or by the Moradabad Divisional Authorities when the (i) Government Pleader (ii) Railway's Standing Counsel and (iii) Railway Vakil with a staff of Court Inspectors at Headquarters of the Railway are available?

The Honourable Mr. S. N. Roy: (a), (b), (c) and (e). The Honourable Member is referred to the replies to parts (c), (d), (e) and (f) respectively of question No. 34 asked by Mr. Muhammad Azhar Ali on 6th March, 1942.

- (d) The cases were considered of sufficient importance to render necessary the engagement of a suitable second Counsel.

- (f) Yes.

- (g) Mr. Kedar Nath was engaged only in two cases out of seven, for the reason stated in the reply to part (d).

CHEAP GRAIN SHOPS OPENED BY EAST INDIAN RAILWAY.

104. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to the reply given to part (a) of unstarred question No. 39, asked on the 6th March 1942, viz.: "Yes" (the East Indian Railway has opened cheap grain shops on the Railway) and state:

- (a) the date from which the shops have been opened;
- (b) the particulars of the publications inviting applications from residents within the area to which the contract relates [Item (c) on page 9 of the Summary of Proceedings of the Meetings of the Central Advisory Council for Railways held at New Delhi on the 13th, 15th and 18th March, 1940];
- (c) the names of the applicants who applied for, together with the terms offered by them;
- (d) the terms offered by the Railway Administration; and
- (e) if no applications were invited, the reasons therefor?

The Honourable Mr. S. N. Roy: (a) Juhi (Cawnpore) 1st October, 1941; Lucknow, 6th October, 1941; Jamalpur, 25th November, 1941; Lillooah, 7th January, 1942; Asansol, 1st February, 1942. This gives the latest information available. No shop has been opened at Howrah as was stated in the reply to part (b) of the Honourable Member's unstarred question No. 39 asked on 6th March, 1942, but one has been opened at Asansol.

- (b) No applications were invited; the recommendation of the Central Advisory Council does not appear to apply in this case.

- (c) and (d). Do not arise in view of the reply to part (b).

- (e) It was necessary that the shops should be entrusted to persons who, in the opinion of the administration, could be relied upon to establish them expeditiously and run them efficiently under all conditions.

CHEAP GRAIN SHOPS OPENED BY EAST INDIAN RAILWAY.

105. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to the reply given to part (d) of unstarred question No. 39, asked on the 6th March, 1942, viz., "the grain is to be sold to railway employees" and state the particulars of the grain sold from their shops by Ballabhdas Eshwardas to (a) the refreshment rooms and (b) the vending licensees conducted by Ballabhdas Eshwardas; and (c) the persons employed by Ballabhdas Eshwardas in furtherance of catering and vending contracts held by Ballabhdas Eshwardas on the East Indian and North Western Railways?

The Honourable Mr. S. N. Roy: Information has been called for and a reply will be laid on the table of the House in due course.

CHEAP GRAIN SHOPS OPENED BY EAST INDIAN RAILWAY.

106. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please refer to the replies given to parts (d) and (e) of unstarred question No. 39, asked on 6th March, 1942, viz., "the concessions given are rent free buildings for shops, free water and light, free carting of grain from wagons to shops, payment of wages of shop attendants upto a maximum of Rs. 100 per mensem. The contractors are required to sell grains at prices notified by Provincial Governments", and state:

- (a) if it is a fact that prices notified by Provincial Governments are also applicable to grain shops in the Province or only to these cheap shops on the Railway;
- (b) if it is a fact that Provincial Governments have also given these concessions to grain shops in the Province;
- (c) if it is a fact that Co-operative Stores carrying on business in grain also enjoy these concessions; and
- (d) if the replies to parts (b) and (c) above be in the negative, the reasons therefor and also the reasons for not selling the grain from these cheap shops at a price cheaper than that notified by the Provincial Government when these additional concessions are given to these cheap shops; and
- (e) if Government now propose to withdraw those concessions from the contractors; if not, why not?

The Honourable Mr. S. N. Roy: (a) The prices notified by Provincial Governments, which are maximum prices, apply equally to all shops in the areas concerned.

(b) Government have no information.

(c) Government have no information concerning Co-operative Societies other than those on Railways, the latter get no concessions of the type referred to.

(d) Government can see no reason to grant concessions to undertakings run on business lines. Grain shops have been established by the East Indian Railway to ensure that grain will be available to its employees

at a rate not more than that fixed by Provincial Governments and since they seek to make no profit prices are fixed as nearly as possible on this basis.

(e) No, for the reason stated in the reply to part (d).

TELEPHONE AND TELEGRAPH FACILITIES AT SHAHDARA POST OFFICE.

107. Mr. Muhammad Azhar Ali: Will the Honourable Member for Communications please refer to the reply given to part (c) of unstarred question No. 40, asked on the 6th March, 1942, viz., "Delivery facilities are enjoyed by the population of Shahdara-Delhi within five miles of Delhi Telegraph Office" and state the number of telegrams delivered to the population of Shahdara-Delhi from:

- (a) Delhi Telegraph Office;
- (b) Shahdara-Delhi North Western Railway Station; and
- (c) Post office Shahdara-Delhi;

during the preceding year?

The Honourable Mr. S. N. Roy: (a) Nil.

(b) Three hundred and fifty.

(c) Twelve hundred and fifty.

CERTAIN VENDING LICENSES ON EAST INDIAN AND NORTH WESTERN RAILWAYS.

108. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state:

- (a) if it is a fact that a license for vending tea on the East Indian and North Western Railways does not permit the sale of tobacco, cigarettes and matches;
- (b) if it is a fact that a license for vending tobacco, cigarettes and matches does not permit the sale of tea on these Railways; and
- (c) if it is a fact that no person is permitted to sell an article on these Railways without a license; if not, why not?

The Honourable Mr. S. N. Roy: (a) and (b). I understand this is so, but the same vendor may hold a licence for both.

(c) Yes. It is considered necessary to have a measure of control over vendors.

PROPOSED INCREASE OF TARIFF RATES FOR INDIAN CATERING, ETC., ON EAST INDIAN AND NORTH WESTERN RAILWAYS.

109. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state:

- (a) if it is a fact that the East Indian and North Western Railway Administrations are considering the increase of the Tariff rates for Indian catering contracts and vending licenses for canteens;
- (b) if it is a fact that there is no increase in the wages of workers; and

- (c) if the replies to parts (a) and (b) above be in the negative, what are the correct facts?

The Honourable Mr. S. N. Roy: (a) Government have no such information.

(b) If the Honourable Member is referring to those who work for the catering contractors, Government have no information, as this is a matter which lies between the contractors and their servants. If the Honourable Member is referring to workers generally, the question should have been addressed to my Honourable Colleague, in the Labour Department.

(c) Does not arise.

INSPECTION CARRIAGES WITHDRAWN FROM USE OF RAILWAY GAZETTED OFFICERS.

110. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please lay a list of the inspection carriages withdrawn from the use of Railway Gazetted Officers on the Bengal and Assam, Bombay, Baroda and Central India; East Indian, Great Indian Peninsula and North Western Railways on account of the war?

The Honourable Mr. S. N. Roy: The attention of the Honourable Member is invited to Appendix XIII of the Report of the Public Accounts Committee for 1939-40, a copy of which is in the Library of the Central Legislature. All Railways are working to a programme of withdrawals. There is no proposal at present under consideration to withdraw further saloons but all officials have been requested to economise in their use as much as possible.

NON-APPOINTMENT OF INDIANS AS DIVISIONAL SUPERINTENDENT ON EAST INDIAN RAILWAY.

111. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please state:

- (i) if it is the policy of the East Indian Railway Administration that no Indian should be appointed to the office of Divisional Superintendent on the Railway;
- (ii) if it is a fact that senior Indian officers are superseded by junior European officers for those appointments;
- (iii) if the replies to parts (i) and (ii) be in the affirmative the reasons therefor; and
- (iv) if the replies to parts (i) and (ii) above be in the negative, what is the correct position;

(b) Will he kindly lay a statement on the table showing the vacancies for these posts during the past three years and filled in by Indians and Europeans separately, if not, why not?

The Honourable Mr. S. N. Roy: (a) (i) No.

(ii) There have been some cases of the type referred to.

(iii) and (iv). Appointments of Divisional Superintendent are filled by the most suitable officer on the basis of selection.

(b) The attached statement gives the required information.

Officers confirmed as Divisional Superintendents in the last three years.

1. Mr. J. C. Gibson—Power & Mech. Deptt. (Non-Asiatic).
2. Mr. R. Mair—Civil Engineering (Non-Asiatic).
3. Mr. E. H. N. Lowther—Traffic & Comml. (Non-Asiatic).
4. Mr. E. J. H. Jacobson—Traffic & Comml. (Non-Asiatic).

Officers who have officiated as Divisional Superintendents.

1. Mr. G. W. Scriven—Civil Engineering (Asiatic).
2. Mr. R. A. Saunders-Jacobs—Civil Engineering (Non-Asiatic).
3. Mr. P. N. H. Baker—Power & Mech. (Non-Asiatic).
4. Mr. O. R. Tucker—Power & Mech. (Non-Asiatic).

EXTENSIONS OF SERVICE DUE TO WAR IN RAILWAY BOARD AND STATE RAILWAYS.

112. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please lay a statement showing the periods of extension of service after the age of superannuation given to Gazetted and non-Gazetted staff separately on the Bengal and Assam, Bombay, Baroda and Central India, East Indian, Great Indian Peninsula and North Western Railways and in the Railway (Railway Board) Department on account of the war?

The Honourable Mr. S. N. Roy: Except in one case, in which a lesser period of extension was granted, all gazetted officers have been granted an extension of one year in the first instance. Two officers have been granted a second extension of one year.

As regards non-gazetted staff, I have called for information and a reply will be laid on the table of the House.

ECONOMY EFFECTED ON STATE RAILWAYS DUE TO WAR.

113. Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please lay a statement on the table showing the economy effected by the curtailment of train services, by closing of stations for goods and passenger traffic, and by the withdrawal of concessions on the Bengal and Assam, Bombay, Baroda and Central India, East Indian, Great Indian Peninsula and North Western Railways on account of the war?

The Honourable Mr. S. N. Roy: I regret it is impossible to assess in terms of money the savings effected. The cuts in services, closing of stations, withdrawal of concessions, etc., have been effected not as economy measures but to conserve railway resources and to make the best possible use of available railway transport for essential war and civilian traffic.

DIFFERENTIAL TREATMENT OF RAILWAY MEDICAL OFFICERS.

114. **Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Honourable the Railway Member please state if it is a fact that Engineering graduates of Indian Universities are appointed as Engineers on State Railways through the Public Service Commission?

(b) If the reply to part (a) above be in the affirmative, will the Honourable Member be pleased to state why Medical graduates of Indian Universities are not appointed as Assistant Surgeons on State Railways through the Public Service Commission?

(c) Is it a fact that Assistant Surgeons on State Railways are not entitled to study leave? If so, why?

(d) Is it a fact that the post of Railway Engineer is gazetted?

(e) Is it a fact that the post of Railway Assistant Surgeon is non-gazetted?

(f) If the replies to parts (d) and (e) above be in the affirmative, will the Honourable Member be pleased to state the reasons for this differential treatment?

(g) Is it a fact that in the Medical Branch of the State Railways there are three appointments of higher responsible nature such as Assistant Surgeons, Assistant Medical Officers and District Medical Officers as against two on the Civil side, namely, Assistant Surgeons and Civil Surgeons? If so, what are the reasons for this difference?

(h) Is it a fact that Railway Sub-Assistant Surgeons are eligible for promotion to the posts of District Medical Officers?

(i) Do Government propose to make the post of Railway Assistant Surgeons a gazetted post if it is non-gazetted? If not, why not?

The Honourable Mr. S. N. Roy: (a) Yes.

(b) Assistant Surgeons are in the non-gazetted service, appointments to which are not made through the Public Service Commission. These appointments are filled in accordance with the relevant rules contained in Appendix II to the State Railway Establishment Code, Vol. I, a copy of which is in the Library of the House.

(c) Yes, because Government do not consider it necessary.

(d) and (e). Yes.

(f) No analogy can be drawn between the two and no differential treatment is involved. The status and conditions attaching to the two services are different because of the difference in the nature of the duties and responsibilities attaching to them.

(g) The answer to the first part is in the affirmative as far as the Railway Department is concerned. As regards the second part, the requirements of the service on Railways is not the same as on the civil side in many respects.

(h) Yes; ultimately, on the basis of selection.

(i) No, as there is no justification for doing so.

RULES REGULATING WAGES, ETC., OF RAILWAY EMPLOYEES.

115. **Babu Kailash Behari Lal:** Will the Honourable Member for Railways please refer to sections 6 (1) and 7(3) of Ordinance No. XI of 1941, and lay on the table of this House a copy of:

(i) the rules made by the Central Government regulating or empowering a specified authority to regulate the wages and other conditions of service of persons employed on Railways; and

(ii) the list of persons authorised to make complaint in writing to the court to take cognizance of an offence, by the Central Government for persons employed on Railways?

The Honourable Mr. S. N. Roy: (i) There are no rules.

(ii) All gazetted officers of Federal Railways not below District rank.

TRANSFERRED STARRED QUESTIONS AND ANSWERS.†

ACCIDENT CAUSED TO TWO CLERKS BY MILITARY LORRY ON THE STATION ROAD, DELHI CANTONMENT.

273. ***Bhai Parma Nand:** (a) With reference to the answer to starred question No. 105, asked on the 26th February, 1942, regarding the accident of two clerks of the Central Ordnance Depot, Delhi Cantonment on the 1st November, 1941, by a military lorry, will the Honourable the Home Member please state if it is a fact that the Indian Military Hospital, Delhi Cantonment, had granted a certificate to one of the two injured clerks (Mr. M. P. Wanchu) that the injuries sustained by him were multiple?

(b) Is it a fact that Mr. M. P. Wanchu being discharged from the Indian Military Hospital, Delhi Cantonment, on the 2nd November, 1941, was admitted as an indoor patient in the Willingdon Hospital, New Delhi, from the 3rd to the 29th November, 1941?

(c) Is it a fact that Mr. M. P. Wanchu was visited by a Police Sergeant in the Willingdon Hospital, New Delhi, on the 26th November, 1941?

(d) Is it a fact that Mr. M. P. Wanchu was picked up by Major H. C. Ingle, Indian Army Ordnance Corps, who happened to pass that way in another lorry just at the time of the accident?

(e) Is it a fact that Major H. C. Ingle asked the driver of the Military lorry to stop but he did not care and drove his lorry away with greater speed leaving the injured clerks behind but that he was subsequently held up by the said Major when, after taking a turn, his lorry and the military lorry came face to face just near the Indian Military Hospital, Delhi Cantonment?

†The meeting of the Assembly that was to be held on the 27th March, 1942, having been cancelled, the answers to starred questions for that day were, in pursuance of convention, laid on the table of the House to day—*Ed. of D.*

(f) Have the military authorities now taken any action against the driver? If so, what?

The Honourable Sir Reginald Maxwell: (a) Yes. Mr. Wanchu sustained five injuries all of which were simple.

(b), (c) and (d). Yes.

(e) Major Ingle did not witness the accident but saw in the distance a lorry which may have caused the accident. Subsequently he stopped outside the Indian Military Hospital, Delhi Cantonment, a lorry similar in type to that which he had seen from a distance after the accident. He questioned the driver who neither admitted nor denied having caused the accident. The driver was made over to his unit.

(f) The military driver had proceeded with his unit on active service out of India before the police report reached the military authorities. Further action will, however, be taken if possible.

ALL-INDIA STUDENTS' FEDERATION'S ANTI-FASCIST FRONT POLICY.

274. ***Maulvi Syed Murtuza Sahib Bahadur:** (a) Is the Honourable the Home Member aware of the fact that the All-India Students' Federation in its last Annual Conference held at Patna has decided to support the anti-Fascist Peoples' War which is now being waged commonly by the Soviet Union, China, Great Britain and America?

(b) Have Government gone through the statement of policy of the All-India Students' Federation with regard to the anti-Fascist Peoples' War adopted at the Patna Conference?

(c) Will Government be pleased to state what policy is proposed to be adopted by Government towards the All-India Students' Federation, its members and its activities, in view of the above declaration of policy?

(d) Are Government contemplating adoption of any measures which will facilitate the All-India Students' Federation in the building up of an anti-Fascist Peoples' Front in India?

(e) Are Government aware of the fact that a large number of members of the Students' Federation continue to be kept in jails as detenus and otherwise in spite of the change of policy of their organisation?

(f) Do Government propose to make a clear statement of their policy with regard to a peoples' front against Fascism in India?

(g) Are Government prepared to send a delegation of representative Indian students to go to China and the Soviet Union so that they may study at first hand how the students in those countries are helping the national war effort? If not, why not?

The Honourable Sir Reginald Maxwell: (a)—(d). Government have seen the statement of policy adopted by the All-India Students' Federation at the Patna Conference. They are naturally only too ready to welcome any genuine assistance in the formation of a national and anti-Fascist War Front, from whatever source it may come; but, according to their information, there is a prominent section of the All-India Students Federation which has definitely not declared itself in favour of unconditional support for the war.

(e) No members of the All-India Students' Federation are detained in jail under the orders of the Central Government. The Government of India have no precise information regarding the numbers of such persons detained under the orders of the Provincial Governments. The cases of such as there are have doubtless been examined or will be examined by the authorities which Provincial Governments are setting up to review the cases of their security prisoners and I have no doubt that the reviewing authority will take due account of any genuine change of heart which may be revealed.

(f) I would invite the attention of the Honourable Member to the statement on the subject of a National War Front made by His Excellency the Viceroy on the 10th March, 1942.

(g) While Government have no objection in principle to delegations of Indian Students visiting China or the Soviet Union, they consider the practical difficulties which would attend the organization of such visits at the present juncture to be insuperable.

NON-ELIGIBILITY OF INDIAN WARRANT OFFICERS OF THE INDIAN ARMY ORDNANCE CORPS FOR EMERGENCY COMMISSIONS.

275. ***Mr. Muhammad Azhar Ali:** (a) With reference to the answer to starred question No. 415, asked on the 18th March, 1941, regarding non-eligibility of Indian Warrant Officers of the Indian Army Ordnance Corps for Emergency Commissions, will the Defence Secretary please state if the desirability of giving promotion or Emergency Commissions to the Indian Warrant Officers of the Indian Army Ordnance Corps within their service or units has ever been considered? If not, why not, and if so, with what results?

(b) Is His Excellency the Commander-in-Chief aware that due to denial of promotion or grant of Emergency Commissions to the Indian Warrant Officers there is a great disappointment among the personnel of this corps?

(c) Is he aware that on account of unsympathetic consideration given to this unit or service of the Army, the Indian Warrant Officers of the Indian Army Ordnance Corps consider themselves most unlucky and many regret of having selected the Ordnance side for employment when they see that many of their contemporaries or brother officers belonging to sister units have since got Emergency Commissions?

(d) Who is responsible for not giving necessary training to such of the reserve or new recruits who could replace some percentage of the Indian Warrant Officers who may be given Emergency Commissions?

(e) Are Government aware that almost all the Indian Warrant Officers of the Indian Army Ordnance Corps possess high academic qualifications and are in no way inferior to those who have been considered fit for appointment to the Emergency Commission in the past?

(f) Are Government prepared to remove the ban placed against this section or Branch of the service of the Army in the matter of grant of Emergency Commission or promotion now? If not, why is this arm being treated differently?

(g) Will he please state the reasons why Indian Warrant Officers who are considered suitable for Emergency Commissions cannot be granted

the same (Lieutenant) in the Ordnance Branch itself since these specialized officers cannot be spared for general service?

(h) Will he consider that some percentage for promotion or grant of Emergency Commission to the Indian Warrant Officers is fixed without any further delay? If not, why not?

Sir Gurunath Bewoor: (a), (f) and (h). The question of providing an avenue of promotion to the Indian Warrant Officers of the Indian Army Ordnance Corps within their own service has been carefully considered and it has now been decided to introduce Viceroy's Commissioned Officer ranks into the Indian Army Ordnance Corps for stores and artificer Indian Warrant Officers as early as possible.

(b) and (c). Government are aware that there is some feeling among the personnel of the Indian Warrant Officers on this subject.

(d) The problem has been one of recruitment rather than one of training. Sufficient recruits of the type likely to make efficient Indian Warrant Officers have not been forthcoming to replace the existing Indian Warrant Officers in their present appointments.

(e) Government are aware that some of the Indian Warrant Officers of the Indian Army Ordnance Corps possess academic qualifications, but this is not the sole consideration for selection to emergency commissions.

(g) It has not so far been found possible to spare Indian Army Ordnance Corps personnel, British or Indian, including Indian Warrant Officers, for emergency commissions in the Indian Army Ordnance Corps. For this reason promotion of Indian Warrant Officers to Viceroy's Commissioned ranks is being opened so that they may continue to be employed where most needed, and at the same time receive a suitable reward for their services. A proposal, however, is at present under consideration for promotion to emergency commissions in the Indian Army Ordnance Corps of a limited number of the best and most highly qualified personnel at present serving in that corps.

CHIEF ENGINEERS AND COMMANDERS, ROYAL ENGINEERS, IN MILITARY ENGINEER SERVICE.

276. *Mr. Muhammad Azhar Ali: (a) Will the Defence Secretary please state the total number of Chief Engineers and Commanders, Royal Engineers, in the Military Engineering Service in India and how many of them were Indians on the 1st February, 1942?

(b) What steps have so far been taken or are proposed to be taken to appoint Indians in these cadres?

Sir Gurunath Bewoor: (a) Chief Engineers 4; Commanders, Royal Engineers 27. None of these were Indians.

(b) Indians commissioned in the Corps of Indian Engineers have not so far attained the seniority and rank necessary for being appointed as Chief Engineer or Commander, Royal Engineers. They are eligible for these posts and will be appointed in due course if qualified and recommended.

APPLICATION OF COMMUNAL REPRESENTATION RULES TO STENOGRAPHERS' POSTS IN THE GOVERNMENT OF INDIA OFFICES.

277. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable the Home Member please state whether it is a fact that the orders regarding the Communal Representation in the Central Services apply to the posts and vacancies in the Stenographers grade in the Government of India Secretariat, its attached offices and subordinate offices?

(b) Is it a fact that the orders referred to in part (a) above have been made applicable to the Stenographers' posts in pursuance of the general orders enunciated in the Government of India Resolution, dated the 4th July, 1934?

(c) Is it a fact that the Resolution, referred to in part (b) above, applies to all subordinate Central Services?

(d) Is it a fact that the posts and vacancies in the Stenographers grade in the offices subordinate to the Central Board of Revenue are filled up regardless of the Communal Orders mentioned above?

(e) If the reply to part (d) above be in the affirmative, will Government please state the reasons for this discrimination in the same grade of posts in the various Central Offices?

(f) Do Government propose to redress the legitimate grievances of the minorities by applying the Communal Rules to the posts of Stenographers in the offices mentioned in part (d) above? If not, why not?

The Honourable Sir Reginald Maxwell: (a)–(e). The communal percentages laid down in the Government of India, Home Department Resolution No. F. 14/17-B./33-Ests., dated the 4th July, 1934, apply to all vacancies in the Central Services (including those in the grade of stenographers), which are filled by direct recruitment. In the Government of India Secretariat and Attached Offices all appointments to the posts of stenographer are treated as direct recruitment.

(d) and (e). Government have no reason to believe that the relevant orders are not observed in making direct recruitment to stenographers' posts in the offices mentioned in this part of the question, but it is understood that appointments in those offices are generally made by promotion from the grade of clerks and the orders are not applicable in such cases.

(f) Does not arise.

TRANSFERRED UNSTARRED QUESTIONS AND ANSWERS.

UNITED PROVINCES SUBORDINATE MEDICAL SERVICE MEN DECLARED UNFIT BUT ORDERED FOR OVERSEAS MILITARY DUTY.

81. Maulvi Muhammad Abdul Ghani: Will the Defence Secretary please state the approximate date by which he expects to lay the information which is being collected by him in connection with the reply to

[†]The meeting of the Assembly that was to be held on the 27th March, 1942, having been cancelled, the answers to unstarred questions for that day were, in pursuance of convention, laid on the table of the House today.—*Ed. of D.*

Unstarred Question No. 22, asked on the 18th February, 1942, regarding certain members of the United Provinces Subordinate Medical Service declared unfit but ordered for overseas Military duty?

Sir Gurunath Bewoor: The information has already been laid on the table of the House, on 18th March, 1942.

CRITERION FOR ADMISSION TO THE GOVERNMENT PRESS ROOM.

82. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Information and Broadcasting please state the criterion prescribed for admission to the Government Press Room of the Press Representatives or Representatives of the Service Trade Unions, Associations or Federations?

The Honourable Sir Reginald Maxwell: The criterion is that the press representatives must be genuine accredited agents representing *bona fide* news agencies, newspapers or periodicals published at an interval of not more than one week. Representatives of Trade Unions, Associations or Federations are not admitted.

CRITERION FOR SUPPLYING INFORMATION AND PRINTED MATERIALS.

83. Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Information and Broadcasting please state the criterion prescribed for supplying information and printed materials to the Press Representatives with the Government of India, to the Press, and to the Trade Unions, Associations or Federations?

The Honourable Sir Reginald Maxwell: Publicity material issued in the English language and the Departmental reports are supplied to press representatives but to only those who are accredited to the Government of India. Publicity material in the Indian languages is not supplied, except in the Urdu and Hindi languages which is supplied to the Associated Press of India and the United Press of India.

Publicity material in English is sent to English daily newspapers having a circulation of more than 2,000 copies. Indian languages publicity material is similarly sent to Indian language dailies having a circulation of more than 2,000 copies.

Copies of Departmental reports are normally sent to English dailies with a circulation of more than 5,000 copies, but this list is being curtailed in view of the shortage of paper.

Publicity material is not sent to Trade Unions, Associations or Federations, but such Institutions are supplied with copies of "*Indian Information*", "*Weekly News Report*", pamphlets and other literature of the kind, if they ask for it.

RULES REGULATING WAGES, ETC., OF RAILWAY EMPLOYEES.

84. Babu Kailash Behari Lal: Will the Honourable the Home Member please refer to sections 6(1) and 7(3) of Ordinance No. XI of 1941, and lay on the table of this House a copy of:

- (i) the rules made by the Central Government regulating or empowering a specified authority to regulate the wages and other conditions of service of persons employed on Railways; and
- (ii) the list of persons authorised to make complaint in writing to the court to take cognizance of an offence, by the Central Government for persons employed on Railways?

The Honourable Sir Reginald Maxwell: The question should have been addressed to the Honourable Member for Railways and Communications.

RULES GOVERNING CONDITIONS OF SERVICES, ETC., OF RAILWAY EMPLOYEES ON DUTY WITH DEFENCE SERVICES.

85. Babu Kailash Behari Lal: (a) Will the Defence Secretary please state the rules under which the conditions of service, conduct and discipline of Railway servants detailed for duty with Defence Services, are governed?

(b) Is it a fact that Railway servants serving with Defence services are not paid compensation for injuries sustained while on duty?

(c) Is it a fact that one Biswa Nath, Pointsman No. 116, Indian Railway Operating Company, Jullundur Cantonment, ran amuck in January 1942 and injured several sappers of that Company?

(d) Is it a fact that one of the sappers has received the fracture of his left rib which has not yet healed up?

(e) Was any court of enquiry held on the incident? If not, why not?

(f) What compensation do Government propose to give the injured persons? If none, why?

Sir Gurunath Bewoor: (a) The terms and conditions of service of Railway personnel serving in Military Railway Units are governed by the Army Instruction (India), No. 100 of 1941, as amended from time to time. They are enrolled or enlisted under the Army Act and are subject to its provisions as are all other combatants.

(b) The fact is not as stated.

(c) Sapper Biswa Nath did not run amuck but was involved in a private quarrel with another sapper in the same tent.

(d) The case was investigated by the Company Commander and at that time the Sapper who was involved in the quarrel did not appear to have been injured. Later, however, he reported sick and was found to be suffering from a broken rib. He was then admitted to the hospital, from which he was discharged on 30th January, 1942.

(e) No court of enquiry was held as the case had already been investigated by the Company Commander in the proper manner. The matter was, however, reported to higher authority when the man was found to have been injured.

(f) As the injury was the result of a private quarrel and was not received while on military duty, the question of compensation did not arise.

RAILWAY TRANSPORTATION OFFICER AT DELHI RAILWAY STATION.

86. **Babu Kailash Behari Lal:** (a) Will the Defence Secretary please state if it is a fact that a Railway Transportation Officer is posted at Delhi Junction Railway Station?

(b) Is it a fact that the officer, referred to in part (a) above, is assisted in the discharge of his duties by a number of subordinate staff?

(c) Will the Defence Secretary please state what are the duties of the above mentioned officer, and if he is supposed to assist the newly recruited persons passing through Delhi in accommodating them in the correct trains to their destination?

(d) Is he required to make arrangements for individuals passing through Delhi, either on leave or on duty so as to avoid overcrowding of the Waiting Rooms at Delhi?

Sir Gurunath Bewoor: (a) and (b). Yes.

(c) and (d). He is responsible for meeting all military personnel arriving in Delhi and assisting all military personnel passing through Delhi Junction, of whose arrival he has had prior notice from the military despatching authorities. He also assists all other military personnel arriving at or passing through Delhi Junction, who ask him or his staff for such assistance. He is not responsible for preventing military personnel from using the waiting rooms, unless asked to do so by the Railway Station authorities on grounds of serious inconvenience to the general travelling public.

ENGLISH LINE CLERICAL ESTABLISHMENT OF AJMER-MERWARA.

87. **Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Honourable the Home Member please state if it is a fact that in order to prevent the preponderance of any one class or community the Honourable the Chief Commissioner, Ajmer-Merwara, on the 14th September, 1932, issued orders fixing 60, 20, and 20 per cent. for Hindus, Muhammadans, and other minority communities, respectively, for future recruitment in each class of Government Subordinate Services (other than the Subordinate Police Service and menial services)?

(b) If the reply to part (a) above be in the affirmative, will Government please lay on the table of the House a statement in respect of the English Line Clerical Establishment of the Ajmer-Merwara Commission, showing:

(i) an up-to-date list of permanent appointments made by the Commissioner, Ajmer-Merwara, after the issue of the orders referred to in part (a) above;

(ii) the numerical strength and percentage of Muslim clerks on the 1st October, 1932; and

(iii) the numerical strength and percentage of Muslim clerks on the 1st October, 1941?

(c) Is it not a fact that during the last nine years the Commissioner, Ajmer-Merwara, totally overlooked the letter and spirit of the Local Administration's orders referred to in part (a) above in making permanent appointments of English Line Clerks?

(d) What steps do Government propose to take in the matter?

The Honourable Sir Reginald Maxwell: (a) Yes.

(b) (i). A statement is attached.

(ii) Numerical strength 6, percentage 8.6.

(iii) Numerical strength 6, percentage 8.3.

(c) The orders were not overlooked, see the note below the statement referred to in part (b) (i).

(d) Government do not consider any special steps necessary.

Statement of Permanent Appointments made in the English-line Clerical Establishment in Ajmer-Merwara from September, 1932 to September, 1941.

	Total.	Hindus.	Muslims.	Others.
From 1st October, 1932 to August, 1935	11	11	..	..
From September, 1935 to May, 1938	7	4	2	1
From May, 1938 to September, 1941	9	6	1	2
	27	21	3	3

Note.—The Clerical Establishment consists of the English line and the Vernacular line. In 1932, the percentage of Muslims in all posts in this Establishment was 26.5 per cent. Since Muslims were adequately represented, appointments were made from the lists of approval candidates according to their seniority up to August, 1935. In 1935, on a representation from the Muslim League, the Chief Commissioner ordered that it would be desirable (although not required by rules) that percentages may be worked up separately in the two branches. Until May, 1938, appointments were made with due regard to the representation of each community at the time each vacancy occurred. Since May, 1938, Section-writers (Copyists) have been treated as forming part of the regular service and all initial recruitment is made in this grade, the higher appointments being made by promotion. Since September, 1935, 23 permanent and 4 temporary appointments have been made in the English-line (including Section

writers) of which the Muslim share was nine permanent and three temporary. Muslim representation in the English-line (including Section writers and persons acting in permanent vacancies not yet substantively filled) on the 1st October, 1941 was 15.2 per cent., and this proportion would have been higher if three Muslims had not chosen to get transferred to the Vernacular-line. The percentages of Muslims in the latter on 1st October, 1941, was 33.7 and in the Vernacular and English lines together, 22.8.

ENGLISH LINE CLERICAL ESTABLISHMENT OF AJMER-MERWARA.

88. Maulvi Syed Murtuza Sahib Bahadur: Will the Honourable the Home Member please state if the powers given by the Government of India to Local Governments to declare null and void the appointments made in contravention of the communal recruitment policy have ever been used by the Ajmer-Merwara Administration in regard to the English Line Clerical Establishment? If not, why not?

The Honourable Sir Reginald Maxwell: I presume the Honourable Member refers to Instruction 10 of the Supplementary Instructions connected with the Government of India, Home Department, Resolution No. F. 14/17/B./33-Ests., dated the 4th July, 1934. The orders contained in that Resolution do not apply to the services under the administrative control of Chief Commissioners and it is not therefore incumbent on the latter to follow those Supplementary Instructions. No occasion to cancel any appointment made in the Establishment under reference has, however, arisen as there was no irregular appointment.

ENGLISH LINE CLERICAL ESTABLISHMENT OF AJMER-MERWARA.

89. Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Honourable the Home Member please state if it is a fact that the Muslim community of Ajmer, through its various organisations, brought, from time to time, the grievances of the Muslims about the violation of the policy of equitable communal proportion in regard to their recruitment in the English Line Clerical Establishment to the notice of the Local Administration?

(b) Is it not a fact that Muslim candidates on the waiting list have always been available in sufficient numbers for vacancies occurring in the English Line of the Clerical Establishment of Ajmer-Merwara?

(c) What steps do Government propose to take in the matter?

The Honourable Sir Reginald Maxwell: (a) Yes, but there has been no violation of the policy.

(b) Yes, in recent years.

(c) Does not arise.

MOTION FOR ADJOURNMENT.

PROPOSALS OF THE BRITISH WAR CABINET CONCERNING INDIA.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. I have received notice of a motion for an adjournment of the business of the

Assembly from Mr. Deshmukh who wants to discuss a definite matter of urgent public importance, namely, "the urgent necessity of giving an opportunity to this House to express its opinion on the latest proposals of the British War Cabinet concerning India".

May I know what the attitude of the Government is towards this?

The Honourable Mr. M. S. Aney (Leader of the House): The motion says, "failure of the Government of India to give an opportunity to this House to discuss". There is no failure on the part of the Government. No request to that effect was made to the Government. The proposals were published only yesterday.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadian Rural): Apart from any request, will not Government give an opportunity to discuss the proposals?

The Honourable Mr. M. S. Aney: I have got two adjournment motions in my hand. Which one is the Honourable Member referring to?

Mr. President (The Honourable Sir Abdur Rahim): Both of them refer to the same thing.

The Honourable Mr. M. S. Aney: One is a vote of censure for failure on the part of the Government to give the House an opportunity for discussion of the proposals. I say that the proposals were released for publication only yesterday and there was no occasion for anybody to ask permission of the Government to discuss them. If anybody wants an opportunity for discussion, the Government are prepared to consider the matter.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Though the proposals were published only yesterday, yet, as the Government have put down some other items also on the Agenda for today, they could have very well of their own accord placed a motion for discussion of the proposals, on this Agenda. These proposals are being discussed everywhere and this House alone is ignored. My point is that consideration by this House is an urgent necessity.

Mr. President (The Honourable Sir Abdur Rahim): I want to know whether the Honourable Member is really more anxious to censure the Government or he wants to have an opportunity of discussing these proposals.

Mr. Govind V. Deshmukh: An opportunity to discuss the proposals.

The Honourable Mr. M. S. Aney: My Honourable friend wants an opportunity to discuss the proposals. Well, Sir, if that is the general desire of the House, Government will certainly consider.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): If the Government give an opportunity by tabling a suitable Resolution, it will be all right.

Mr. President (The Honourable Sir Abdur Rahim): Perhaps the Honourable Member will find out and let me know if it is the general desire of the House.

The Honourable Mr. M. S. Aney: That can only be done on a non-official day now. There are two days only which are non-official days.

Dr. P. N. Banerjea: May I suggest that this matter be discussed on a Resolution placed before the House on the 7th April? If you like, 4th April—I do not object.

The Honourable Mr. M. S. Aney: On the 2nd April, after the private Bills.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): 2nd April is the day fixed for non-official Bills.

The Honourable Mr. M. S. Aney: That business will be over, say, within two hours, and you will have the rest of the day for you to discuss the proposals.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): On the 2nd April there are so many Bills for discussion.

The Honourable Mr. M. S. Aney: I think all those Bills will be finished soon.

Dr. Sir Ziauddin Ahmad: One will take at least two hours.

Mr. President (The Honourable Sir Abdur Rahim): The best thing, in the circumstances, is for Leaders now to try and find out what will suit the convenience of the House generally and then let me know. In the meanwhile, I will allow this adjournment motion to lie over.

Sir Muhammad Yamin Khan: Am I to understand, Sir,

Mr. President (The Honourable Sir Abdur Rahim): The Leader of the House will try to ascertain the wishes of Honourable Members and let me know.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF LABOUR.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Monday, the 23rd March, 1942, the

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPTT. 1605 OF LABOUR

time fixed for receiving nominations for the Standing Committee for the Department of Labour four nominations were received. Subsequently one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare Mr. C. C. Miller, Mr. N. M. Joshi and Mr. Jamnadas M. Mehta to be duly elected.

ELECTION OF A MEMBER TO THE CENTRAL COMMITTEE OF THE TUBERCULOSIS ASSOCIATION.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that Maulvi Muhammad Abdul Ghani has been elected to the Central Committee of the Tuberculosis Association.

ELECTION OF A MEMBER TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEJAZ.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Wednesday, the 25th March, 1942, the time fixed for receiving nominations for the election of a Member to the Standing Committee on Pilgrimage to the Hejaz two nominations were received. Subsequently one candidate withdrew his candidature. As there is only one vacancy I declare Qazi Muhammad Ahmad Kazmi to be duly elected.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

"I am directed to inform you that the Council of State, at its meeting held on the 25th March, 1942, agreed without any amendment to the Bill further to amend the Cantonments Act, 1924, which was passed by the Legislative Assembly at its meeting held on the 20th March, 1942."

STATEMENT LAID ON THE TABLE.

CASES IN WHICH THE LOWEST TENDERS HAVE NOT BEEN ACCEPTED BY THE HIGH COMMISSIONER FOR INDIA.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): Sir, I lay on the table a statement furnished by the High Commissioner for India showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India during the half year ending 30th June, 1941.

HIGH COMMISSIONER

INDIA STORE

ABSTRACT OF CASES in which tenders for stores demanded by the Central of the goods demanded were accepted on the grounds of superior inspection, quicker

HALF YEAR ENDING

Stores ordered.	Contract number.	Name of contractor.	Amount of contract.
PART A.—Cases in which lower foreign tenders, including British tenders, ten			
Micrometers, Calliper, Outside, size 0 to 1", No. 167.	A. 739/55/24-5-41	Moore & Wright (Sheffield) Ltd.	£. s. d. 247 12 7 (British.)

PART B.—Cases in which the discrimination

Fasteners, Snap— 30,000 gross complete sets. 7,800 gross bases. 7,800 gross washers.	Z. 4828/9172/8-3-41	Charles Edkins & Sons Ltd. 15,000 Gross complete sets. 7,800 gross bases. 7,800 gross washers.	7,232 10 0
	Z. 4829/9172/8-3-41	Newey Bros. Ltd. 15,000 gross complete sets.	6,281 5 0
Injectio Bismuthi B. P. 10 c.c. phials, No. 13,300.	Z. 4955/9060/18-3-41	Boots Pure Drug Co., Ltd.	13,513 15 0 (British.) 512 12 1 (British.)
Needles Hagedorn's 6 half-curved and 12 straight in vulcanite case, 665 cases. Needles, Hagedorn's straight, sizes 5, 8, and 10 in vulcanite case containing 4 of each size, 1,330 cases.	Z. 5093/9115/27-3-41	Allen & Hanburys Ltd.	370 0 5 (British.)
Procainae Hydrochloridum B. P. 60 grain bottles, 11,460 bottles.	Z. 5146/9067/31-3-41	Imperial Chemical Industries (Dyestuffs) Ltd.	298 8 9 (British.)
Tubing Drainage, I. R. Unperforated, sizes 1, 2 and 3. Two lengths of each size in tube in antiseptic solution, 1,260 tubes.	A. 27/9123/2-4-41	John Bell & Croyden	148 8 11 (British.)

FOR INDIA.

DEPARTMENT.

Government, other than the lowest complying with the technical description quality, superior trustworthiness of the firm tendering, greater facility of delivery, etc.

30TH JUNE 1941.

Lowest Tender not accepted.	Reason for acceptance.
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for foreign-made goods, have been set aside wholly or partially in favour of British ders.

£. s. d.
198 6 3
(U. S. A.)

The lower tenderer offered delivery in 9/10 months. The indent asked for urgent supply and the order was therefore placed with the next tenderer who offered delivery in about 5 months.

is between British firms only.

13,295 10 0
(British.)

The fasteners were urgently required and the Indenting Department asked that if possible 5,000 gross sets should be supplied per month. The lowest tenderer offered only 2,000 gross sets per month commencing in one month. The order was therefore divided between this firm and the next lowest.

498 15 0
(British.)

The lowest tenderer offered delivery to commence in April and to be completed in June (15 weeks). Previous experience of this firm had however shewn that their delivery promises are very unreliable, and as early delivery was of the greatest importance the order was placed with the next lowest tenderer, who undertook to complete delivery within 4 weeks.

326 19 2
(British.)

The lowest tenderer required 12—15 weeks for delivery. As the needles were very urgently required the order was placed with the next lowest tenderer who offered delivery in 6—8 weeks.

262 12 6
(British.)

The lowest tenderer offered delivery to be completed within about two months. Recent experience of this firm had, however, shewn that their delivery promises are very unreliable and as early delivery of half the total quantity was of great importance the order was placed with the next lowest tenderer who offered to commence delivery in 3 weeks at the rate of 1,000 bottles per week.

108 10 0
(British.)

The tubing was required in India before the end of June 1941. The delivery offered by the lowest tenderer was indefinite and previous contracts held by the firm were seriously delayed and still incomplete. The contract was placed with the next lowest tenderer who offered the bulk of the tubing in 6 weeks and the entire quantity in 8 weeks.

PART B—*contd.*

Stores ordered.	Contract number.	Name of contractor.	Amount of Contract.
			£. s. d.
Mepacrine, Hydrochloride, 798,000 Tablets.	A. 37/9098/2-4-41	Pharmaceutical Specialities (May & Baker) Ltd.	4,617 14 6 (British.)
Pamaquin, 319,000 Tablets.			
Mepacrine Methane Sulphonate, 239,400 Ampoules.			
Bearings, Ball Double Row Journal 3" bore × 7" outside dia. × 1 9/16" width self aligning, No. 21.	A. 49/10154/3-4-41	The Skefko Ball Bearing Co., Ltd.	39 8 6 (British.)
Leather cloth White 36" wide, 1,500 Yards.	A. 319/9313/22-4-41	The Leather Cloth Co., Ltd.	161 11 7 (British.)
Machine, Milling, Universal motor driven, etc., No. 1.	A. 488/7324/2-5-41	Alfred Herbert Ltd.	986 2 3 (British.)
Neoarsphenamina B. P., 31,704 Tubes.	A. 777/720/27-5-41	Evans, Sons Lescher & Webb Ltd.	594 9 0 (British.)
Cystoscopes— No. 36	A. 821/786/30-5-41	James L. Hatrick & Co. (London) Ltd.	487 12 5
No. 36	A. 822/786/30-5-41	The Genito Urinary Manufacturing Co., Ltd.	583 4 0
Marking out Table 72" × 48", No. 1.	A. 891/840/6-6-41	Alfred Herbert Ltd.	1,070 16 5 (British.)
Hose, Petrol, 2½" bore, etc. In 11 feet lengths, No. 12.	A. 1142/196/27-6-41	David Moseley & Sons Ltd.	51 8 7 (British.)
			28 8 5 (British.)

PART C.—*Cases in which the discrimination**Nil.*PART D.—*Cases in which British tenders*

Micrometers, Combination sets 12" complete with, square etc., No. 50.	A. 740/55/24-5-41	Buck & Hickman Ltd.	92 10 0 (U. S. A.)
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PART B—*concl'd.*

Lowest Tender not accepted.	Reason for acceptance.
£. s. d.	
4,203 5 3 (British.)	The lower tenderer could not begin delivery for at least 6 months. The drugs were urgently required by the Indian Medical Service and the order was therefore placed with the higher tenderer who undertook to complete delivery by June 1941.
29 15 0 (British.)	The lowest tenderer required 8 weeks for delivery. As the ball bearings were very urgently required in India the order was placed with a higher tenderer who offered immediate delivery.
161 3 9 (British.)	The lower tenderer required 10 weeks for delivery. The order was placed with the higher tenderer who offered delivery in 4-5 weeks.
824 6 0 (British.)	The lowest tenderer offered delivery in 50 weeks. As the machine was very urgently required the order was placed with the next tenderer who offered delivery in 39/40 weeks. This action was approved by the Government of India.
528 8 0 (British.)	The lower tenderer required approx. 10 weeks for delivery. The indent asked for immediate supply, and the order was therefore placed with the higher tenderer who offered delivery in 3 weeks.
975 4 10 plus cases and packing. (British.)	The two lowest tenderers each offered delivery at the rate of 6 per week commencing in 10 weeks. The next tenderer offered delivery at the rate of 9 per week, commencing in 3 weeks. The indent asked for immediate supply, and the contract was therefore divided between the lowest and the third tenderer.
48 10 0 (British.)	The lowest tenderer offered delivery in 20 weeks. As the table was very urgently required to replace a table received badly damaged in India, the order was placed with the next tenderer who offered delivery in 8/10 weeks.
27 3 0 (British.)	The lowest tenderer offered delivery in 13 weeks. As the Petrol Hose was very urgently required, the order was placed with the next tenderer who offered delivery in 2-3 weeks.
<i>is between foreign firms only.</i>	
<i>Nil.</i>	
<i>were set aside in favour of foreign tenders.</i>	
81 5 0 (British.)	The lowest tenderer offered delivery in 9 months. The indent asked for urgent supply and the order was therefore placed with the next tenderer who offered delivery in about 6 months.

THE MOTOR VEHICLES (AMENDMENT) BILL.

The Honourable Mr. S. N. Roy (Member for Railways and Communications): Sir, I beg to move:

"That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Select Committee, be taken into consideration."

As my predecessor pointed out when moving the motion for the Select Committee, the Bill may be described as giving the Act of 1939 a wash and brush up. Most of the provisions are of a formal nature and the modifications made by the Select Committee are extremely few. It is unnecessary, therefore, for me to say anything more on the subject. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Select Committee, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I was a party to the Select Committee on this Bill, and let me, at the very outset, say that I do not agree with my Honourable friend, who said that the Bill only wanted a wash and brush up. There are some substantial points also. Now, in that respect I find that the Bill mainly wanted to give more and wider powers to the Provincial Governments, and, in that connection, certain alterations and additions have been made. Now, with respect to that I submit that I would object to at least two points in the Bill which is sought to be enacted and which are new ones. Now, this Motor Act itself is divided mainly into three parts. One is with respect to giving licences. The second is with regard to the registration of automobiles, and the third is with respect to giving permits for taking the cars over certain areas. With respect to giving licences to the drivers, the provision is already in the Act itself and what was now intended and what is now being done is to give more power to the Provincial Government to charge fees on the appeals that are made by these drivers if their licences are not given or if any question arises with respect to the licence. Under the present Act no fees are being charged at all and my submission is that there should be no fees hereafter also. It would be inconsistent with the similar provisions of the Act itself if any fee is levied. When I read the Act itself I find that there are no powers given to the Provincial Governments to levy any fees on the appeals with regard to registration. Now, if there are no provisions for fees with regard to registration, I cannot understand why it should be in the case of poor drivers who get a licence when they have got a real grievance and when they want to make an appeal. In making an appeal to the prescribed authorities I cannot understand why they should pay fees. There is another thing of a similar nature also. Under the Chapter relating to permits also, we find provision has been made for preferring appeals and in that respect also I do not find that there are any powers to the Provincial Governments to levy fees in respect of appeals. Therefore we should be consistent. No amendment has been put and none was even put forward before the Select Committee. I have given a note of dissent on that point in which I have said that I am not in favour

(1610)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can make these remarks when he moves his amendments. They hardly arise now.

Mr. Lalchand Navalrai: I am only saying certain introductory remarks, so that when I move my amendments I would not take long.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member was in the Select Committee himself.

Mr. Lalchand Navalrai: Yes. My objection is that no fees should be levied. This will be a further hardship on the poor motor drivers. Then there is another point on which I have put in an amendment and I have put forward my grounds. With regard to that I have to say that powers are being given to the police officers or some other officer who may be appointed by the Local Government to actually seize

The Honourable Mr. S. N. Roy: That comes under the next amendment.

Mr. Lalchand Navalrai: I am coming to the next. I am now speaking on the consideration of the Bill. So, I can refer to the second point also. My point is that new powers are being given to the police officer or to an officer appointed by the department or by the Local Government to seize and detain a motor car if it is working in contravention of certain sections of the Act in respect of registration. If the motor is not registered and is being plied in that case power is being given to seize and detain the motor car. Similarly with respect to those motor cars which have got no permits, I say that I have no objection to the power being given but we have

The Honourable Mr. S. N. Roy: I do suggest that these remarks may appropriately be made on the second amendment.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): He is entitled to participate in the general discussion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member was in the Select Committee. These matters relate to a particular clause. They do not really arise on the general consideration.

Mr. Lalchand Navalrai: I should be intelligible to the House. This is the stage of consideration. We have got a right to put the matter before the House.

Mr. President (The Honourable Sir Abdur Rahim): At this stage the Honourable Member can only discuss the general principles underlying the Bill, as reported by the Select Committee.

Mr. Lalchand Navalrai: That is what I am doing. I am considering the general aspect of this question of seizing and detaining

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member got an amendment on that point.

Mr. Lalchand Navalrai: I have got an amendment with respect to certain aspects of it and I am putting the general matter before the House. I would not take long. We have got enough time

Mr. President (The Honourable Sir Abdur Rahim): It is not a question of taking long. The Honourable Member must conform to the practice and rules of the House.

Mr. Lalchand Navalrai: I am making my remarks exactly according to the rules of the House. I want all the precautions to be taken to see that the police officer or the person who is to detain or seize the car should not use his powers lightly and without proper reasons. Therefore I have asked that the powers should be given to him when he actually finds that the thing has been done in contravention of the Act.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got an amendment to that effect.

Mr. Lalchand Navalrai: I have got an amendment but what I am saying is that the police officer should not act on mere belief and therefore the Bill requires to be well considered.

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

"That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed to consider the Bill clause by clause. I find a number of amendments in the name of Mr. Chattopadhyaya, and I do not know which of these amendments he would like to move.

An Honourable Member: He is not in the House.

Mr. President (The Honourable Sir Abdur Rahim): In that case I will put clause 2 to the House. The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3, 4 and 5 were added to the Bill.

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

"That clause 6 stand part of the Bill."

Mr. Lalchand Navalrai: Sir, I move:

"That in part (a) of clause 6 of the Bill, in the proposed clause (b), all the words occurring after the word 'Chapter' be omitted."

With reference to this, section 21 of the original Act has been amended. Section 21 says that a Provincial Government may make rules for the purpose of carrying into effect the provisions of this Chapter. In those powers that are being given to the Provincial Government, we find that clause 6 as it originally stood ran thus:

"The powers for the conduct and hearing of appeals that may be preferred under this Chapter."

Now, it will be observed that this is a power for the conduct and hearing of appeals. We have in the Act itself section 13 which provides for appeals. Now, what is being done is that an addition has been made in the Bill as it has emerged from the Select Committee and certain words have been added, namely, that the Local Government has the power for the conduct and hearing of the appeals that may be preferred under the Act. Further, the power is being given that fees should be paid in respect of such appeals and also there is a provision for the refund of such fees. I am objecting to this portion and have moved my amendment to delete this portion only with regard to the fee. Sir, if we refer to Chapter III with regard to registration, we find that under section 35 of the Act itself power of appeals has been given by the Legislature. With regard to the same matter, there is another section, section 41 (2) (a), which stands as before. There is no amendment in that section at all. There we find that power is given for the conduct and hearing of the appeals with regard to the registration that may be preferred under this Chapter. There is no such addition to it that a fee will be levied and no such thing has been provided for.

The Honourable Mr. S. N. Roy: It has been provided in the Bill.

Mr. Lalchand Navalrai: I do not find it. I was a member of the Select Committee and no other amendment was made there.

The Honourable Mr. S. N. Roy: See clause 12.

Mr. Lalchand Navalrai: Then, Sir, the relevant sections with regard to the permits are 64 and 68. There also we do not find that there are any fees provided in the Act. Now, on this point I have the support of certain opinions which the Government had obtained. From these opinions I find that on page 2 the Provincial Motor Union of the Central Provinces and Berar have taken objection to any fees being levied. Therefore, I submit that that portion of the Bill should be deleted. Even if it is shown to me by the Honourable Member who has moved this Bill that there is a provision for the appeals with respect to other clauses, it must be said that so far as the drivers are concerned they have got grievances. I do not think that these poor people should be compelled to pay fees especially in view of the fact that up to this time they have paid no fees. I see no reason why this new thing should be introduced now. It might be said that if no fees are levied, many appeals will be preferred. But the appeals should not be obstructed like that. The point is, has the power been abused? If so, we must be told the number of cases in which appeals were preferred and in how many cases they proved successful and in how many cases they failed. Anyway, I feel that these poor men should not be charged any fees for preferring appeals.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in part (a) of clause 6 of the Bill, in the proposed clause (b), all the words occurring after the word 'Chapter' be omitted."

The Honourable Mr. S. N. Roy: Sir, the Honourable Member is mistaken in thinking that provision for the levy of fees is only restricted to appeals against refusal to grant drivers licences. The Bill also includes provisions for a levy of fees on other kinds of appeals, to which he has referred. I will refer the Honourable Member to clauses 12 and 16 of the Bill which provide for the levy of fees in respect of refusal to register a vehicle or to grant permits. The position is quite simple. Provincial Governments represented to us some time ago that owing to the absence of any provision for fees, they were flooded with appeals, most of which were frivolous or of very little substance. The Bombay Government stated that as many as 80 per cent. of the appeals were of that nature. It is desirable, therefore, to provide some means by which frivolous appeals should be stopped. Actually, the Honourable Member is wrong in supposing that fees are not levied at the present time. Many Provincial Governments are already levying fees under the Court Fees Act. What we want to do is to regularise it by making a provision in the Motor Vehicles Act.

The provision made in clause 6 of the Bill is not, therefore, illogical as he suggests. He is mistaken there for we are providing for fees for appeals of all kinds. The Select Committee have, however, in respect of appeals in regard to licences, introduced a new clause that no fee shall exceed two rupees. This is a very salutary provision which ought to meet with the approval of the Honourable Member, because the people who can be said to be poor are the drivers and, so far as they are concerned, the provision which the Select Committee has made meets the objection. Sir, I do not think the Government can accept this amendment.

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

"That in part (a) of clause 6 of the Bill, in the proposed clause (b), all the words occurring after the word 'Chapter' be omitted."

The motion was negatived.

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

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 were added to the Bill.

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

"That clause 20 stand part of the Bill."

Mr. Lalchand Navalrai: Sir, I move:

"That in clause 20 of the Bill, in the proposed section 129-A, the words 'he has reason to believe that' be omitted."

Sir, this section 129-A is a new enactment altogether. We do not find this provision in the old Act. This section 129-A says:

"Any police officer authorised in this behalf or other person authorised in this behalf by the Provincial Government may, if he has reason to believe that a motor vehicle has been or is being used in contravention of the provisions of sub-section (1) of section 22 or without the permit required by sub-section (1) of section 42 or in contravention of any condition of such permit relating to the route on which or the area in which or the purpose for which the vehicle may be used. . . ."

Sir, my amendment is a very simple one. This power is a new power given to the police officer or any other person authorised in this behalf by the Provincial Government. If a man is using a motor car without its being registered or without a permit, then the car can be detained there forthwith and seized by the police officer. I submit this power is too drastic. Formerly, if a man used a car without registration or without a permit, then he could be prosecuted and brought before the court. It is for the court to decide. That practice has been going on up to now. Now power is being given by this enactment to the police officer, to do what would otherwise be done by a judicial finding of court. I submit the power that is sought to be given now is a drastic one. This power should not be given to the hands of the police officer. If the department finds it necessary to give such a drastic power to the police officer, then in that case, precautions must also be taken so that the power may not be abused. My amendment is only to provide such precaution. I submit the Government also should agree so that it may not be misused. It should not be merely on the belief of the police officer that a car should be detained or should be brought before the court or disposed of in some other manner. The words to which I object in this provision are:

"If he has reason to believe that"

I say, Sir, that under this pretext of belief, you are giving large powers into the hands of the police. To say, I believe it and therefore I detain it will do great harm to the owner of the car. But it would be only a belief, and that I submit should be taken away. Then it will read like this:

"Any police officer may, if a motor vehicle has been or is being used in contravention", etc.

So he cannot take shelter behind the plea that he did nothing illegal because he believed it. Under the provision as it stands now he can get round the law by saying that he believed it, and so I submit that these words should be taken away. Originally Government put in the words "or is likely to be used". Those have now been deleted, and these words "has reason to believe" should also be taken away so that the police officer may not have any chance to misuse his powers.

Then, Sir, we as lawyers know how that word "believe" has been interpreted by authorities and courts. There have been cases where the police only had a suspicion or hearsay information; and in those cases some courts have held that that would come under the word "believe", though there are decisions to the contrary also. Therefore these words should not be there to give rise to misleading interpretations and constructions. Therefore I submit that this amendment should be accepted. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 20 of the Bill, in the proposed section 129-A, the words 'he has reason to believe that' be omitted."

The Honourable Mr. S. N. Roy: Sir, the necessity for this power has been accepted by all Provincial Governments. The Madras Government originally proposed that some provision of this kind was necessary. Thereafter, last year, at the meeting of the Transport Advisory Council at which representatives of all Provincial Governments were present, this

[Mr. S. N. Roy.]

matter was exhaustively discussed and the general feeling was that a provision of this kind should be made. It was in pursuance of that recommendation that this provision in the amending Bill was introduced. The original wording of the provision, as the Honourable the Mover has pointed out, included the words, "or is likely to be used", and those words have now been deleted. The Honourable Member now says that the words "has reason to believe" should also be deleted. If the necessity of taking the power is established,—and I submit that in view of the fact that all the Provincial Governments think that they require this power it is impossible to dispute this proposition,—it is inevitable that we must have the words "he has reason to believe"; otherwise, every police officer would be in danger of being run in for tort when he stops a vehicle. I submit that the modification which the Select Committee has made removes any objection there might have been to this provision. Sir, I oppose.

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

"That in clause 20 of the Bill, in the proposed section 129-A., the words 'he has reason to believe that' be omitted."

The motion was negatived.

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

"That clause 20 stand part of the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

Clauses 21 to 24 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Mr. S. N. Roy: Sir, I move:

"That the Bill, as reported by the Select Committee, be passed."

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

"That the Bill, as reported by the Select Committee, be passed."

The motion was adopted.

MOTION FOR ADJOURNMENT.

PROPOSALS OF THE BRITISH WAR CABINET CONCERNING INDIA.

Mr. President (The Honourable Sir Abdur Rahim): Now I will take up the adjournment motion. I hold that the motion is in order.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, so far as my information goes, one Party is not in a position to express its opinion on the question because its Working Committee is to meet after

some time, and so on. The Muslim League Party has given me that information. The European Group does not want a discussion of this question. Therefore, I do not feel that there is any general desire in the House to discuss the question on the floor of the House.

Mr. President (The Honourable Sir Abdur Rahim): The motion being in order, if there be objection on any grounds, I will have to take the sense of the House according to the rules. I take it that the Honourable Member is objecting, and therefore, as objection has been taken

Sardar Sant Singh (West Punjab: Sikh): Sir, on a point of order, objection is not taken on any of the technical grounds that are open to Government but

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is quite mistaken. It is for me to decide whether it is in order or not. Once I decide it is in order any Member can object to leave being granted and then I have to take the sense of the House.

As objection has been taken, will those Honourable Members who are for leave being granted rise in their places?

(On a count being taken.)

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

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 1st April, 1942.

LEGISLATIVE ASSEMBLY

Wednesday, 1st April, 1942.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBERS SWORN.

Mr. Herbert Daniel Benjamin, M.L.A. (Government of India: Nominated Official); and

Mr. Vishnu Sahay, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

IMPROVEMENTS IN THE DELHI MUSEUM OF ARCHÆOLOGY.

300. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Education Member be pleased to state whether he is aware that the Delhi Museum of Archæology inside the Fort is the only Museum under the Archaeological Department in Northern India relating to Muslim art and culture?

(b) Is he also aware that the Director General of Archæology took it under his personal supervision to effect an improvement in it? If so, will he kindly state if any improvements have been made in it?

(c) If any improvements have been made, will he kindly give their details?

The Honourable Mr. N. R. Sarker: (a) Yes.

(b) It was taken over for administrative convenience. The Assistant Superintendent, who holds charge of the Museum as Honorary Curator, has effected a number of improvements under the direction of the Director General of Archæology.

(c) The space available has been increased by enclosure of the verandah; overcrowding of exhibits has been reduced; show-cases have been rearranged and important exhibits have been acquired for the Museum.

EXPOSED INSCRIPTIONS IN THE DELHI MUSEUM OF ARCHÆOLOGY.

301. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Education Member be pleased to state if he is aware that the stone inscriptions housed in the Delhi Museum of Archæology have been lying on the ground outside the building exposed to weather for nearly two years?

(b) Is he also aware that these inscriptions constitute a very valuable historical record and their treatment by the Director General of Archæology is open to objection?

(c) Will he kindly state the reasons for the treatment accorded to these important and sacred relics?

The Honourable Mr. N. R. Sarker: (a) Yes, some stone inscriptions have been kept in the open.

(b) and (c). These inscriptions, mostly tomb-stones, are not likely to be affected by exposure. Others, which are either important or of a friable stone and likely to disintegrate, have been kept in the museum.

Dr. Sir Ziauddin Ahmad: Is it not a fact that these stones have been lying for two years outside exposed to wind, sun and rain, and will it not affect the preservation of these inscriptions?

The Honourable Mr. N. R. Sarker: I have already answered that question.

Dr. Sir Ziauddin Ahmad: Do you mean that these inscriptions on the stones will not be affected?

The Honourable Mr. N. R. Sarker: Yes, they will not be affected.

SAFETY OF ARTICLES IN THE DELHI MUSEUM OF ARCHÆOLOGY.

302. *Mr. Muhammad Azhar Ali: (a) Is the Honourable the Education Member aware that a burglary occurred some time ago at the Delhi Museum of Archæology? Will he please state if any proper arrangement has been made for the safety of the valuable articles exhibited in the Museum?

(b) Is he aware of the fact that the glass screens have been shifted from the inner to the outer arches of the building? If so, is he sure that this arrangement will meet the requirements?

(c) Is he also aware that this arrangement has proved inconvenient to visitors, and that it has disturbed the arrangement of the inscriptions which were formerly arranged there and have now been placed on the ground outside the building?

(d) Is he prepared to give an assurance to this House that the Delhi Museum which possesses great importance with regard to antiquities illustrating Muslim art and culture is not allowed to deteriorate?

The Honourable Mr. N. R. Sarker: (a) The reply to both the parts is in the affirmative.

(b) The reply to the first part is in the affirmative. The shifting of the screens does not affect the safety of the Museum exhibits.

(c) I am not aware of any inconvenience to visitors. Important inscriptions have been kept inside the Museum. Less important inscriptions in hard stone, which are not likely to suffer from exposure, have been placed in the open.

(d) Yes.

Dr. Sir Ziauddin Ahmad: Does not the present answer contradict the answer to the previous question that there are some stones which are lying exposed to sun and weather and are lying outside?

The Honourable Mr. N. R. Sarker: But it will not affect the stones.

Dr. Sir Ziauddin Ahmad: Is it contended that exposure to the sun and wind will not harm the inscription? Has the Honourable Member made inquiries?

The Honourable Mr. N. R. Sarker: Yes, they will not be affected.

ALLEGED INSULT TO THE IMAM OF A MOSQUE IN QUTAB AREA BY A HINDU SUBORDINATE OF ARCHÆOLOGICAL DEPARTMENT.

303. *Mr. Muhammad Azhar Ali: (a) With reference to the answer to part (c) of starred question No. 138, given on the 11th November, 1941, will the Honourable the Education Member please state if the magisterial enquiry has since been completed?

(b) Will he kindly place a copy of the report on the table of the House and also state what action has been taken against the Hindu subordinate of the Archæological Department who entered the mosque in Qutab Area with shoes on and insulted the Imam there?

The Honourable Mr. N. R. Sarker: (a) The officer has completed his inquiries.

(b) No; the inquiry, I find, was an executive inquiry, not a formal magisterial inquiry, and the inquiring officer's opinions have been forwarded in a confidential document.

No action has been taken against the Conservation Assistant concerned as the inquiring officer did not accept the view that he had acted in the way suggested in the question.

Dr. Sir Ziauddin Ahmad: What is the reply to the last part (b)?

The Honourable Mr. N. R. Sarker: No action has been taken against the Conservation Assistant concerned as the inquiring officer did not accept the view that he had acted in any way suggested in the question.

Dr. Sir Ziauddin Ahmad: Is this fact mentioned in the question correct or not, namely, that the Hindu subordinates of the Archæological Department entered the mosque in Qutab area with shoes on and insulted the Imam there?

The Honourable Mr. N. R. Sarker: No.

CERTIFICATE OF INCORPORATION OF ASSOCIATION OF INDUSTRIES (INDIA) LIMITED.

304. *Babu Kailash Behari Lal: (a) Will the Honourable Member for Commerce please refer to section 27 (1) of the Indian Companies Act VII of 1913, viz.:—"to give any person right to participate in the divisible profits of the company otherwise than as a member shall be void"; and state whether it is a fact that in clause III (45) of the Memorandum of Association of Industries (India) Limited, it is declared that "holders of bonds" otherwise than the "Members" shall participate in the divisible profits of the company?

(b) If so, will the Honourable Member please state the reasons for the issue of the Certificate of Incorporation on the 14th day of July, 1939 by the Registrar, Joint Stock Companies, Delhi, as a Company Limited by Guarantee having no share capital? Do Government now propose to cancel the said certificate? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) and (b). I regret that as the question involves the interpretation of an Act of the Legislature in its application to an alleged statement of fact I am unable to express an opinion in the matter.

SUPPLY OF ELECTRICITY AND IMPROVEMENT OF ROADS IN ALIGUNJ AREA, DELHI.

305. *Maulana Zafar Ali Khan: (a) Will the Labour Secretary please state if it is a fact that Government had promised to supply electric current to the Aligunj inferior servants quarters area by the end of December 1941?

(b) Is it a fact that only one pole has so far been erected and electric current has not been supplied there?

(c) Is it a fact that the roads in the Aligunj area are in a very bad condition, and the Public Works Department have not undertaken any repairs to them?

(d) Is it a fact that inhabitants of that area are experiencing very great difficulty on this account? Why do the Public Works Department not repair the roads?

Mr. H. C. Prior: (a) No. In reply to a representation on the subject received last year from the Government of India Imperial Secretariat Record Sorters and Duffries Association, it was stated that the installation of road lights was a Municipal function. It was understood from the Secretary, New Delhi Municipal Committee, that the standard design of the poles was under consideration and that the provision of lights was expected during the course of that year (*i.e.*, 1941).

(b) No. The whole work has since been done excepting installation of lamps, an order for which has been placed.

(c) No. The roads are in good condition. Portions of roads were damaged during last winter rains but they have since been attended to.

(d) Does not arise, *vide* reply to part (c) above.

ALTERNATIVE ARRANGEMENT FOR WATER SUPPLY IN NEW DELHI.

306. *Babu Kailash Behari Lal: Will the Honourable the Education Member kindly state:

(a) what alternative arrangements have been made for the supply of water to residents in New Delhi;

(b) whether there is any idea of fixing hand pumps, etc., within the quarters and compounds of bungalows, or at convenient places in New Delhi; and

†Answer to this question laid on the table, the questioner being absent.

(c) whether any old and closed wells have been re-opened and cleaned?

The Honourable Mr. N. R. Sarker: A number of old wells in New Delhi are already in working order and arrangements are being made by the Municipal Committee, as a precautionary measure in connection with air raid precautions, to rehabilitate others. In addition the Municipal Committee have sanctioned the construction of fifty tube-wells, with hand suction pumps, and have given permission for the construction of similar wells by private persons, subject to suitable conditions.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether the Government are in favour of boring pipes and whether they are prepared to put in boring pipes, *i.e.*, tube wells?

The Honourable Mr. N. R. Sarker: What difference would it make?

Mr. Lalchand Navalrai: Boring pipes cost comparatively less. They are, I think, driven in by some mechanical method, and water comes out through a hand pump. Why should not these be arranged?

The Honourable Mr. N. R. Sarker: I will consider this.

DURGAH OF MAKHDUM SHAH SAHIB NEAR SHAHPUR, QUTAB ROAD, DELHI.

307. *Maulvi Syed Murtuza Sahib Bahadur: (a) With reference to his answer to parts (d) to (f) of starred question No. 456, asked by Maulana Zafar Ali Khan in this House on the 21st March, 1941, regarding the Durgah of Makhdum Shah Sahib near Shahpur, Qutab Road, Delhi, will the Honourable Member for Education, Health and Lands please state whether repairs to the graves, which were left over for want of funds, have since been carried out? If not, when will this be done?

(b) What amount has been spent on repairs to this protected monument during the last three years?

(c) What expenditure will be incurred if the demand of the local Muslim public, as disclosed in parts (d) to (f) of starred question No. 456, referred to in part (a) above, namely:

(i) repairing of the remaining graves,

(ii) providing a gate at the main entrance of the Durgah, and

(iii) broadening of passage from the entrance of the Durgah to the main road,

is conceded by Government?

(d) Do Government consider it necessary to receive the complaints with regard to these matters direct and do they propose to treat them as such if they are made through the Members of this House?

(e) Will he kindly place on the table of the House the result of his enquiry promised in reply to Maulana Zafar Ali Khan's supplementary question on his starred question No. 456, dated the 21st March, 1941?

The Honourable Mr. N. R. Sarker: (a) No, but they will be taken up when funds permit.

- (b) Rs. 796.
- (c) (i) About Rs. 200.
(ii) About Rs. 100.
(iii) The improvement would involve acquisition of land and an estimate cannot be framed without a detailed inquiry.
- (d) Any complaints made to Government will receive consideration.
- (e) No land is being cultivated within the boundary of the monument.

MEMBERS OF THE CENTRAL LEGISLATURE BRINGING UP MOTOR CARS TO DELHI

†303. *Sir Abdul Halim Ghuznavi: Will the Honourable the Leader of the House please state:

- (a) the number of Honourable Members of the Legislative Assembly and the Council of State who brought up motor cars to Delhi for their personal use in the year 1941; and
- (b) the amount of the cost to Government?

The Honourable Mr. M. S. Aney:

	Budget Session.	Autumn Session.	Total.
(a) Legislative Assembly	29	22	51
Council of State	20	18	38
Total	49	40	89

	Rs.	Rs.	Rs.
(b) Legislative Assembly	16,501	11,209	27,710
Council of State	8,421	8,180	16,601
Total	24,922	19,389	44,311

INSTITUTIONS GRANTED LANDS IN NEW DELHI.

†309. *Sardar Sant Singh: (a) Will the Honourable Member for Education, Health and Lands be pleased to state the names of institutions which have been granted land in New Delhi since 1925, with the dates of their applications and the dates when such grants were sanctioned?

(b) Is it a fact that some Sikh institutions also made applications for similar grants for public purposes? If so, since how long have these applications been pending and why has no decision so far been reached? Will the Honourable Member state the reasons for such discrimination?

The Honourable Mr. N. R. Sarker: The information has been called for and a reply will be furnished to the House when it is received.

†Answer to this question laid on the table, the questioner being absent.

SUBSIDY TO THE MOGUL LINE FOR HEJAZ PILGRIM TRAFFIC.

310. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Honourable Member for Indians Overseas kindly state the total amount of subsidy paid to the Mogul Line by His Majesty's Government and the Government of India in connection with pilgrim traffic to the Hejaz?

The Honourable Mr. M. S. Aney: For the season 1940-41 the Mogul Line have been paid a sum of Rs. 20,292-7-0 for providing special protection against aerial attack to hatchways on their ships employed to carry pilgrims. Of this amount the Government of India paid one third and His Majesty's Government two thirds. No claim was received from the company as a subsidy against loss incurred during the Haj season.

Mr. Husenbhai Abdullahai Laljee: May I know from the Honourable Member if they incurred any loss?

The Honourable Mr. M. S. Aney: As no claim has been submitted, I am unable to say that.

Dr. Sir Ziauddin Ahmad: Did Government make an enquiry whether they made profit or whether they incurred a loss?

The Honourable Mr. M. S. Aney: I will enquire if the Honourable Member will give me notice.

Mr. Lalchand Navalrai: Was Scindia Shipping Company also working on that line or not?

The Honourable Mr. M. S. Aney: I have given my reply in connection with the Mogul Line.

KARANIS ON PILGRIM SHIPS OF THE MOGUL LINE.

311. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Honourable Member for Indians Overseas kindly state:

- (a) whether Karanis are employed on pilgrim ships of the Mogul Line;
- (b) the duties of Karanis;
- (c) the qualifications they possess;
- (d) the total number of such Karanis and the number of them who are Muslims; and
- (e) if Government propose to recommend to the shipping company to employ Muslims as Karanis in the vacancies that occur in future?

The Honourable Mr. M. S. Aney: (a) Yes.

(b) The duties of the Karanis are similar to those of a Purser of an ordinary passenger liner and include keeping of accounts, manifests, etc.

(c) Karanis possess no particular qualifications. They usually join vessels as Tally clerks and are gradually promoted to Assistant clerks and ultimately to Karanis.

- (d) Seven and two respectively.
- (e) Government will bring this part of the question to the notice of the shipping company.

PILGRIM SHIPS FOR THE LAST HAJ SEASON.

312. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable Member for Indians Overseas kindly state how many pilgrim ships sailed from India with pilgrims to the Hedjaz during the last Haj season? How many of them were required to call at Kamran and how many of them were not required to do so?

(b) Was there any incidence of infectious diseases in any of the pilgrim ships?

(c) If the answer to part (b) above be in the negative, why were some of the pilgrim ships required to call at Kamran at all?

(d) In case of the ships that did not call at Kamran, was the Kamran fee collected from other pilgrims returned to them and what was the total amount of such fee?

(e) Will Government consider the question of refunding the fee received from those pilgrims whose ships called at Kamran? If not, why not?

The Honourable Mr. M. S. Aney: (a) There were nine sailings from India and six of them called at Kamaran. In the case of the three last sailings, authority was given to the Masters of the ships to omit the call at Kamaran at their discretion if they could not otherwise reach Jedda by the morning of the 23rd December. It was feared that if those ships arrived later the poorer pilgrims might not be able to get to Mecca in time for the Haj.

(b) No.

(c) The call is obligatory under the provisions of the Anglo Dutch Agreement regarding Kamaran.

(d) The fee paid by pilgrims who were on the ships that did not call at Kamaran was returned to them. Rs. 9,014 were so refunded.

(e) No. As the call at Kamaran was actually made in those cases, there is no ground for refunding the money.

BILLS DRAFTED BY THE HINDU LAW COMMITTEE.

313. *Mr. Govind V. Deshmukh: Will the Honourable the Law Member please state:

- (a) if the Hindu Law Committee has drafted any Bills dealing with the Hindu Law of succession and marriage;
- (b) if so, have the Bills been under the consideration of Government;
- (c) if he is in a position to introduce these Bills in this Session as promised in the last Session of the Assembly; and

- (d) what procedure he is going to adopt to give effect to his promise above referred to and when?

The Honourable Sir Sultan Ahmed: (a) The Committee has drafted a Bill to codify the Hindu Law relating to intestate succession and another Bill to codify the Hindu Law relating to marriage.

(b) The Bills were received by Government on the 11th March and the 17th March respectively and are now under consideration.

(c) Obviously no. I must add that I gave no promise in the sense suggested.

(d) Government have reached no final decision, but they tentatively contemplate the publication of the Bills in the Gazette under rule 18 of the Indian Legislative Rules and their simultaneous circulation by executive order with a request to Provincial Governments to invite opinions from all the persons and bodies from whom opinions would have been invited if a circulation motion had been adopted by this House. If this course were adopted, the opinions obtained would be supplied to Honourable Members of the Assembly and it would be possible to move for reference of the Bills to a Select Committee or in the alternative to a Joint Committee of the two Chambers at an early stage of the next Session.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether public opinion will be elicited before the introduction of these Bills or afterwards?

The Honourable Sir Sultan Ahmed: Of course before.

Mr. Govind V. Deshmukh: Are Government aware that public opinion has already been invited through a questionnaire on several Bills which were before the House regarding succession and disabilities of marriage, separate residence and maintenance, etc.?

The Honourable Sir Sultan Ahmed: But not on these Bills.

Mr. Govind V. Deshmukh: Do not Government consider it sufficient to dispense with the introduction of these Bills when the matter is published in the Government of India Gazette?

The Honourable Sir Sultan Ahmed: No.

Mr. Govind V. Deshmukh: Would not rule 18 of the Indian Legislative Rules help Government to refer the matter to a Select Committee at once without introduction or referring the matter for public opinion?

The Honourable Sir Sultan Ahmed: Government do not consider so.

Mr. Govind V. Deshmukh: With respect to part (c), may I know when the Bill will be introduced?

The Honourable Sir Sultan Ahmed: I have answered this. I said it would be possible to move for reference of the Bills to a Select Committee or in the alternative to a Joint Committee of the two Chambers at an early stage of the next Session.

Mr. Husenbhai Abdullabhai Laljee: May I know, Sir, whether, in view of the fact that the report will be ready shortly, the Bills standing on the agenda will be discussed tomorrow or they will be postponed?

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member repeat the question?

Mr. Husenbhai Abdullabhai Laljee: In view of the fact that the Row Committee's Report is coming before the House very shortly for discussion, will the Bills that are on the agenda for tomorrow be postponed?

The Honourable Sir Sultan Ahmed: That is another matter. You will see what happens tomorrow.

Maulvi Muhammad Abdul Ghani: What will be the attitude of Government regarding the Bills coming up tomorrow?

The Honourable Sir Sultan Ahmed: Wait and see.

Mr. Govind V. Deshmukh: My question is whether the Bills regarding marriage laws which invariably contain provisions about nullity of marriage, separate residence and maintenance are subject-matters of tomorrow's Bill of Dr. Deshmukh, namely, the separate residence and maintenance

Mr. President (The Honourable Sir Abdur Rahim): There cannot be two questions at the same time.

ACCIDENT IN CONNAUGHT PLACE, NEW DELHI.

314. *Mr. Govind V. Deshmukh: (a) Will the Honourable Member for Education, Health and Lands please state if he is aware of a fatal accident which occurred in Connaught Place on the 18th March, 1942, when an eleven years old girl fell on the pavement and died subsequently from the uppermost storey of a flat which has no railings on the roofs facing the Connaught Place Park?

(b) Is it a fact that the landlords of the buildings at Connaught Place are not permitted to build any sort of railings to their roofs?

(c) Is it a fact that the buildings situated at Connaught Circus have railings attached to the roofs?

(d) What measures do Government propose to adopt in order that railings may be provided to houses in Connaught Place to prevent accidents such as referred to in part (a) above?

The Honourable Mr. N. R. Sarker: (a) Yes.

(b), (c) and (d). So far as I have been able to ascertain at short notice the question of allowing railings on the roofs of the buildings has

never been raised. The question whether it is necessary and practicable to require the owners of the buildings to erect railings on the roofs will be considered.

Mr. Lalchand Navalrai: Is there any objection to the upper flats being used by these owners?

The Honourable Mr. N. R. Sarker: No.

Mr. Lalchand Navalrai: Will the Honourable Member please see that on those places which belong to Government, and not to others, parapet walls are put up?

The Honourable Mr. N. R. Sarker: I have already answered that. The matter will be considered.

UNSTARRED QUESTIONS AND ANSWERS.

MESSRS. RAWAT AND MOOL CHAND OF THE ARCHÆOLOGICAL SURVEY, DELHI.

116. Mr. Muhammad Azhar Ali: (a) Will the Honourable the Education Member please state the duties performed by Messrs. Rawat and Mool Chand employed in the Archæological Survey, Delhi, in connection with the maintenance of Delhi Monuments?

(b) Will he please state their monthly emoluments?

(c) For how long have they been working in the Survey?

The Honourable Mr. N. R. Sarker: (a) Mr. Rawat is a work charged sub-overseer occasionally employed to supervise conservation works and Mr. Mool Chand a temporary surveyor engaged for preparing land and site plans of Delhi monuments.

(b) Mr. Rawat Rs. 50 and Mr. Mool Chand Rs. 75.

(c) Mr. Rawat since 22nd September, 1941, and Mr. Mool Chand since 26th September, 1940.

REPORT OF THE PITKEATHLY ENQUIRY COMMITTEE.

117. Babu Kailash Behari Lal: Will the Labour Secretary, please refer to the reply given to unstarred question No. 47, asked on the 6th March, 1937, viz., "Government have not yet received the report of the Enquiry Committee and are, therefore, not aware either of the evidence collected by it or of its recommendation" and state whether Government have by this time received the report of the Pitkeathly Enquiry Committee? If so, what are its recommendations regarding the reduction in rates per unit at present charged by the Upper Jumna Valley Electric Supply Company, Limited, from the consumers at Shahdara; if not, what further time is required in coming to a decision?

Mr. H. C. Prior: The report of the Enquiry Committee known as the Delhi Electric Supply Enquiry Committee of which Sir James Pitkeathly was the Chairman, was received by Government on 9th March, 1937. The Committee recommended *inter alia* that the Upper Jumna Valley Electric

Supply Company Limited on the termination of their license granted by the United Provinces Government for supply of electricity in the Delhi-Shahdara area should obtain the bulk supply of energy from the Delhi Central Electric Power Authority and would thus be in a position to retail energy at lower rates. In this connection, the attention of the Honourable Member is invited to the replies given in the Legislative Assembly to unstarred question No. 34 on 24th February, 1940, and starred question No. 208 on 21st November, 1940. The Delhi Central Electric Power Authority is not yet in a position to give bulk supply to the Upper Jumna Valley Electric Supply Company Limited.

NOTIFIED AREA COMMITTEE, SHAHDARA.

118. **Babu Kailash Behari Lal:** Will the Honourable Member for Education, Health and Lands please state:

- (a) the date from which the Notified Area Committee for Shahdara, Delhi Province, was constituted;
- (b) its constitution and method of appointing its members and officers;
- (c) the population on the date of its constitution and in the census of 1941; and
- (d) the date from which it is proposed to institute the election system instead of nomination in selecting members?

The Honourable Mr. N. R. Sarker: With your permission, Sir, I propose to answer this and question No. 119 together. The information has been called for and a reply will be furnished to the House when it is received.

NOTIFIED AREA COMMITTEE, SHAHDARA.

119. **Babu Kailash Behari Lal:** Will the Honourable Member for Education, Health and Lands please state:

- (a) the income and expenditure in each year for the years 1935—1941 of the Notified Area Committee, Shahdara, Delhi Province;
- (b) the statutes and regulations applicable to it;
- (c) the procedure prescribed for the disposal of its audit objections;
- (d) the procedure prescribed for the disposal of irregularities affecting the Government and committed by members nominated by the Chief Commissioner;
- (e) whether tax-payers have any voice in its administration;
- (f) the protection provided for the funds and properties against waste and misuse;
- (g) if there is any sum due to Government of India; if so on what account; and
- (h) the present sanitary condition of the town and its suburbs and when it was last inspected by the Director of Public Health?

† For answer to this question, see answer to question No 118.

APPLICATIONS AGAINST CONTRAVENTIONS OF THE PAYMENT OF WAGES ACT ON RAILWAYS.

120. **Babu Kailash Behari Lal:** Will the Labour Secretary please:

- (a) state the regulation under which the Conciliation Officer (Railways) and Supervisor of Railway Labour is permitted to investigate "the irregularities to cover cases which *prima facie* amount to contravention of the Payment of Wages Act, 1936"; instead of applying to the authority for a direction; and
- (b) lay on the table of the House a list of applications made by the Inspector, under the Payment of Wages Act, 1936, for Railways, to the authority against (i) delayed payments, (ii) withheld payments, and (iii) contraventions of the Act, since the Act was brought into force on Railways?

Mr. H. C. Prior: (a) The Conciliation Officer (Railways) and Supervisor of Railway Labour is an Inspector under the Payment of Wages Act. The provisions of the Act regarding applying for authority for a direction are not mandatory for the Inspector and there is nothing in the Act to prevent him from trying to rectify defects on the spot.

(b) No such application has been made.

PROHIBITION ON EDITING, ETC., OF TRADE UNIONS OR SERVICE ASSOCIATIONS PERIODICALS BY ITS MEMBERS.

121. **Babu Kailash Behari Lal:** (a) Will the Labour Secretary please state if it is a fact that Government servants including railway servants who are members of Trade Unions or Service Associations and holding offices thereof, are prohibited from editing, publishing or printing the periodicals permissible under section 15 (i) of the Indian Trade Unions Act (XVI of 1926)?

(b) If the reply to part (a) be in the affirmative, will he please lay on the table the regulation on the subject?

(c) If the reply to part (a) be in the negative, does he propose to issue the necessary instructions on the subject; if not, why not?

Mr. H. C. Prior: (a) Yes, except with the permission of Government.

(b) The relevant rules are 15 and 18 of the Government Servants' Conduct Rules and the corresponding rules in the "Railway Servants' Conduct Rules", copies of which are in the Library of the House.

(c) Does not arise.

APPLICATION FOR COMPENSATION BY ONE MUSAMMAT RAM PIARI, WIDOW OF KARAN SINGH, A PALADDAR ON SHAHDARA-SAHARANPUR RAILWAY.

122. **Babu Kailash Behari Lal:** Will the Labour Secretary please state:

- (a) if it is a fact that the rules made under the Workmen's Compensation Act, 1923, do provide for the submission of applications to the Commissioners appointed under the Act by registered post;

- (b) if it is a fact that on 2nd May, 1941 one Musammat Ram Piari, widow of Karan Singh, a Paladdar on the Shahdara-Saharanpur Railway, submitted an application by registered post to the Commissioner (the District Judge, Delhi); for compensation against Chaudhury Ram Singh, Contractor, on the death of her husband;
- (c) if it is a fact that the said Commissioner on 14th August, 1941, returned that application with the remark that the petitioner should submit the application personally or through a pleader;
- (d) if the replies to parts (a) to (c) be in the affirmative, will he please state the remedy provided for the aggrieved person against the non-compliance with Rule 19 (1) of the Rules under the Act; and
- (e) if the replies to parts (a) to (c) above be in the negative, will he please state the correct details?

Mr. H. C. Prior: (a) Yes.

(b) to (e). Information is being obtained and will be placed on the Table of the House in due course.

CATTLE BREEDING FARMS.

123. Mr. Jamnadas M. Mehta: (a) Will the Honourable Member for Education, Health and Lands be pleased to state whether the Cattle Breeding Farms maintained by most of the Provincial Governments and some by the Central Government are paying concerns? If not, what are the reasons?

(b) Will Government consider the desirability of running these farms on a profit-making basis in order to impress on the public the need of breeding better types of cattle?

(c) Which one or more of the draught, milk, and dual purpose breeds of cattle they encourage?

(d) Do Government specially favour dual purpose cattle?

(e) Have Government ascertained the comparative profit yielding capacity of all these breeds of cattle, and especially that of the purely draught quality breeds?

(f) Are Government aware of the fact that the average Indian cultivator is mostly concerned with the draught quality of the animal for want of sufficiently lucrative market and of marketing facilities for milk, and a draught animal of a purer breed and better physique while it requires more money to feed and maintain, cannot be sufficiently engaged generally in agriculture due to excessive fragmentation of holdings throughout the country?

(g) What are Government's plans to meet all these difficulties?

(h) Are Government aware of the fact that the rearing of better and pedigreed cattle stock is a matter of considerable expense, and that the average cultivator, steeped as a rule in debts, cannot afford to feed his cattle properly? If so, what are Government doing materially to increase the per capita income of the average Indian cultivator?

(i) Are Government aware that the United States of America having an expense of twice the size of India maintains only five prominent cattle

breeds which alone are officially recognised? Will not Government reconsider their present policy in the light of that fact and officially recognise only a few selected number of breeds?

(j) Will Government please state whether the figures of the Quinquennial All-India Cattle Census taken in February 1940, are ready by now? If they are, when will they be published?

The Honourable Mr. N. R. Sarker: (a) and (b). The Cattle Breeding Farms maintained by the Central Government are not run on a profit-making basis, because the object is to breed pedigree stock for the widest possible distribution and to undertake investigations with regard to a number of problems associated with cattle breeding and agriculture. To run these farms on self-supporting lines may involve an increase in the price charged to the public for pedigree farm-bred animals. No information is available to show whether the farms maintained by Provincial Governments are paying concerns or not.

(c) Twenty-nine breeds of cattle, as mentioned in the attached list, are recognised by the All-India Cattle Show Committee. The Imperial Council of Agricultural Research have paid special attention to the Sahiwal, Sindhi, Haryana, Gir, Kankrej and Ongole breeds of cattle and to the Murrah breed of buffaloes.

(d) The cattle maintained at Central Government Farms are mostly milch breeds. Draught and dual purpose cattle are maintained at Provincial Government Farms according to the requirements of particular localities.

(e) The profit-yielding capacity of the different breeds of cattle varies with local conditions and circumstances. Near towns, for example, it is profitable to maintain milk breeds. In other areas draught or dual purpose animals may be more profitable and the usual policy in such areas is to try to breed more milk into the animals if this can be done without impairing draught qualities. Broadly speaking, so far as milk breeds are concerned, the potentialities for milk production of the different breeds to which the Imperial Council of Agricultural Research have so far paid special attention are more or less equal in their own areas and so their profit-yielding capacity is practically the same at the same stage of development. No information is available in respect of purely draught breeds.

(f) It is believed that the Indian cultivator would appreciate milch qualities in his cattle if they can be obtained without interfering with their draught qualities. The difference in the cost of feeding a good bullock and a poor one is compensated by the increased amount of work the former can perform. In areas where the holdings are small, cultivators can maintain a smaller number of better bullocks by co-operating among themselves as regards their use or loaning them out to one another when necessary.

(g) This is primarily a matter for the Provincial Governments but the general policy has been to grade up village cattle in the first instance and then to introduce pedigree animals in selected areas, the type of animal to be introduced depending on local conditions and requirements. The Imperial Council of Agricultural Research propose to review the whole position in respect of cattle improvement policy shortly.

(h) The rearing of pedigree cattle is expensive and is therefore at present confined mostly to the farms maintained by Government and by large landlords. Stud bulls from these farms are provided to selected areas for improving the local cattle. Good cattle require better feeding but are generally within the means of the cultivator, as the extra cost of feeding is covered by the extra work done which increases the income of the cultivator.

(i) Government have no information about the number of cattle breeds recognised in the United States of America. The number recognised in Great Britain is 19 and in India 29. In view of the great diversity of conditions in India the number recognised here does not seem to be excessive.

(j) Figures are ready and the report is already in proof. It will be published as soon as possible.

List of types of Cattle recognised by the All-India Cattle Show Committee.

1. Alumbadi (D).
2. Bacchaur (D).
3. Bargur (D).
4. Bhagnari (G).
5. Deoni (Dy).
6. Dhanni (D).
7. Gaolao (G).
8. Gir (Dy).
9. Hallikar (D).
10. Haryana (G).
11. Hissar-Hansi (G).
12. Kangayam (D).
13. Kankrej (G).
14. Ken Katha (D).
15. Kherigarh (D).
16. Khillari (D).
17. Krishnavalley (G).
18. Lohani (G).
19. Malvi (D).
20. Mewati (G).
21. Nagori (D).
22. Nimari (G).
23. Ongole (G).
24. Ponwar (D).
25. Rath (G).
26. Red Sindhi (Dy).
27. Sahiwal (Dy).
28. Siri (D).
29. Tharparkar (G).

G. General utility.
D. Draught.
Dy. Dairy.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following message has been received from the Council of State:

"I am directed to inform you that the Council of State at its meeting held on the 31st March, 1942, agreed, without any amendment, to the following Bills which were passed by the Legislative Assembly at its meeting held on the 25th March, 1942, namely:

1. A Bill to provide for the grant of weekly holidays to persons employed in shops, restaurants and theatres; and
2. A Bill to facilitate the collection of statistics of certain kinds relating to industries."

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF CIVIL DEFENCE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Wednesday, the 25th March, 1942, the time fixed for receiving nominations for the Standing Committee for the Department of Civil Defence six nominations were received. Subsequently three members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare Mr. C. P. Lawson, Pandit Lakshmi Kanta Maitra and Khan Bahadur Mian Ghulam Kadir Muhammad Shahban to be duly elected.

RESOLUTION RE RELEASE OF POLITICAL PRISONERS AND DETENUS—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the Resolution moved by Mr. Akhil Chandra Datta. Nawabzada Liaqat Ali Khan was in possession of the House. He is not here today.

Mr. K. C. Neogy (Dacca Division: Muhammadan Rural): Sir, there are obvious difficulties in having to resume an unfinished debate after an interval of ten days. I, therefore, propose to very briefly recapitulate the points made by the Honourable the Mover in moving his Resolution so as to assist the memory of the House. The Honourable Member, I am afraid, has been influenced by considerations of economy as a practical businessman that he is, and he has unwittingly exposed himself to an unnecessary amount of criticism from the Honourable the Home Member on that account. In his Resolution he asks for an immediate and unconditional release of all political prisoners. I can imagine my friend drafting the Resolution in the privacy of his chamber in this House where the walls are hung with the warning to use less paper, and this is the result. But the House was in no doubt as to his intentions, because in the very first few sentences he definitely indicates what he actually means by the

[Mr. K. C. Neogy.]

term political prisoners. He first of all says that there are two classes of political prisoners, the civil disobedience or the satyagrahi prisoners, most of whom have been released,—next he refers to the other class of prisoners whom he describes as security prisoners. Then he adds that they are also called detenus and they are being detained without trial. Then he goes on to give the numbers of these two categories of prisoners who might still be under detention, and then he says that, although we have an assurance from the Honourable Member that their cases are under review at the instance of the Government, they should either be placed on trial in a regular court of law or be set at liberty. Then he specifically refers to communists and mentions the fact that they have been incarcerated because of the opinions they hold in regard to the war, and the anti-war activities of which they were accused, and he points out that since Russia entered the lists this set of political prisoners have changed their views and they now consider the present war as the peoples' war. Indeed, they have indicated this change of their views in no uncertain terms as far as they could do it, having regard to the limitations due to their incarceration. Then my Honourable friend makes a pointed reference to the case of Mr. Sarat Chandra Bose which led to certain interesting interruptions and brought about a blush on the cheeks of at least one of the Honourable Members occupying the Treasury Benches. It was rather awkward to say either 'Yes' or 'No' to certain suggestions which the Honourable the Mover made. One specific suggestion was that the Members of the Executive Council were not consulted in this case, and he virtually threw out a challenge to the Honourable Members of the Treasury Benches to give either 'Yes' or 'No' to that allegation. There perhaps we can stop as I have virtually exhausted all the points that the Honourable the Mover made.

Now I come to the speech made by the Honourable the Home Member in meeting the observations made by the Honourable the Mover on his Resolution. When I heard the Honourable Member—and today I have the advantage of having the official report of his speech before me—I was irresistibly reminded of a famous knight in fiction who used to tilt against windmills. The lure of the ready-made manuscript was perhaps too much for him and he had to unburden himself of a heavy load of typewritten logic. It is no wonder, therefore, that he went on meeting a case which had never been made by the Honourable the Mover. As a piece of bureaucratic special pleading and pettifogging, this might rank very high in official literature, but the points that he made hardly arise in this connection. The Honourable Member said: "I must hold him to his terms", "he has moved a particular Resolution and he has worded it in a particular way. I am going to interpret it as if it were a statute". He ignores his intentions which were very clearly brought out in his speech and then goes on to argue as to who could be described as a political prisoner. What is a political prisoner? he asked. "There is no definition of a political prisoner in the Indian Penal Code", he added. My Honourable friend's faith in the Indian Penal Code as a storehouse of legal lore is really touching, but I could have mentioned a few books which he might as well have read and which could have assisted him in understanding what a political prisoner is, had the matter been really relevant. My Honourable friend goes on drawing a distinction between intention and

motive and all that. All this could have been very interesting if it were relevant. And all these arguments lacked even the merit of originality, because there were occasions in the past when all these hair-splitting arguments had been heard on the floor of this House. My Honourable friend conjured up the vision of dangerous criminals, murderers and assassins stalking the land if this Resolution were to be accepted. He said:

"I might ask such questions as this: would a person who had committed murder or dacoity in pursuance of a terrorist conspiracy be a political prisoner whose release would be due under this Resolution?"

Who had ever said so? The Honourable the Mover had definitely made it clear that what he was thinking of was the class of people who had suffered because of their opinions,—the holding of which opinions was considered more or less a technical offence but which could no longer be described so, having regard to the change in the outlook not merely of those prisoners but of the Government as well in a sense. The Honourable the Home Member brought in those people who were found in possession of bombs and explosives; he brought in offences under the Arms Act. And then offences committed with religious motives.—I do not know how that could at all be germane to the present Resolution. Then he says:

"This is the monstrous proposition which he asks this House to accept . . .", the monstrous proposition being that people who have been detained without trial and people who have been detained for holding certain opinions which can no longer be considered objectionable, should be set at liberty or should be placed before a constituted court of law for a regular trial. The Honourable the Home Member makes this observation:

"The Honourable the Mover went so far as to say that Communists and Fifth Columnists are patriots."

I have gone through my Honourable friend the Deputy President's speech, and I did not find any reference to Fifth Columnists, far less any description of such Fifth Columnists as patriots. He did . . .

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadian Rural): I did state that the Communists are patriots. I stick to that statement, I repeat it.

Mr. K. C. Neogy: Quite right, and he is in very good company. I understand that there is a very distinguished personage in residence in Queen Victoria Road, No. 4 or 1, who, not very long ago, was suspected to have very distinctly Communist leanings, and I understand that he has come out as a messenger from His Majesty's Government . . .

The Honourable Sir Sultan Ahmed (Law Member): No. 1!

Mr. K. C. Neogy: I am thankful to the Honourable the Law Member for the information. I understand that he has come with certain very important proposals, a sure effect of the acceptance of which may be a very considerable unemployment among the Members on the Treasury Benches. Apart, therefore, from the Communist leanings of this gentleman, is it right that a person who has come out with such diabolical intentions should still be at large? Now, Sir, every morning we see the handsome features and the winning smile of this gentleman . . .

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better stick to the Resolution. He is wandering away from the Resolution. He is referring to a subject which is not before the House on this Resolution.

Mr. K. C. Neogy: Now, Sir, after dealing with the communists, the Honourable Member in charge went on to harangue the House on the necessity of keeping up the morale of the people and I do not know what earthly connection this keeping up of morale has with the limited object of the Resolution. Obviously, my Honourable friend had a manuscript before him which had done duty on some other occasion and he thought he might as well try to fit it into his speech on this occasion too. Now, Sir, he said:

"When I speak of morale, I mean everything that contributes to the will of the country to resist and to suffer, if necessary, in defence of its principles."

My Honourable friend has not told us what he considers to be the principles in defence of which the country must resist and suffer in defence and then he says:

"I mean such things as confidence in victory, confidence of the people in themselves and their leaders."

I do not know what he means by 'leaders'. I wonder if by any chance he includes the members of the Treasury Benches and officers of the Government of India in this term.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. K. C. Neogy: I must not forget to mention another category of political prisoners who are present here among us, prisoners who have been loud in their protestations of an illusory joint responsibility of the Government of India and have, it seems to me, come to love their gilded cage. Whenever questions are asked as to whether they know anything about the adoption of any policy in such important matters, well, they are perhaps expected to put on a smiling face and say 'We are a happy family'; but the country knows that they have no part or share in the decision of vital questions of policy such as is involved in this Resolution.

Mr. President (The Honourable Sir Abdur Rahim): This has nothing to do with the Resolution.

Mr. K. C. Neogy: To them I say "Either assert yourselves, or get out".

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muham-madan Rural): **Mr. President:** This Resolution again seeks a recommendation of this House to the Governor General in Council that steps may be taken for the immediate and unconditional release of 'all political prisoners, and detenus in this country. Sir, this is a hoary old question which has cropped up so often in this House, ever since the inauguration of this Assembly. It may very well be termed a hardy annual which grows in the legislative atmosphere of Delhi almost every Session only to

be mowed down by the steam roller of the bureaucracy. As I rise to speak on this subject once again today, I am reminded of a very famous passage in the speech of Edmund Burke on American taxation. Edmund Burke said:

"For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn and our stomachs nauseate with them. We had them in every shape; we have looked at them in every point of view. Invention is exhausted, reason is fatigued, experience has given judgment; but obstinacy is not yet conquered."

This passage represents exactly and vividly the position of us here in relation to this subject. It is a well known fact of history that disastrous results for the British Nation followed from that pig-head obstinacy. It cost them an empire. Here, in this House, Session after Session, we have been bringing Resolutions asking for the release of people detained without trial, and for the release of people convicted of purely political offences. All manners of arguments has been advanced by us, but the irresponsible and irresponsive bureaucracy moves on as usual with its out-worn and reactionary methods and with its old stereotyped hackneyed arguments which never commend themselves to sensible people. Sir, I do not know if it is possible today for any Member in the part of the House to advance any new argument which has any chance of carrying conviction to those who have stuffed their ears with the wax of prejudice, who have never been amenable to reason, and who believe only in one method and one method only and that is the method of repression. During the last debate on the subject in November last, in the course of my speech, I made some quotation from an article from no less a person than Harold Lasky in which he delineated the political picture of Great Britain in this war, when Great Britain was in the midst of heaviest air raids and when she was fighting for her very existence. Was there a large scale curtailment of civil liberties there? Was there detention of persons without trial or anything like it, on any considerable scale. Harold Lasky had to say that in England, even for actively hindering the prosecution of the war only two persons were punished, but they were sentenced to very light terms of imprisonment. There were in all four cases of conviction for impeding war effort. The punishment that was meted out to them was light fine and sentences of a few weeks' imprisonment, but you have only to contrast the picture here. We do not know today what is the number of persons undergoing detention without trial. The Honourable the Home Member gave certain figures on the last occasion, I mean in November last, and also same figures on the 19th March. But from newspapers we learn that many distinguished men have since been clapped in prison though they have not been brought to trial before any court of justice. The same old process is still going on. And this at a time when India is directly threatened with invasion, at a time when the policy of the Government should be to rouse as much enthusiasm for the defence of the country as possible and not to alienate in any way the sympathy and goodwill of the people by doing anything that might smack of repression. This bureaucracy entrenched in its citadel, snugly sheltering itself in a cosy place far removed from the scene of hostilities, still think that it can carry on in the way it had been doing so long. History will record how it dug its own grave, but to us, public men and legislators of the land, it seems a tragedy that a real change of heart, even at this stage, were not possible in this bureaucracy.

[Pandit Lakshmi Kanta Maitra.]

Sir, various reports have reached us from the relations of respectable gentlemen who have been clapped into prison without trial. A few days ago in the *Hindustan Times* I read the report of the condition of health of Lala Shankar Lal, who had been taken into custody and lodged in a solitary cell in the Delhi Red Fort jail. The report that appeared in the *Hindustan Times*, dated the 25th March, says that his nephew who went to see him was shocked to find his uncle confined day and night in a dark, damp, unhealthy dungeon which could hardly be a fitting place for the confinement of a criminal, much less of a gentleman of Lala Shankar Lal's status. He has been living in an underground cellar which smells badly and has been in solitary confinement. What is the charge against him? No body knows, and the Government never thought it necessary to draw up charges against him or to bring him before a court of justice. You dare not face a court of trial or adduce any evidence. It is grossly unfair that you should give this gentleman this inhuman treatment. Shankar Lal is a business man; he is the Managing Director of a well-known Insurance Company. It is well-known that the poor fellow's business, the Tropical Insurance Company, was almost smashed. The kindly attentions paid to him and to his organisation, the Insurance Company, were enough to kill his institution.

Again, take the case of Sardar Sardul Singh Cavasher, a leader and a business magnate, who has recently been lodged in jail at Lahore Fort. The same kind of treatment is being meted out to him. He is kept in solitary confinement day and night in an underground cell in the Lahore Fort, which is not fit for human habitation. No attention is paid to his complaints about certain disabilities, he has been suffering ever since his detention. He has lost in weight and his health has been greatly undermined. He is suffering from some physical ailments and no medical aid is given to him. He is a big business man being the Managing Director of a Bank and an Insurance Company, both of which have been very greatly affected.

Recently, several other gentlemen also have been suddenly taken into custody. Mr. Mukandlal Sarkar and Sriyut Satyacharan Bakshi have been put into prison. Satyacharan Bakshi has of late served out a long term of imprisonment and since his release he has been in very delicate health. This gentleman has again been taken into custody. And why? We do not know whether they are going to be placed on trial.

Sir, I am amused when I hear Treasury Benches talking big about change of heart, or about creating new enthusiasm everywhere and all that as I know they do not mean it. Now, Sir, the Honourable the Home Member read us an elaborate sermon the other day in reply to the debate initiated by Mr. Akhil Chandra Datta, though, I consider, that most of it had nothing to do with the Resolution before the House. He talked of keeping up the morale; he talked of defeatism; he talked of Fifth Columnists. It is all very well to talk in that strain from the Treasury Benches. But may I ask who are the real Fifth Columnists in this Country? Not Indians, I am sure. The real Fifth Columnists are those who, at this juncture in the history of India, create divisions and dissensions and generate an atmosphere which only breeds disaffection and discontent. They are the real Fifth Columnists, not others. Therefore, I turn the tables on the Honourable the Home Member who has charged my countrymen as

being Fifth Columnists; it is they, the Bureaucratic diehards, who are the Fifth Columnists.

We have been passing through very critical times. The Lord Privy Seal has come to this land with the olive branch of peace. But do the Treasury Benches realise that this tender plant is sure to wither away in the atmosphere which they have kept going in this country? Have they done anything to relieve the tension that is at present prevailing in this country between the people and the Government? Have they tried in any way to create an atmosphere for the success of Sir Stafford's proposals?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

Pandit Lakshmi Kanta Maitra: They have done nothing. As I said, they are enjoying a sort of sheltered existence here and they think they can carry on with their old methods with impunity. But may I tell them that this is not the time to pursue that insane policy. Even the much maligned political prisoners, for whom the Honourable the Home Member has not got even a kind word to say, have declared in favour of the intensification of the war effort against the Fascists. A few days ago, through the columns of the *Statesman*, appeared a long and reasoned appeal from the Chittagong Armoury raid prisoners. They have called upon their countrymen to support the war measure of the Government and to oppose aggression. What gesture has come from the Government to this appeal? There has been no response, no gesture; but perhaps a gesticulation from the Honourable the Home Member. Recently, I read a speech delivered by Swami Sahajananda, a great peasant leader, who has recently been released after a long spell of imprisonment. Coming out of prison, he has appealed to his countrymen to intensify war effort and to rally the forces of the country against the aggressors. But what is the attitude of Government to such leaders? The same old attitude of hostility.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Pandit Lakshmi Kanta Maitra: Sir, if Government do not take serious notice of the changed times, if they do not read even now the signs of times, I give them the final warning "Beware of the writing on the wall".

Sir, I support the Resolution.

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I am at a disadvantage in taking part in this debate because I was absent throughout the debate on this Resolution. However, I wish to point out to the Government with regard to the policy that they are following in this country that, irrespective of their declarations, their policy leads one to conclude that there is absolutely no sincerity about the change of heart for which there has been so much appeal during the course of the debate on the Finance Bill. I am tempted to refer to the appeal made here on the floor of the House the other day by Mr. Griffiths that there should be a change of heart, and there should be the attitude of forgive and forget on the part of the people and that the people should shoulder the business that is before the country now, namely, the business of intensifying war efforts. But may I ask if the atmosphere prevailing in the country is encouraging for the scope of that appeal?

[Babu Kailash Behari Lal.]

There is no doubt that the country is in great danger of being attacked by the enemy. No one is pleased with the dreadful prospect of the country being invaded by the enemy. But at the same time when the people see that their very hearths and homes are being disrupted by the very Government which is expected to safeguard them, then their hearts fail. That is the position before the country now. It does not seem to appear to the Government that this very appeal will fail because the near and dear ones of the people are clapped up in jail. What will be the response in the hearts of those persons whose near and dear relatives are in jails? In spite of the fact that these prisoners have given assurance that they have changed their views, in spite of the fact that they have changed their outlook and attitude, and in spite of their assurance that they will be on the side of the Government in the prosecution of the war, still there is no response from the Government. This policy of Government betrays suspicion in their minds about the people of the country. It has been said that the British Government is prepared to hand over the administration of the country to the people of this country provided only there is unity and unanimity among the people themselves. Of course, this sounds very well when it goes abroad. The people of other countries may also feel that the Government are very anxious to hand over the administration, but it is the Indians who are at fault, because there is no unity among them, they cannot bring about a situation in the country conducive to their taking part in the administration of the country. It is not the fault of the British Government. Of course, to the outsider, this looks so far quite all right. But if it comes to placing our hands on our hearts, then we may scan it and search in vain for sincerity on the part of the Government.

If the Government want to place the country in the hands of the people then why do they keep the political prisoners clapped up in jails? After all, what for are the political prisoners languishing in jails? Of course, there is difference in method with regard to different people. Some people want to take charge of the administration of the country in a particular way; while others, like those in jails, want to take charge of the administration of the country in a different way. There is absolutely no difference so far as the ultimate aim is concerned. All persons of all views and of all shades of opinion are unanimous that the Government of the country should be handed over to the people. But the Government do not see eye to eye with the people in resolving those differences. However, it should not be mistakenly supposed that the people have not got sympathy for their own kith and kin who are languishing in jail. Of course, these young men are prepared to undergo any sacrifice, imprisonment in jail and even death. I may put it to the British people that even in their own country, how would they look upon their own countrymen, if they misguidedly try to keep the country out of the clutches of the enemy? That is the position today. If the Britishers are really sincere in their appeal of forgive and forget, if they are really anxious to hand over the administration of the country to the people, then they must release these political prisoners. These are not mad people to break law and commit terrorism and court jails. That is not possible. You should not think in this strain. If Government have really made up their mind to hand over the administration of the country, if they are sincere, then why should there be so much suspicion about these political prisoners confined

in jails? Let them be given a chance to come out and see how the administration of the country is run. It is here that I put it to the Britishers that they should put their hands to their hearts and find out whether they are really following the policy of forgive and forget, whether there is real change of heart, whether there is real sincerity, in the name of which they are so constantly appealing to the people of this country. The attitude of the Government makes one suspicious about their sincerity. Why should they keep these men clapped up in jails? I am only placing this before the Government so that they may consider this question whether their action in keeping the prisoners in jails is in accord with their professed anxiety to hand over the administration of the country to the representatives of the people. Why should the Government keep a patriotic set of people in jail? These young men are kept in jail because of their intense desire to see their country free.

I am going to give the House some instances of how this suspicion overshadows every branch of the administration. I may mention one example of how the jail administration in the country is being carried on. I happen to be a non-official visitor of the Bhagalpur central jail, and I used to visit the jails often, and on occasions when there was some trouble due to differences between the authorities and the political prisoners, I rendered help to the Superintendent of Jails in bringing about an atmosphere of peace in the jails. With the change of the Congress Ministry which was then in power, suddenly a change came in the attitude of the Superintendent of the Jail towards me. I was told that I should not visit jails often, but only at the time of rotation, that is once in three months. Although, I knew this rule, as a matter of fact all visitors used to visit the jails often without any restriction. They used to ascertain from the political prisoners all about their grievances and wherever possible, they made recommendations to the Government for steps being taken to remedy those grievances. As soon as there was the change of Ministry, the Congress Ministry going out and the present Section 93 Government taking its place, I received a letter which was very discouraging. What else can there be at the back of this policy except suspicion? In spite of the fact that I had been helping the Superintendent of the Jail in maintaining order and proper atmosphere in jails, I was not allowed to visit the jails. The Superintendent of the Jail was an I. M. S. He was there even before the Congress Ministry took office. He took my help often, but all at once with the change of policy in the Government his successor was completely a different man. To my mind, there was nothing except the suspicious policy of the Government, which was responsible for the new way in which they behaved.

Another thing I want to point out is with regard to those prisoners in jail about whom Government made their intention clear 12 Noon. about releasing them, viz., the satyagrahi prisoners. Some of them are even now rotting in jail in spite of a declaration that there will be a general release of these prisoners. I do not know whether they have been released in the course of the last few days but only a fortnight ago they were rotting in jail, although they should have been released, according to the declaration of Government. There is no meaning in the declaration if action is delayed by their subordinates for no reason except suspicion. That is why I put this to Government that they should once for all issue instructions to their subordinates, when they decide to embark

[Babu Kailash Behari Lal.]

on a general policy, that that policy should not be nullified by the over-zealousness of the subordinates. If that is done Government will be saved from blame and also people will be thankful to Government. Sir, if Government are really sincere and really want that the people should forgive and forget the past and join the defence of the country they should at once follow a policy of sincerity and release the political prisoners who are only an object of Government's suspicion and nothing else.

Mr. Govind V. Deshmukh (Nagpur Division : Non-Muhammadan) : Sir, in rising to support this Resolution I wish to bring one case to the notice of the Honourable Member in charge. I will not say much on this Resolution because I have spoken on this subject before. It relates to one Jagadamba of Cocanada, a woman who has been a detenu for a year in the Vellore Presidency Jail for women. She has committed no offence and no charge has been made against her. She is in an ailing condition and is granted interviews very rarely; and persons wishing to interview her have to go from Cocanada to Vellore which is at a distance of about 350 miles. It is very difficult for poor people to undertake this journey and one has to change the train three times. The treatment given to this woman is such that it deserves the sympathy of every person. She is almost cruelly treated by the woman in charge of this jail and I have heard it from very reliable people. To mention only one, Mrs. Subbaroyan, who is a Member of this House, says, that the treatment given to her is most cruel, unsympathetic and heart-rending. I therefore hope the Honourable Member will make sympathetic inquiries and do something. What is her fault? It has not been suggested that she gave any speech or incited people or tried to preach any disaffection among the masses. I do not know what information Government have but I only know that her father, Dr. Veeraier, was a political prisoner; and are the sins of the father to be visited on the children? That is hardly a fair way of doing justice. I hope the Honourable Member will consider her case with sympathy and release her.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division : Non-Muhammadan Rural) : Sir, the question of the release of political prisoners comes off and on to be discussed on the floor of this House and talked out. Our Resolutions are merely recommendations and we cannot bind Government to act according to them even if we get the majority of votes on our side. Consequently, this discussion being only formal, it behoves the Honourable the Home Member to accept it and look at the matter with the greatest consideration. We cannot go into division nor can we compel him to act according to our demands. Sir, we are passing through a crisis. On the one side the Japanese are knocking at our door, and on the other side Sir Stafford Cripps is at our threshold offering us something which we can accept or reject. Both the parties are offering us freedom. What he brings us is to be given after the war, but the policy which the present Government should adopt for getting more co-operation and help from Indians is to change the policy which they have followed for years. I myself have been a political prisoner for many years and I know that the charges made against them are not always based on facts. Merely on rumours and information given by informers. A man is incarcerated or made a detenu without trial. I need not deal with those questions because it has been the usual policy of Government to confine a man in prison without trial. That policy itself stands self-condemned and no

civilised Government should resort to this imprisoning of people without trial. But although we have been under a civilised Government for a long time we have been suffering this. People are made even State prisoners on lawless laws which were adopted in 1818. Now-a-days, the Defence of India Act is an easy handle for putting men into prison and many people are in jail on account of this Act. This policy should be changed at once to show the *bona-fides* of the British Government in India with a view to create an atmosphere of peace and goodwill; and without that I am afraid the British Government cannot have the whole-hearted co-operation which Indians are now ready to give them. It will not only be indiscretion but an act of criminal and wilful negligence if the Honourable the Home Member does not take this opportunity of showing *bona-fides* of British Government in the offer made by Sir Stafford Cripps.

Throughout India there are families from which many young men have been taken away and kept in prison. Of course, the number is not very large in comparison with the population of India. That was the argument of the Honourable the Home Member when he last time spoke on this subject. He said that out of four hundred million people only a few thousands were in jail and that did not mean a repressive policy. I am not talking of repressive policy. I am talking of freeing those persons who are in prison. In our youth we knew people who believed in revolution as a creed, they advocated violence and they did not care what punishment was meted out to us, either imprisonment or gallows. But, Sir, those people who were working as political workers in India—in the Congress led by Mahatma for the last 20 years—had practically given up the idea of violence and have taken up non-violence as their creed and policy. Within the Congress we find there are the Congress Socialists, the Communists, and the Trade Unionists. They have all been working under the Congress policy. Consequently those men who have been detained in the prison and who came within these parties deserved to have been released without any difficulty long ago and should be released now without any delay. Those people who had been convicted on charges of violence, like Chittagong raiders, have clearly shown in their own petitions and statements, as published in the *Statesman*, that they were eager to co-operate with the Government in the war. They are votaries of freedom now, they are anti-Fascists and it is not their desire to see India being conquered by the Fascists. Those anti-Fascist people who are now rotting in jails in Bengal as convict prisoners of Chittagong should at once be released. There is no reason why the Honourable the Home Member should not insist upon their release by advising the Provincial Government to release them at once.

Sir, with regard to the Forward Bloc people, there is a suspicion, but so long as the war had been taken to be a war of Imperialism there was a possibility. But since the war has been taken to be an anti-Fascist war, there is not a single party, I believe, amongst the political workers who will take it into their heads to welcome any aggressive party from outside. Sir, among the various parties, the Radical Democratic Party had been preaching from the very beginning of the war, and preaching soundly, that the war was not an Imperialistic war, the war was peoples' war, it was the labourers' war, and so on, and, consequently, they appealed to the Indian Government as well as to the Indian people to co-operate and defend India as best as possible against any outside aggression. Therefore, I say that unless Government are assured that there are men amongst the prisoners

[Mr. Amarendra Nath Chattopadhyaya.]

who are not anti-Fascists and who are not willing to co-operate and defend India against any outside aggression, they should all be released at once—whether they are convicts or prisoners without trial. Sir, the time is ripe now for the Government of India, as at present situated, to show that they are ready to get the help of Indian youths and Indian patriots who had staked everything for gaining freedom. If the Government of India stands along with several other nations of the world to fight aggression which is a menace to democracy, it is only right and proper for the Indian Government now to show their *bona fide* by releasing these political prisoners and get their co-operation. It is very difficult to differentiate between the parties, and, therefore, as an experiment I shall request the Honourable the Home Member to give a general amnesty at the present moment to all political prisoners, so that they may come out and join together in the defence of this country. Sir, really speaking, the agriculturists and the industrialists are co-operating. The agriculturists are producing foodstuffs and are supplying the Government all that is necessary. The Industrialists are working hard to supply war materials. But there is a lurking pain in every heart as they know that British Government have not changed their policy and heart

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Amarendra Nath Chattopadhyaya: I will just finish, Sir. But there is a lurking pain in every heart and every hearth and home that their children, their relatives and their countrymen have been kept in jails without being tried especially when they are eagerly awaiting orders of release with a view to co-operate with the Government against outside aggression. I hope, Sir, the Honourable the Home Member will take this opportunity of showing the *bona fide* of the Government. With these words, I support the Resolution.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, this morning when I came I thought that perhaps the debate on this Resolution will not be taken up as I thought that during the course of more than a month the Government might have considered the question and especially in view of the changes that have recently taken place they might have reconsidered the position and would have done something for the release of all political prisoners and detenus. But, to my astonishment, when I reached here I found that the debate was going on, and I think that this Government probably cannot get out of the old rut and is still fond of the old routine. Whatever has happened since we discussed this Resolution in November and then in February could not persuade the Government to change their mind. In November last the attitude of the Government was that if these 13,000 or 14,000 prisoners are released, the result would be that there would be a revolution, throughout the whole of India, and, therefore, for the safety of India and for the defence of the country it was necessary to keep them in. A Resolution was brought forward in this House and the Government considered the situation, and came to the conclusion that some of them should be released, and I am glad to find that the majority of them has been released. It is only a small minority that continues to rot in jails. But have the Government not

learnt any lesson by their own experience? They were saying that if these prisoners are let out they would create a revolution in the country, but can the Government point out a single instance in which the opinions expressed by non-official Members have not been correct? Every prisoner who has been released has been found not to revert to old practices and old policies. The elected representatives of the people in this House had recommended the release of all political prisoners, but Government invented a formula by which they restricted the release to a few out of a large number. They are keeping some prisoners still in the jail.

Now, my only submission is that the Government should have enough courage to make another experiment and try to find out whether the recommendation of the elected Members of this House is correct or not. How are the Government to suffer by the release of these two thousand prisoners? Are the Government not powerful enough to send these prisoners back to jail again in case they do any acts which are against the Defence of India Act? I think they are sufficiently strong to do it. Then why should they hesitate to release these prisoners? Why should not the Government have enough courage to release them, especially in the circumstances prevailing today? The British Government seem to have changed their mind. They have come out with certain proposals which are being discussed elsewhere, though not in this House, but the question is, have the Government of India also changed their mind? Are they going to continue their old game and have got no idea of changing their old methods? If so, they are not going to learn anything from their past experience. Sir, there are no instances of people who, after they had been released from jail, had again to be sent to jail for committing unlawful acts. Therefore, my appeal to the Honourable the Home Member is that it is high time that he should show a change of heart. The Government must respond to the voice of the elected representatives of India and do something by which they will enhance the prestige of the Government and not lose anything. I think it is only fair that the Government should leave the decision of this matter to the elected representatives of this House, and then consider whether they can meet their wishes or not. There is no question of any controversy between the Government and the Members of this House. We want the Government to change their attitude, and in the circumstances prevailing today, it is high time that the Government did change their attitude. With these words, Sir, I support the Resolution.

Sardar Sant Singh (West Punjab: Sikh): Sir, I have very few observations to make on this important question which has engaged the attention of the outside world more than it has done of this House. This question was discussed several times during last year and this is the third time when this question has cropped up again. The views of this House have been made very clear to the Honourable the Home Member on this point. The result is that, according to the Urdu Proverb

"Murz bahrta gaya jun jun dawa ki."

. the more we talk and press for the release of political prisoners the more are being put behind the bars on very flimsy pretexts. The recent arrest that has taken place of the Sikh leader is that of Sardar Udhām Singh, Jathedar of Amritsar. He occupies a very high place amongst the Akalis, and I personally know that he had nothing to do with any political activities which can in any way be described as objectionable. The difficulty arises in this way. When we approach the authorities

[Sardar Sant Singh.]

for the consideration of such cases, they tell us that action has been taken by the Provincial Government. Constitutionally and technically speaking, the Central Government may be right, but it does not take away the sting out of the arrest or detention of a political prisoner. I have tried to understand the logic behind these arrests. The Defence of India Act was passed presumably to see that war effort was not hindered. That principle was accepted by this House, but it was distinctly understood then that political animosity, party allegiances and similar activities would not be put down under the pretext of the Defence of India Act. I know of several cases of Sikhs who are under detention. Plausible case has been made out by relations of such detenus to show that activities other than those which hinder the war effort have been made the basis for these arrests. The other day I mentioned one case of a few persons in Delhi who were prosecuted under the Goonda Act; when the Court found that the Goonda Act did not apply to the facts of the case and acquitted those people, action was immediately taken to extern them from Delhi; as soon as some of them went out of Delhi and took residence in Ghaziabad outside the province of Delhi, somehow or other the machinery of the United Provinces Government was set in motion and they were put under detention. Well, Sir, it is very difficult sometimes to understand the acts of the Government. Unless the Government take upon themselves the responsibility of issuing a communique stating the reasons as to why particular individuals were arrested at Ghaziabad, it will be very difficult to understand the real reasons. No reasons are publicly stated; the public is not taken into confidence. The only version which the public knows is the one given by relatives of the detenus. In this case it is alleged that vindictive spirit of some local gentleman who wanted to see these people in jail, not being satisfied with the order of acquittal of the court, is responsible for their detention. The rule of law was superseded by a rule of the executive order and these people were detained at Ghaziabad.

Then, there is another case of a Granthi of Gurdwara Sis Ganj, Delhi. His son was guilty of some activities which probably were not to the liking of the executive of the Delhi province. Not only was the son put behind the bars, but his old father too was put behind the prisoner bars. His wife came to me this morning and told me a story which I could not believe. I told her that there must be something, but what that something is the executive Government does not care to tell us, and in the absence of that, we are bound to believe the stories told to us by the relations of these prisoners as the correct stories. If the relations of these prisoners are not informed of the true facts, if their near and dear ones are not informed of the actual offence, as to whether these people who are kept in prison have transgressed any law or their activities have in any way hindered the war effort, what is the earthly good of detaining them...

The Honourable Sir Reginald Maxwell (Home Member): What is the name of the person to whom the Honourable Member is referring?

Sardar Sant Singh: Sardar Jiwan Singh, if I mistake, not. The first one at Ghaziabad is Sardar Beant Singh. Now, is it or is it not the duty of the executive Government, if they want to make their laws effective, if they want to maintain the dignity of the law, to take the public into confidence and tell them that such and such a person is detained for such

and such an offence by which he has hindered the war effort and he has thus come within the mischief of the Defence of India Act? But no such step is taken. The plea taken by the Honourable the Home Member, the other day, was that out of a population of 40 crores only a very small fraction was being detained. May be, in terms of ratio, it may be a very insignificant ratio or percentage and this may be overlooked because such a small percentage has transgressed the rules made under the Defence of India Act. If it be so, is it not proof that the bulk of the population, on the contrary, is willing to help the war effort? A large proportion of population is helping Government, and why should not the Government take a bit of risk and thus appease the public and win over public sympathy towards Government by releasing such a small fraction of people? The time has come to release them, and we have noticed a distinct change in such people. The other day the armoury raid prisoners issued a long statement. It was published in full in the *Statesman*, and the Editor of that paper made a very favourable comment upon that statement. Is it not evidence and proof of the fact that there is a change among those who are being detained? The changes that have taken place so rapidly in the political atmosphere of India have made these detenus realise their responsibility towards their own country and towards this world war. I will, therefore, ask the Honourable the Home Member, on grounds of self interest, not on grounds of charity or of sympathy, but on grounds of self-interest, the larger interests of the country, to accept this Resolution.

The other day the Honourable Member pointed out the difficulty of defining who political prisoners are. That difficulty may be for the Secretary of the Legislative Department, there may be a difficulty when it comes to putting down in exactly legal language what a political prisoner is, but generally speaking, the Honourable the Home Member understands it, the European Benches understand it, Indian Members understand it, to whatever phase of political thought they might belong. The word has acquired a significance which nobody can question. It is a self evident truth, as to what a political prisoner is. You may exclude those who with political motives have committed offences involving violence, actual acts of violence,—you may exclude them. Those who are merely guilty of expression of opinions, however, strong the language that they may use, but if there is no act of violence, should be let off and the present atmosphere improved. I will, therefore, appeal to the Honourable Member to consider the question from a broad point of view and not bring in the police mentality to bear upon such cases. There is a difference between a police officer and a magistrate. One suspects everybody and regards him guilty, while a magistrate begins by regarding the subject as innocent unless he is proved to the contrary. The Home Department is probably obsessed with the police mentality regarding every man as guilty unless he is proved to be innocent. I wish that the mentality of a judicial officer should be brought to bear, and unless there are strong grounds and proofs to the contrary, everybody should be enabled to enjoy his liberty in this country. One point more I shall ask of the Honourable the Home Member. In his last speech he promised that the cases of these persons will be examined by some sort of quasi-judicial authority.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Mr. N. M. Joshi (Nominated: Non-Official): It is more than four months since he said that.

Sardar Sant Singh: Four months have gone. I will request the Honourable Member to let us know now many cases have so far been examined and with what result.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Let the question be now put.

Mr. Akhil Chandra Datta: Whatever might have been the difficulty of the Honourable the Home Member to understand it, my Resolution was absolutely clear, namely, it asked for the release of a certain class of people, a well defined class of people. I said that this Resolution seeks the release of those people who are known as security prisoners detained without trial, and their number is 1,025—that was the number given by the Honourable Member himself. So that, there may be pettifoggery to any extent, but really there was no difficulty in understanding the scope of my Resolution. I knew the Honourable the Home Member and his Government, I knew that he was a typical diehard bureaucrat, and, therefore, I was absolutely prepared for that position, namely, that he would oppose my Resolution. But I never expected the sort of speech that he made on that occasion. It was not only a fighting speech but it was a furious speech.

The Honourable Sir Reginald Maxwell: May I ask to which occasion the Honourable Member refers?

Mr. Akhil Chandra Datta: I am speaking of the Honourable Member's reply to my present Resolution.

The Honourable Sir Reginald Maxwell: May I ask if the Honourable Member has read the official report of my speech here?

Mr. Akhil Chandra Datta: Yes, it is here and I shall refer to it immediately. I shall substantiate my allegation by quotation from that speech in a moment, but before I do so let me say this. I wanted the release of some people. He opposes that,—I understand that, but he is not satisfied with that. He wants to rope in a very large class of people. He wants to extend his tentacles—I use his word—poisonous tentacles from political prisoners to all political workers, (Interruption) to all political movements. I shall at once quote his remark. I have never heard of a more sacrilegious remark from those sitting on the Treasury Benches than the one made by my Honourable friend. My Honourable friend said:

"Political movements in this country tend to advocate disaffection almost as if it were an end in itself."

Mind you, he talks of political movements, speaking generally. Then he proceeds:

"Many political parties regard it as their duty to act as factories for the manufacture of defeatists and Fifth Columnists."

That is an astounding assertion.

Pandit Lakshmi Kanta Maitra: Columniator of the whole people!

Mr. Akhil Chandra Datta: On my own behalf and on behalf of my countrymen, and on behalf of all political parties and of all those people who carry on political movements in this country, I challenge the statement of the Honourable the Home Member. I ask, is that true? It is a black lie.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not entitled to use that language.

The Honourable Sir Reginald Maxwell: Is the Honourable Member entitled to use such an expression?

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member must withdraw the word "lie".

Mr. Akhil Chandra Datta: I withdraw that word as this word is unparliamentary. I withdraw the word "lie", but I say instead it is untrue, deliberately untrue. That will make no difference in substance.

I say that it is a monstrous and outrageous libel against all political movements in this country. You make a sweeping generalisation like this without making any discrimination between one party and another party. It is a foul calumny against all people who love the freedom of this country and want to make their country free. Now, Sir, it is an insult to the whole people; it is a cowardly attack made upon the people and all political workers in the country by his taking advantage of his privileged position in this House and the seat he occupies in those Benches. It is possibly a parting kick, but all the same it is a kick. I shall say this that if he has any regard for truth or fairness or the feelings of the people or for the interests of his own country or the interests of this country he ought to withdraw that statement and unconditionally apologise for the statement. It is an absolutely untrue statement.

Supposing for argument's sake that his statement is not false, that it is true. Let me proceed on the assumption that he honestly believes that this is true. If that is so, then this is the greatest condemnation of the British rule in India, a brutal confession of a brutal fact, namely, that after 150 years of rule over a most civilised people, you find the people of this country hate you, they distrust you. This is your confession. This is your description. You find that they are sick of you, they hate you, they distrust you and want to get rid of you. They want to invite your enemies that is what you suggest. They want to invite an unknown devil in preference to a known devil—so desperate is the position of this country according to your confession . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to address the Chair.

Mr. Akhil Chandra Datta: When I say "you", I mean the Chair.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member, I am sure, does not mean that. The use of "you" in that context would lead to misunderstanding.

Mr. Akhil Chandra Datta: What I mean is this. It has long been the practice in this House to say 'you' when addressing the Government. It is not right but it has been the practice to speak in that strain and it is understood what the speaker means. Unfortunately, it might be thought that it is casting a reflection on the Chair but that was never in my mind.

Now, Sir, if that is the description that the Government want to give of the conditions in the country, then the Honourable Member ought to be ashamed of the activities and achievements of the Government during the last 150 years. It only reminds me of a certain historical pronouncement made by no other man than Sir Stafford Cripps, the most accredited leader and spokesman of Great Britain at the present moment. He said:

"You have only got to look at the pages of British Imperial history to hide your head in shame that you are British."

Now, Sir, the Honourable the Home Member has told us that the object of all political movements is to manufacture Fifth Columnists.

The Honourable Sir Reginald Maxwell: May I correct the Honourable Member? I never said "all". Read out my words.

Mr. Akhil Chandra Datta: I have read once. I shall read it again.

"Political movements in this country tend to advocate disaffection almost as if it were an end in itself. Many political parties regard it as their duty to act as factories for the manufacture of defeatists and Fifth Columnists."

The Honourable Sir Reginald Maxwell: Where is the word 'all'?

Mr. Akhil Chandra Datta: That is all your complaint. Is it seriously contended that this is not a sweeping statement to make.

The Honourable Sir Reginald Maxwell: The Honourable Member misquoted me. I never said 'all'.

Mr. Akhil Chandra Datta: What about the statement just quoted: Political movements in this country

The Honourable Sir Reginald Maxwell: 'Tend'.

Mr. Akhil Chandra Datta: . . . 'tend'—Yes but it is a serious charge to make against political parties that they manufacture Fifth Columnists

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that more than once.

Mr. Akhil Chandra Datta: When I moved my Resolution, I did not use any strong expression. It is the Honourable the Home Member's strong language that has provoked me to use this strong language. As regards Fifth Columnists, may I say this. If a certain gentleman, the Home Member, declares from his place in this House that the country is seething with disaffection and honeycombed with Fifth Columnists

and are ready to fall a prey to the enemy, is not that kind of speech calculated to help the enemy? I do say that he is helping the enemy. Was that statement made in the interest of India or Great Britain or in the interest of Japan and Germany to tell our enemies—'Look here, Japan, here is India seething with disaffection and honeycombed with Fifth Columnists.'? If anybody makes a statement like this, he is the arch Fifth Columnist of all Fifth Columnists. I want an answer to this question—who manufactures these Fifth Columnists? Political parties or speeches such as that of the Home Member?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Akhil Chandra Datta: Have they ever given a thought as to why there are so many Fifth Columnists in this country? The Honourable the Home Member has got a new penal code and enacted some new definition of certain offences. Whoever impairs and undermines war efforts commits an offence. Those whose activities are against national safety commit an offence. If you destroy the morale of the people it is an offence. I have no quarrel with the law he has propounded; but I maintain that it is the Members of the Government who are guilty of these offences. If the war effort has been impeded, it is the result of the deliberate, calculated policy of the Government; otherwise India would not have been in this helpless position today. Why did you not mobilise the manpower of India? Why did you not develop the key industries and war industries of India? They have practically opposed the ship-building industry of India. Why are they discouraging the automobile industry in India? You did not make India strong either on land or in sea or in air.

The Honourable Mr. M. S. Aney: You are again using the word 'you'.

Mr. Akhil Chandra Datta: I again beg your pardon. So, Sir, the policy that was followed by the Government was a 'deliberate policy of crippling India's power of defence. Therefore, I say they are looking to the wrong quarter to find out who are guilty of these new offences.

They want a national front, but national front is impossible without national government. Did the Government of India or the Honourable the Home Member raise his small finger to have a national government?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Akhil Chandra Datta: I shall conclude within half a second.

I repeat today most strongly that the communists are patriots and they are very keen for war effort and it is folly to keep them under detention. But we have got no hope from the present Government and unless there is a clean sweep of the present bureaucrat methods, there is no hope for this country. That is the burden of song even of the *Statesman*.

The Honourable Sir Reginald Maxwell: Sir, may I, with your permission, speak again on this Resolution?

Mr. President (The Honourable Sir Abdur Rahim): Yes.

The Honourable Sir Reginald Maxwell: Sir, I must thank the House for the moderate tone on this debate with the exception of the Honourable the Mover. The Honourable the Mover appears to be annoyed with something that I said in my previous speech, but when he charges me with using furious language, he is able only to quote only two sentences from what I then said. It appears that his impression is derived either from misquoting my actual words or from some misunderstanding of the exact effect of the sentences which I used. I shall, therefore, not attempt to argue further with him on that point but leave it to other Members of the House who have had the opportunity of reading my remarks in full.

Mr. Akhil Chandra Datta: I quoted the exact words.—I did not misquote.

The Honourable Sir Reginald Maxwell: What I want to say in reply to today's debate is to give the House a few later figures than those which I was able to quote on the previous occasion. The number of persons convicted of offences under the Defence of India Rules and still serving sentences of imprisonment on the 1st February, 1942, was 720 in the whole of India. These offences may have been of any kind and not necessarily "political" offences. They include even such offences as trading with the enemy. I would ask the House to compare the figure as it stood at the time when on the last occasion Government gave their promise to examine the position. The number on the 1st November, 1941, in the whole of India was 6,548. As I said, the number now is 720. The House can reflect on that. Actually, among the numbers which I have quoted there were a certain number of persons whom I will call Satyagrahi prisoners. The House will know what I mean. The number of such persons remaining in prison on the 1st February, 1942, was 441. That is out of the figure of 720 which I mentioned just now. It is not in addition to them but among them. The number of Satyagrahi prisoners, convicted persons who were released in consequence of the Government announcement on the 4th December, was 6,475. In addition to persons convicted, there are certain persons who have been detained under Rule 26 of the Defence of India Rules. The number under detention on the 1st February, 1942, was 1,141. The House must not take it that these were all what we call political prisoners. There were a good many other persons of a non-political character, but I cannot get particulars of the exact categories into which they would fall. The major proportion would be the kind of persons which the House calls political prisoners. The corresponding number on the 1st November, 1941, at the time when the Government were considering their announcement, was 1,650. So, the number has dropped from 1,650 to 1,141.

Now, I have already told the House what the policy of the Government is in regard to these detained persons. Acting upon our suggestion, all the Provincial Governments have set up tribunals of various kinds to review these cases. So far as my information goes, this process of review is in progress in all provinces. It is certainly in progress at the Centre in regard to prisoners detained under the orders of the Central Government. The results of that review are not yet known and I am not able at present to give the House any further information about it. But I would suggest that we should await the result of that review before we can possibly consider a Resolution in these terms with further profit.

All I have to say at the moment is, as I said before, that it is not the desire or intention of Government to keep anyone under detention whom we know and can trust to be an anti-Fascist, and there I am entirely at one with what the Honourable Member, Mr. Chattopadhyaya, said. If we know that persons are genuinely and entirely anti-Fascist and sincerely desire to assist in the prosecution of the war, we can have no possible motive for detaining such persons. We are doing the best we can at the present moment to ascertain how many, if any, of the persons now under detention are of that character. Even before the various tribunals got to work, several of the Provincial Governments have themselves been reviewing the cases of their own prisoners. I am informed that quite a number of persons have in recent months been released on the initiative of the Provincial Governments themselves, that is, without any advice from their tribunals, on the ground that these persons by their letters or otherwise had succeeded in convincing them that their mental attitude had changed.

Mr. K. C. Neogy: Is the case of Mr. Sarat Chandra Bose being inquired into by any tribunal?

The Honourable Sir Reginald Maxwell: Not at the moment.

Mr. K. C. Neogy: Is there any likelihood of the case being inquired into in the near future?

The Honourable Sir Reginald Maxwell: That will have to be considered later in the light of the general situation.

Mr. K. C. Neogy: How long would the Government take to make up their mind on this point?

The Honourable Sir Reginald Maxwell: Some time more, I anticipate.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): May I ask whether the Government propose to remove the ban on Allama Inayatullah Khan Mashrafi who has been released, but who has been interned in Madras, and Madras is in danger of being bombed at any time?

The Honourable Sir Reginald Maxwell: The Allama is not under any ban; he is at liberty at the moment. What is under the ban is the Khaksar Association.

Maulana Zafar Ali Khan: Why can't he go out of Madras?

The Honourable Sir Reginald Maxwell: I have explained, then, that the situation as regards political prisoners is extremely easy in this country. There are really very few persons of that character, convicted persons who are in jail at the present moment, and the cases of the remainder are being reviewed. The Government are fully aware of the dislike which many Honourable Members of this House have for detention of persons without trial, and I, myself, entirely share that dislike. I have no intention or desire myself to keep any one in jail without trial, but in certain cases, we are bound to do it. We have to do many things in war which are not entirely to our liking, but we are aware

[Sir Reginald Maxwell.]

of the general attitude of the House towards these matters and I may assure the House that we are not so different in our view of these things from them as some of them appear to think. That is all I have to say.

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

"That this Assembly recommends to the Governor General in Council that steps be taken for the immediate and unconditional release of all political prisoners and detenus."

The Assembly divided:

AYES—16.

Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Chatteropadhyaya, Mr. Amarendra Nath.
Dam, Mr. Ananga Mohan.
Datta, Mr. Akhil Chandra.
Deshmukh, Mr. Govind V.
Desouza, Dr. F. X.

Joshi, Mr. N. M.
Kailash Behari Lal, Babu.
Lalchand Navarai, Mr.
Maitra, Paudit Lakshmi Kanta.
Mehta, Mr. Jannadas M.
Muhammad Ahmad Kazmi, Qazi.
Neogy, Mr. K. C.
Parma Nand, Bhai.
Sant Singh, Sardar.

NOES—37.

Abdul Hamid, Khan, Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Aney, The Honourable Mr. M. S.
Benjamin, Mr. H. D.
Caroe, Mr. O. K.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Dehejia, Mr. V. T.
Ghiasuddin, Mr. M.
Gopalaswami, Mr. R. A.
Gregory, Dr. T. E. G.
Griffiths, Mr. P. J.
Imam, Mr. Saiyid Haider.
Ismael Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Khurshid, Mr. M.
Lawson, Mr. C. P.

Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Mody, The Honourable Sir Homi.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Pillay, Mr. T. S. S.
Prior, Mr. H. C.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Roy, The Honourable, Mr. S. N.
Sahay, Mr. Vishnu.
Sarker, The Honourable Mr. N. R.
Scott, Mr. J. Ramsay.
Shoobert, Mr. W. H.
Spence, Sir George.
Stokes, Mr. H. G.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Captain.

The motion was negatived.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

RESOLUTION RE THE SUPPLY DEPARTMENT.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I move the following Resolution:

"That this Assembly recommends to the Governor General in Council to take immediate steps to reform the general organisation of the Supply Department particularly its Inspectorate and to devise methods for taking full advantage of cottage industries in the scheme of production."

The object of the Resolution is to take advantage of cottage industries to secure such material as is needed by the Supply Department for war purposes.—ammunition, equipment or a hundred and one other things, going to make up both. The Honourable Member has told us that there is a number of articles which are now produced in India for war purposes and he gave us a long list. The purpose of this Resolution is to see whether the Honourable Member with the help of his Department cannot get articles from cottage industries. For doing this the Supply Department and its Inspectorate will have to be reorganised. At present what happens is that war production is carried on with the help of power machinery and if there is any deficiency in the necessary supply, we have to get them from other countries or possibly from cottage industries to a very small extent. At present, however, it is very difficult to get power machinery on account of enemy countries having made the lines of communication unsafe for us. It thus becomes obligatory on this Government to not only rely on power machinery but to resort to cottage industry to make up the deficiency of supply. How can the cottage industries be made useful to make up this deficiency?

Again the cottage industries will not only make up the deficiency of war supplies, but, incidentally, the purchasing power of those who run them will also be increased. Of course, the cottage industries can be stimulated only if there is a change of policy on the part of the Supply Department. At present what happens is that the Supply Department gives orders for necessary war materials to big firms which manufacture them with power machinery. So they should make an inventory of things which can be manufactured by cottage industries and also those articles which are required for war purposes and see how much of that can be manufactured. They may not be up to the required specification but it will have to be seen how many of them can with slight modification come up to the mark, though they may not be equal to what power machinery produces *i.e.*, they may serve our purpose. I shall give a few instances. I was told by my Honourable friend, Mr. Abdul Qaiyum of Peshawar, that Government are short of rifles. The deficiency has to be made up, either because they cannot manufacture them in sufficient numbers or the machinery may be out of order or spare parts may not be available. But the fact was that they were short of rifles; and you may be aware, Sir, that in the tribal areas they manufacture rifles. So Government first asked these people to join their factories, which they refused. Then Government asked them to make rifles in their own cottages which they offered to purchase from them at a fixed price; and I think now these tribal people are manufacturing about 80 rifles a day which they sell to Government. So it is clear that production can be supplemented by cottage industries if Government so desire. An inventory of the articles required has to be made which they cannot secure, and then they should make an inquiry as to the articles which can be manufactured by cottage industries.

I will give another instance. There are substances made of casein which is made of milk; and from milk casein can easily be prepared in cottages. That casein can be supplied to big stores and articles can be made out of that. Take again the case of textiles,—the handloom weaving industry. At present of course they are turning out blankets. May be that more are necessary and hereafter not only woollen blankets but other things made of cotton could certainly be secured from these men who work in the cottage industries—the weavers. And what is more, they would improve their monetary condition. There are hundreds and thousands of

[Mr. Govind V. Deshmukh.]

other things besides what I have mentioned—rifle making, casein and textiles—which could be manufactured in this country. Take, for instance, the casting of non-ferrous alloy. If you supply lathe to some of the men in this business they will turn out a number of small parts. If I am not mistaken, and my information is correct, there are many persons prepared to take this up. It is not such a tool that cannot be manufactured in India, but the trouble is that they are sold though these may be in stores. But supposing the Supply Department were to say that these lathes should be sold to such and such a person, I have no doubt that the lathe will be available to them.

I have mentioned a number of cottage industries which could be carried on in the villages, and if the Government is so disposed and the Supply Department is so disposed, then certainly many of the things can be manufactured. It may be said that some of the big things cannot be manufactured but at least the spare parts could be manufactured in this country or the parts which are worn out could be replaced. For instance, copper wire, which is so necessary for electricity purposes, could be manufactured here. It may be said that locally manufactured copper wire would not be so fine, but I am told on a very reliable information that for these purposes first class copper wire is not necessary. Then I am told that there is a company which is prepared to undertake the manufacture of telephones. I understand an order was received by a firm in India for a large number of telephones, but all of a sudden somebody from Australia applied and that Company got the order, and all that this Indian company was asked to do was to manufacture parts. The Indian company replied after consultation and after taking advice from its own experts that it would not be profitable merely to manufacture spare parts. Sir, I submit that things which can be manufactured in India should be manufactured here so that they would be readily available to the Departments concerned, and this would benefit India in so far as the money will not be going out, and could be utilized for our purposes. If the Supply Department is more watchful and if those responsible in the Supply Department think that India itself is a country which ought to receive help first and which should be given priority in the matter of supply and not foreign countries like Australia and other members of the Commonwealth, they ought not to give preference to others. It is, therefore, Sir, that I say that the Supply Department has got to be very watchful and very careful.

This leads me to the main point contained in this Resolution, namely, the Inspectorate. We have had some discussion on the floor of this House on this subject. Certain allegations were made that the system in vogue was very defective, and my Honourable friend, Sir Ziauddin, had made a point that this system which allows Inspectors to be engaged on daily wages is really a most unsatisfactory system; it leads to corruption. Those Inspectors who are entrusted with the task of examination and selection do not know anything about the articles they are charged to deal with; they are not experts, they do not know anything about the business. The result is that palm oil, which is supposed to be plentiful in this country, is flowing into their hands. So I submit, Sir, that that point which Dr. Ziauddin made should also be looked into. But what I am thinking of is this. Your Inspectorate should be such that it will encourage the indigenous products; it implies the re-organization of the Supply Department; it

should be such that would encourage articles to be manufactured by the cottage industries and the articles so manufactured should not be rejected on ordinary grounds. For that you would require a very satisfactory, a very competent and a very sympathetic staff in the Supply Department. They should encourage the cottage industries. The Supply Department is not merely to make an inventory of the articles which can be manufactured by the Indian industries, to investigate and give those concerned the necessary scientific assistance, but they should be prepared also to give financial help, because these are poor people and more help and more sympathetic heart would be necessary to encourage these people to start cottage industries.

To sum up, Sir, I have given a list of a few things which can be manufactured in the villages. I have also said that the procedure to be followed should be that the Inspectorate should be a sympathetic one. And then I have said that it is very necessary that the Supply Department should devote more of its energy, time and money to find out what things can be manufactured in part or wholly by these cottage industries.

Now, I will, incidentally, refer to the question of short-staple cotton. Now, what happens in our villages is this. I do not know if the Honourable Member in charge of the Supply Department has ever lived in a village, as I do. What happens in a village is this, that they not only produce food that is required for their needs for the whole year, but they also produce coarse woollen as well as cotton cloth. One who lives in a self-sufficient village has not to look to any factory or other concern outside his own village for his clothing requirements. If the Supply Department modifies its specifications in a manner to suit the villager to turn out things which would meet the war requirements, it will not merely help the villagers but also the middle class people who live in the cities. The villagers will also be able to supplement their income in this respect. I am here talking with special reference to cottage industries. Let me first of all define what I mean by cottage industries. Cottage industries are generally understood to mean industries which are started on a small scale.

Now, when I speak of cottage industries, I mean industries started in a small place and with a small capital with the help of ordinary machinery or tools, and in places where there is an abundance of raw materials. For that purpose an initial investigation should be conducted to find out not merely what kind of raw materials are available, but also what kind of articles can be manufactured in a particular locality. Sir, there are many industries, some of which I have specified, which can be started as cottage industries in villages. Even in small cities such cottage industries can be started with advantage, and if these cottage industries are started in the villages, it will suit the agriculturists admirably. Everybody knows it, and I have complained several times on the floor of this House, about the miserable condition of our agriculturists. They live from hand to mouth; they have nothing to fall back upon. They may produce food like *jowar* or *bajra* or wheat, but everybody will not consume his entire production nor will he be able to meet all his needs by producing such crops. The idea now is, to let the villagers produce more food crop. Nobody will disagree with it. But will he be able to meet all his requirements by merely producing food crops? Supposing a doctor visits a villager. Is he to get his fees in the shape of wheat or *jowar*, say, *jowar* worth ten rupees? The doctor cannot carry all the wheat and *jowar* in his pocket. It is enough

[Mr. Govind V. Deshmukh.]

if the villager is merely encouraged to produce food stuffs, because he has to meet his other needs like the education of his children, marriages in the family and so on. They have also to look to the health of their children, and they have also to look to sundry needs, and therefore he cannot entirely depend on the food crop which he may produce. Of course, he is a benefactor in a way, in that he helps the towns people to meet their food requirements. In that way the villager is playing a very noble and excellent part, but for this what is the gratitude shown to him? Even a little encouragement is denied to him. The position now is this. A fellow who could have made some money by selling his surplus produce, produce which is left over after setting apart for his needs, such as food for his consumption, seed for cultivation and all he is not allowed to sell his surplus produce, he is not permitted to remove his surplus produce from his district to another in my province to sell it.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Is this the Supply Department's doing?

Mr. Govind V. Deshmukh: Have you secured any tenders for your business?

Babu Baijnath Bajoria: Yes, I have.

Mr. Govind V. Deshmukh: Then you may well advocate the cause of the Supply Department.

Babu Baijnath Bajoria: I am only reminding you that you should speak about the Supply Department.

Mr. Govind V. Deshmukh: I did not think you were in the Chair. I am talking on points which are relevant. If you have not been able to follow me, I am very sorry.

I say, support cottage industries. Organize the Supply Department in such a way that the village products may be used with advantage for the use of the Army. In that case the villager will be able to stand on his own legs, he will have some additional occupation, and he will be free from the clutches of the money-holder. If any help is to be given by the Supply Department it should be given to the villager who now lives, as I have often said, from hand to mouth, and yet unfortunately everybody is down on him. The civil population in urban areas cries aloud when the prices go up; they say—'look here, all prices are going up, and we are dying', but when the poor villager is dying, there is nobody to sympathise with him. If the villager owes any money to the money-lender, the latter will have no sympathy for the villager, and even the courts show no sympathy to the poor agriculturist. Therefore, Sir, as I have pointed out, the Supply Department should be properly organized, the Inspectorate should be organized in such a manner that the village industries will be encouraged and helped as much as possible. My point is, we should plead for village industries not merely for encouraging the cottage industries or supplying the deficiencies in the country in the way of raw material and equipment, but also in the interests of the agriculturists themselves. If by throwing one stone you can kill

two birds at the same time, where is the harm, why don't you do it? You will get your war supplies all right, and you will make the agriculturists more happy

Babu Baijnath Bajoria: I am glad my interruption has brought the Honourable Member to the right track.

Mr. Govind V. Deshmukh: I was always on the right track, but you did not see it; it was not my fault. Now, as I was saying, the scheme of production introduced by the Supply Department is with a view to get war material, and for that purpose, as I pointed out cottage industries should be encouraged as far as possible, because if you do that, it will not merely help to get all the necessary war material, but it will also help the material condition of the poor agriculturists. Is that an argument to be easily brushed aside, especially by men like my friend, Mr. Bajoria? To fight the enemy we must have the war material. I have not suggested that we should in any way hinder the war effort. What I say is, you should organize your Supply Department in a manner that you will get your war materials from villages, because then you will be helping the agriculturists also. Take the help of the villagers for your equipment. By so doing you will do a good turn to the poor villagers. I, therefore, move this Resolution, and I hope I will get the support of the Honourable the Supply Member, though I am not very particular about the support of the House.

Mr. Deputy President (Mr. Akhil Chandra Datta): Resolution moved:

"That this Assembly recommends to the Governor General in Council to take immediate steps to reform the general organisation of the Supply Department particularly its Inspectorate and to devise methods for taking full advantage of cottage industries in the scheme of production."

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I assume that the present war will continue for about three years more, and that India will have to depend on her own resources for the supply of raw materials. You cannot get machinery from England or America, and we will have to make the most economical use of our own products which we may get from our cottage industries and it is in this spirit that I support this Resolution. When the war broke out, our supply in this country was much greater than the demand. The Supply Department made the initial mistake in raising the prices by 20 per cent. Consequently, prices all over India were raised in sympathy with the action taken by the Supply Department. There was a rush of contractors, and now in an atmosphere of jealousy and corruption, they sat down together to reorganize the Supply Department. We know that there are three Sections in the Supply Department,—one was called the Indian Stores Department to supply our civil requirements, then we had the Quarter Master General who purchased foodstuffs for the army, and then we had the Master General of Ordnance who used to get other things for the army. These three organizations, though seemingly amalgamated now but in reality they have not been combined and they have kept their individuality intact. A combined and well organised Supply Department, in order to face the new situation is now developing and is badly needed, and this is a point which I would like to press and draw the attention of the Government.

[Dr. Sir Ziauddin Ahmad.]

Coming first to the purchase of foodstuffs, in the old days, the demand of the army was very limited and the civil population never troubled itself about the manner the Quarter Master General and his staff purchased ghee and wheat and other articles of food. But now it has become a question of very great importance. Take the case of ghee to begin with. Ghee is purchased by the Army Department through a contractor, and I challenged on the floor of the House before and I challenge again today, that the ghee supplied to the Army Department is adulterated ghee, but at the same time the taxpayers have to pay the price of pure ghee. The result of the action of the Army Department has been, that the civil population cannot get pure ghee at all in the market. Now, as regards wheat, several reasons were given for the wheat going underground during the last debate. We all know that wheat has gone underground. Why should it be so when we know definitely that the fresh crop is coming very soon? It has gone underground because of the fact that the army contractors employed by the Directorate of Supply will have to purchase wheat at any price, and that is why the wheat has gone underground. Otherwise, there would have been no reason for sending it underground, especially when the new harvest is about to commence. This fact should be taken into consideration. When we have to make full use of every possible resource in the country we have to organise the supply and consumption of foodstuff as well. I take only one example because I have not got time within fifteen minutes to deal with every article. Take wheat. It is the duty of the Supply Department, in the production side working in co-ordination of the Department of Agriculture, to take stock of the quantity of wheat, and regulate its cultivation. They should know how much they require for army purposes, and then leave the rest for the use of the civil population. The amount of wheat required for the army ought not to be purchased through the contractors, but through the Local Governments and the District Magistrates, and I am sure they will get better terms and will be able to stock for the Government. No wheat will go underground and the requirements of both the army and the civilian population will be fully met.

We have really to tackle each commodity, plan out the whole thing and distribute the article in the most economic manner, in order to meet, in the first place, the requirements of the army, and in the second place, those of the civilian population. But this has not been done, and they still follow the old system of having contractors and so on. In this connection I have mentioned this before, and I will go on repeating it till it is remedied, whenever I get a chance of doing so,—that their system of chemical test, the selection of the specimens given to them is very defective. They send the specimen to their laboratory at Kasauli, and everybody knows that will never come out in time unless the backdoor fee on which no income-tax is paid, is paid in advance. I have suggested time after time that you ought to organise about half a dozen laboratories in India and send these specimens to the various laboratories. Do not reveal the name of the laboratory to the contractor, and do not give the name of the contractor to the persons who are testing in the laboratory, and use the same method which they use in the case of the examination of answer books. But no attention is paid to these things and they have not got the experience. They do not know how to organise and it does not pay them to organise. This also is a very important point. It is high time that we should organise every

possible resource in this country, that we should sit down together and study commodities one after another and come to some definite conclusions.

As regards other articles coming within the purview of the Master General of Ordnance, I quite agree that armaments should be the exclusive subject of the Department of the Master General of Ordnance, because the civil population is not competent to give any opinion on armament like rifles, guns, etc. They must have a complete voice there and there is no competition. The Government manufactures all these things under their direct supervision. But when you come to the supply of other articles which are also used by the civil population, the same principle should be adopted in the purchase as in the case of wheat and other foodstuffs. As I said on the last occasion, they do need radical improvement in their system of inspection. I said then that it was not desirable that this important work of inspection should be handed over to persons who are paid on a daily rate of Rs. 2 or 3 per day. These people have to deal with articles costing lakhs and lakhs of rupees and you cannot expect a person who is appointed casually on Rs. 2 a day to do his duty properly. Another thing which is also undesirable is that you have military officers, appointed on merit and appointed in courtesy—those to whom the rank has been given because they are engaged in work connected with the war. Most of us are engaged in work connected with the war and why should we not all get military ranks as people in the Supply Department do? (Interruption). We ought to have a better system of inspection, inspection by proper, qualified and honest persons, and there should be a provision that the contractor should have a right of appeal against the decision of the Inspectors, the appeal should be heard by a panel of a tribunal. That tribunal may consist, in small cases, of a single officer, and in big cases, of three persons one of whom may be a contractor. That is a matter of detail, but the important point is that the Inspector's decision should not be final. There should be an authority to whom an appeal can be made, and if the Inspectors know that an appeal can be made against their decision and their services may be dispensed with, they may be more careful in their work. I hope the Honourable Member in charge of Supply will look into this matter, because we regard him as a great businessman, an experienced politician, and a debater in this House and at one time the orator of the Assembly. I hope he will organise the Department in such a way that there will be an amalgamated department and not three departments working with or without co-operation. Boldly face the leakage and corruption and remedy them. I pointed out specific cases of leakage. When you have so many masters working in one Department it is impossible for you to work in unison together, and to work efficiently.

The other day it was suggested that you should undertake the work of production. This will necessitate fullest co-operation with other Departments. When you want to have increased production not only in foodstuffs but all round you will have to examine and plan out the most economic use of all our resources. You will have to study the problem and find out what articles can be produced in a particular district. You take note of this fact whether a particular town can produce metal work by cottage industry, whether it can produce leather work, and so on, because we know by experience that every town in India is really famous for certain industries based often on the vicinity of raw material. We know very well that in the long run we will not be able to get machinery. The power of production by machinery is now limited and we will have to fall back

[Dr. Sir Ziauddin Ahmad.]

- upon the cottage industry which could work with the tools made in this country and that in the long run will save the situation in India and the time has come now when as Mr. Deshmukh pointed out we should encourage every possible industry in the towns and villages and everywhere, so that we may get the best results from the resources which we possess. I would like the Honourable Member to tell us on the floor of the House what arrangements he had made for the supply of wheat in the year 1942-43. I want him to tell us on the floor of the House what will be his requirements for the army. Let him tell us from the estimates that he gets from the Agricultural Department how much wheat will be produced in this country. Then we can sit down together with the help of the Commerce Department and Dr. Gregory, the great economist, and plan out the entire consumption. I told the story of Hakim Nabbu the other day. I say, that they must realise that we are in the middle of a national crisis, a question of life and death, not for any one community but for the whole of India. We should sit down together and stop all these rubbishy things and work with one object how to win the war. With these words I support the Resolution.

Babu Baijnath Bajoria: When I interrupted my friend, Mr. Deshmukh, he had this idea that I was against the cottage industries. That was far from my intention. Rather he had gone out of the way and was speaking on subjects which had got nothing to do with the cottage industries and the Supply Department and I wanted to remind him that he should speak about these things and I was glad that my interruption put him right.

Sir, I am in full sympathy with the second part of the Resolution, "that the Assembly recommends to the Governor General in Council to take immediate steps to devise method for taking full advantage of cottage industries in the scheme of production." I am unable to understand fully the first part of the Resolution. It is very vague. It says—to reform the general organisation of the Supply Department, particularly its Inspectorate. It is too vague and I do not understand from the remarks of Mr. Deshmukh or Dr. Sir Ziauddin Ahmad what they really mean about this general reorganisation of this vast Department and I think no case has been made out for that. As regards the cottage industries I would like that these industries should be further patronised by the Supply Department but, at the same time, I may inform my friend, Mr. Deshmukh, that the cottage industries are already playing a very very important part in the supply of goods to the Supply Department. I think when the Supply Member, Sir Homi Mody, speaks, he will bear me out. Numerous articles, too numerous to be enumerated here, are being manufactured in the cottage industries throughout the country and every skilled artisan, be he a carpenter or blacksmith, weaver or wood worker, has been busily engaged in this work at the present moment. I would say that but for the Supply Department the lot of these men would be very miserable in these hard times.

Sir, I do not want to discuss the merits of small industries *versus* the big industries. As a matter of fact at the present moment both the big industries and small and cottage industries are all busily engaged in war production and each one of them is doing its share in the war effort to the utmost of its power. As regards the heavy industries, the textiles, which

is one of the big purchases of the Supply Department, we all know that it is through the efforts of the present Supply Member that the Indian mills of Bombay have agreed to reserve a very considerable share of their production for the Supply Department at prices which are much lower than the current ruling prices in the market. The same thing also applies to the jute mills in Calcutta and the Tata Iron and Steel industries. They are supplying steel to the Government at prices which are not even half or one third of the current local prices in the market. The Directors of Industries are also collecting orders from the Supply Department and giving these orders to the smaller firms in many of the cities and villages even. I can mention a few of them like hats, camouflage nets, ropes, wood work of many kinds and so on. It is not a fact that at the present moment the cottage industries are suffering for want of work. Even if Mr. Deshmukh starts a cottage industry for the supply of any article, I am sure Sir Homi Mody will place an order with him straight off. At the present moment when the export markets are all restricted, the production of the mills and the cottage industries is being absorbed mostly by the Supply Department. It is not the Government alone that is benefiting. The industries also are benefiting. It is a case of mutual benefit. The labourers and the employers are all great benefited by this department at the present moment. What I am afraid of is this. My difficulties will come when the post war reconstruction comes in.

Dr. Sir Ziauddin said that the war will go on for three years more. I hope not. We are fed up with this war and the sooner it is over it is better and we will be relieved of our anxiety. When the post war reconstruction comes, there will be a great slump, both in the cottage industries and the mill industries. Then, it will be the cottage industries which are weaker which will suffer the most. I would request the Supply Member to see that these are the very cottage industries which have rendered such yeoman service during this critical time of war. When they could not have got their requirements from big industries, these cottage industries supplied them. So, these cottage industries should not be ruined when imports come in or when their demands fall off. They should see that these cottage industries live even during the time of peace as they are living in this time of war.

There is one point to which I would like to draw the attention of the Supply Member. It is about the machinery and the machine tools about which my friend, Dr. Sir Ziauddin Ahmed, has spoken. We all know that the supply of this machinery and machine tools from abroad has practically stopped. (Interruption). I have already said, I think, far too much for the cottage industries, more than even my friend, the Mover of the Resolution, has said. I want to serve and protect both the heavy and the cottage industries. There is plenty of scope in this vast land of ours for both these kinds of industries.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): He wants to protect the cottage industries as well as the agricultural industry.

Babu Baijnath Bajoria: I am in agreement with him there. But I would like to add big industries as well. As I was saying, machineries and machine tools are no longer imported from abroad. The production of machinery has been started here but these industries require lot of

[Babu Baijnath Bajoria.]

further assistance from the Government both by way of technical experts and subsidy in order to accelerate the production of machinery.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Can they be organised as cottage industries?

Babu Baijnath Bajoria: I am now on big industries. I must make myself perfectly clear that so far as the manufacture of machinery is concerned, it cannot be on a cottage industry scale. Machinery has to be made on a big scale. At the present moment, I think, capital is not shy and industrialists will come forward and are coming forward, and Government must see that the machinery and the heavy industries are also developed further and are duly protected in the post-war reconstruction.

As regards wheat, we all know the difficult times through which we are passing. So far as we are concerned, what we want the Supply Department and the other Departments of the Government to know is that we are not getting wheat to eat. If the Supply Department or any other Department of the Government can give wheat in plenty to us in Bengal and in other provinces, we will be grateful to them. Sir, I do not want to say anything more except this that I support the second part of the Resolution, but I am not very sure about the first part.

Pandit Nilakantha Das: Sir, I had no mind to speak on this Resolution though it is a very good Resolution and is expected to be fully supported by everyone in the House even including the Member for Supplies. There has been however, some misunderstanding, particularly after the speech of my friend, Mr. Bajoria. I did not really follow him when he said that everywhere all sorts of cottage industries are being given the necessary impetus by the War Supply Department. I really could not follow what he meant by that. Are the productions of our weavers purchased everywhere in any organised scale? Of course, in this Resolution there is nothing to speak for big industries. That does not perhaps come within the purview of this Resolution. It speaks only of cottage industries which should be organised by the Supply Department. During the last budget discussions, I made a point to the effect that the Supply Department should have some sort of co-ordination with the Commerce Department, whose duty it is to see to the development of various industries. That development ought to include the development of cottage and small industries. That is being neglected and, in effect, as was pointed out by my friend, Mr. Deshmukh, a great difference among the consuming people and the purchasing people is being created in this country. I instanced the case of Orissa which is practically an out-and-out consuming province. During the last year and more, the Supply Department has purchased articles worth Rs. 250 crores and you will be surprised to learn that Orissa has sold articles worth Rs. 2,13,000. Can you imagine that?

Now, I do not think so much about the reconstruction after the war. My vision is not so long. I think of the present. To the coastal region of Orissa, Madras and Bengal, practically 90 per cent. of the evacuees are coming back. One and all of them are penniless. They have no employment. Over and above that, you are purchasing articles either from Jamshedpur or Cawnpore or Bombay. I should think it should be the

duty of the Supply Member to have a map of India before him. He should see whether the supply is being distributed throughout India so that money goes to the pockets of all people as far as it is practicable, otherwise in industrial centres where you purchase your supplies the prices will go up like anything. Our prices of commodities are regulated after those prevailing in industrial centres like Jamshedpur or Bombay or Cawnpore. What should the poor weaver in the village do to purchase his necessities? The same remark applies to the agriculturist. Of course, he will sell his rice and wheat for a little more price than he usually gets, but that does not matter. He cannot supply all his requirements. There may be a famine which by the organisation of the Supply Department or rather its disorganisation, as my Honourable friend has already said, you are creating. You are creating famine conditions in the country which you should at once try to avoid and to remedy. It is already perhaps prevailing in many parts of the consuming area in the country. For this reason alone, you should develop the cottage industries for agricultural India is a land of cottage industries and not of big industries.

Neither we nor our masters have been able to make India into a land of big industries like England where if the prices look up in Lancashire, the same thing is reflected everywhere else in the island in two months. If the labourers get more wages in some factories, the same thing is reflected in other branches also. India is not like that. Even for the small adjustment from one shilling four pence basis to one shilling six pence basis, it took some years. If you starve out consuming areas and if the Supply Department does not make use of cottage industries in an organised way, then you will simply create famine conditions in areas where there are not big industries. They must sell something. In every village in India you must see that the artisan gets his due share. Perhaps my Honourable friend, Babu Baijnath Bajoria, saw a couple of carpenters working at some almshouses in some lane near his house in Calcutta and from that he concluded that our poor artisans throughout the country are executing orders for the Supply Department. In the villages, they are simply starving for want of orders. They do not get any wages.

Babu Baijnath Bajoria: My vision is broader than yours.

Pandit Nilakantha Das: I am very glad that even businessmen these days seem to have broader vision than smaller people like us. I do not grudge them that. But in this particular case I do not follow him because according to him where each and every artisan is now engaged in making articles for war supply, I fail to appreciate the truth of it. I represent the rural villages. I live in rural areas, I tour throughout the province of Orissa often, and recently I had occasion to move about in many districts. I find everywhere famine conditions. I do not know how to give food to the poor villagers. The famine conditions will continue longer. There is no effort on the part of the Supply Department to provide a village industry for these poor fellows. If you are not organising the villages, then you cannot say that you are doing anything for cottage industries. In the second part of the Resolution it is distinctly said that there should be some organisation to take full advantage of cottage industries in the scheme of production. This should be done as soon as possible, not only for the future reconstruction of the country which is perhaps far

[Pandit Nilakantha Das.]

away, we do not know how, and when it will be done or who will do it. Let us look to the present. The people from Malaya are now coming and settling in the coastal regions. People are starving for want of food. So, this ought to be done and must be done as soon as possible. Sir, I support the Resolution.

The Honourable Sir Homi Mody (Supply Member): Mr. Deputy President, if the object of the Honourable the Mover of the Resolution is to draw the pointed attention of Government to the needs of cottage industries and to evoke support for them, I have every sympathy with that object. When the Supply Department first started functioning, it used to work upon definite orders and in those circumstances, it was not possible to do any sort of planning. A little later, the principle of forward programmes was accepted and at that stage, the Department started organising the industrial production of this country and started loading up industries with orders. At that stage, it became obvious that the needs of cottage industries had also to be considered, not only in their own interests, but also as a matter of policy. Production had to be spread out and dispersed so as to make it possible for the country to have industry both in the factories and in the villages catering to the needs of the Supply Department.

Now, Sir, before my Honourable friends come to the conclusion that little or nothing has been done in the way of support to cottage industries, I would like to invite the attention of the House to a few figures. It will surprise the Honourable the Mover of the Resolution and those who supported him to know that during 1941-42, orders to the tune of five crores of rupees were placed upon cottage industries. Of course, there are in this list very big items, but there are also a number of smaller items which I think I should enumerate. For instance, in the matter of leather goods, chappals were purchased to the extent of 12 lakhs of rupees, sandals 17 lakhs of rupees, leather jerkins 18 lakhs and so on. In the haberdashery trade, buttons were made to the extent of well over ten lakhs, camp equipment ten lakhs, cutlery 5½ lakhs and stretchers, five lakhs. At any rate, this much is obvious that when orders amounting to five crores of rupees are placed upon cottage industries, they must be giving a very considerable amount of employment to a very large number of people. The orders which we hope to place in the current year are expected, so far as we can calculate today, to go up to eight crores.

Now, Sir, it is rather curious that none of my Honourable friends referred to a very important conference which was held at Delhi only a few days ago, as recently as March 23. At that conference were gathered Directors of Industries from the various Provinces and representatives of many of the major States with a view to trying and finding out how best cottage industries could be stimulated and how their products can be brought within the scope of activities of the Supply Department. A note was sent out to all these people before they came here and a list of articles which could be manufactured by cottage industries were supplied both under the range of machine and of ordinary stores. An idea of the organisation required was also conveyed to those who were going to confer at this meeting. As a result of this conference it has been decided that agencies will be set up in each province. The Directors of Industries or

the Registrars of Co-operative Societies will form such agencies. They will work in concert with the Controllers of Supplies in the various Provinces, and will not only deal with the orders which are placed by the Controllers of Supplies but will also see to it that materials are supplied to the small producer and regular inspection made from time to time of articles in the various stages of manufacture. It is the hope of my Department that when this agency gets going, a more thorough going utilisation of the products of the smaller industries will come about. Working capital will be provided by the Provincial Governments, and altogether, I may say that if there is any capacity available, it will be the fault of those who are in charge of that particular area if it is not fully exploited. We are not going to deal with registered contractors; we will see to it that as far as possible they are cut out and that orders be placed with those who have so far not handled any from the Supply Department. That being the position, I am sure that it will be the opinion of the Honourable the Mover of the Resolution and those who have supported him that everything possible is being done to support village industries. If more is not done, it certainly is not the fault of the Department, who have done everything possible to stimulate production and who are now setting up an agency by which more production would be forthcoming. Therefore, so far as that part of the Resolution is concerned,—and it was on that part that most Honourable Members who spoke have concentrated,—I do not think that it is necessary to stimulate the interest of the Supply Department. But there were various other points made in the course of the debate. My Honourable friend, Mr. Deshmukh, gave a few examples of things that can be done by cottage industries. His very first example was somewhat unfortunate,—he talked of rifles. I do not know if my Honourable friend who comes from the martial races will himself want to handle a rifle which was made by a cottage industry.

Mr. Govind V. Deshmukh: He has.

The Honourable Sir Homi Mody: Then he must thank Providence that he is still here!

My Honourable friend, Sir Ziauddin, is not in his seat now, and I am tempted to leave all his observations alone and deal with them on some future occasion; but I think I must refer to one or two of them. He talked of the Inspectorate which is his special *bête noir*. As has been explained on a previous occasion, the Inspectorate is not under the control of the Supply Department. It works under the defence authorities, and that for very obvious reasons. After all the inspection of an article must be done by the purchaser. The Supply Department could not possibly take the responsibility for an article once it passes out of its hands; if it had been otherwise I would ask Honourable Members to visualise the consequences. Complaints would come in from a hundred and one directions about particular articles not having been up to the mark. It would have been quite impossible for the Supply Department to verify or to disprove any of these complaints, and the most obvious thing to do was to ask the defence authorities who are our customers to test the articles as and when they pass out of our hands. Therefore whatever the sins of omission or commission of the Inspectorate may be,—and I am not prepared to say

[Sir Homi Mody.]

anything on that point; it is a matter for the Honourable Members to make up their minds about,—at any rate my Department is not responsible for them.

My Honourable friend talked of wheat and ghee, but I do not quite know what points he was making. It certainly is not the business of my Department to regulate the distribution of wheat between the army authorities and the civilian population or to see to the growing of wheat; and as for the adulteration of ghee, not having sampled any ghee myself which is supplied to the Army Department I am not in a position to say anything. My Honourable friend, Mr. Bajoria, gave a 'chit' to my Department for which I am grateful. We are here to do all that we possibly can not merely in the direction of the war effort but also to see that Indian industry and cottage industries derive the fullest possible benefit from the operations of the Department. Mr. Bajoria talked of the machine tools industry. I have previously explained that we have now got a scheme by which we are going to assist five reputed manufacturers to obtain balancing plants from the United Kingdom at a cost of a few lakhs of rupees. The balancing plants will enable these manufacturers to turn out such machine tools as are not manufactured in this country readily.

Babu Baijnath Bajoria: Are these firms European or Indian?

The Honourable Sir Homi Mody: I think with one exception they are all Indians. With regard to my friend's complaint that there is not enough wheat and that I should do something in order to see that he got enough to eat, I do not know what his capacity for consumption is and I am not, therefore, in a position to undertake such an onerous responsibility! He looks rather a formidable consumer and I do not think I can undertake to satisfy him!

My Honourable friend, Pandit Nilakantha Das, spoke of the very poor share of Orissa in the spoils which flow from the Supply Department, but that I think is hardly the fault of the Department. As I have explained to him on more than one occasion, it is up to him and to his friends in Orissa to see that Orissa's capacity is fully exploited. If I mistake not, the Director of Industries in Orissa is a member of the committee which is attached to the Department at Calcutta. If the Director of Industries in Orissa does not know what is good for Orissa I do not know who can supply that information. My suggestion to my Honourable friend is that he should speak to the Director and impress upon him the necessity of bringing the case of the province which he represents to the notice of the department. If and when that is done, I have no doubt that Orissa will get the full share to which she is entitled.

Sir, by and large, I do not think that there is any case for passing this Resolution. I have expressed my fullest sympathy with the object of it so far as it relates to the stimulation of cottage industries; it is not merely lip sympathy but it has been tangibly expressed in a very substantial manner in the past and will continue to be expressed in the future. In these circumstances, Sir, I hope my Honourable friend will see fit to withdraw the Resolution.

Mr. Govind V. Deshmukh: Sir, I do not know how to make a presentation of facts by mixing a little colour and having a little fringe to make it a little attractive, as my Honourable friend, Mr. Bajoria, has done, and for which the Supply Member has thanked him. Now, let me refer to a statement and see how it sounds, a statement like this: all sorts of things in all forms are made by all people. Is it very definite or specific? And yet, this was the statement made by Mr. Bajoria who did not find anything specific in the first part of the Resolution. Nothing could be more vague than the statement which he has made. I will not deal with that; I present it to him when he wants to challenge the wording of a Resolution of any other person. Now, Sir, he wanted to be very relevant and specific and to the point; and yet, though the Resolution does not refer to heavy industries at all and I said nothing about them, he started talking about heavy industries and nothing about cottage industries, to show his sympathies.

Pandit Nilakantha Das complained that in his village carpenters were starving though in Calcutta they may be finding work as Mr. Bajoria said. He, i.e., Mr. Bajoria said his vision is long. Well, Sir, there are people with long visions and also with narrow visions. There are persons who can see things only at a long distance and those who can see things near them. It is better to see the things burning under your feet instead of at things looking charming from a distance. Persons who cannot do that bring out their own ruin. Pandit Nilakantha Das said that in his village, which is an illustration of other villages, things are really very bad, that cottage industries and the poor workers there are not being helped. What is the good of a person staying in a building of Chamber of Commerce or in a very big place saying that everybody is happy because he is happy.

Now, Sir, I come to some of the arguments given by the Honourable Member. I say, to start with, that things are manufactured, but, as I said before, much more should be done. I did not say that nothing was being done or that nothing could be done. I said something was being done but there was much that could be done, and I pointed out some instances. The Honourable the Supply Member found fault with us for not referring to a Conference on the 23rd March, 1942, and he has given us what the organization is, namely, there are Directors of Industries, Registrars of Co-operative Societies, Controllers of Supplies, etc., etc. Well, that sounds very well on paper, but those who know facts, and mix with the people know really that these things do not work. Now, let me tell you an instance of a Director of Industries. I was once a member of my Provincial Council. As I take a lot of interest in agriculturists and cottage industries, I used to make a lot of complaints to the Director of Industries about the plight of agriculturists and the weavers. So, once he wrote to me:

"My dear Deshmukh,

You know these people are ignorant; they are illiterate. They create unnecessary fuss. But if you would like to come, I will hold an enquiry."

I wrote back to him and said that I was willing to help and work. In fact I have always moved among the masses and when I put a question on the floor of the House I do it with an up to date knowledge of the conditions which are prevalent in the villages. I said I was prepared to go with him. The Director of Industries was a nice man. He drove me to a place where there was another gentleman present who was a textile

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expert. He introduced me to the expert. We started talking, and the I. C. S. gentleman started smoking. That was all that he did. I went to Momins and weavers in Nagpur and Kamptee and to many other places along with this expert gentleman. But the fact is that the Director of Industries left me to the expert and did nothing himself. He must have smoked two or three packets of cigarettes. Now, what is the good of saying that I have got a Director of Industries. I put questions to the Honourable Member about the purchase of articles that could be produced locally and the reply was 'blankets'. Do you think that there is nothing else that could be produced? As a matter of fact I do not find fault with the Supply Member but with the organization. If the Government will not take these people to task, what is to be done. I remember very well as a member of the Standing Finance Committee—may be I may have been obnoxious to certain gentlemen on the Finance Committee—I found out when I was a member, that the Central Government contributes to the provinces as much money as the province itself spends on industrial development. Well, I have found that my province had not got anything.

An Honourable Member: Why?

Mr. Govind V. Deshmukh: You say why. Because my province has not spent anything on industrial development.

Babu Baijnath Bajoria: That shows the interest which your province takes in industrial development.

Mr. Govind V. Deshmukh: My reply is to those persons who point out to the provincial organization and the Provincial Government. I tell them this organization does not work. What is the use of pointing out to that organization when I can tell you it is useless. It may be that this province is unfortunate, but it may be the case in other provinces too who are not speaking here. The same story is repeated everywhere. You are in a happy position in Bengal, but I am telling you my experience that this organization which has been referred to does not work well in my province, of which I have got a better experience. I have already mentioned regarding the Director of Industries, and the reply which I received from the Honourable Member in respect of articles purchased, namely, 'blankets'. It is the same thing about the Registrar of Co-operative Societies. I cannot say so about the Controller of Supplies; I have no experience of his working. I do not know what sort of check this Controller of Supplies will bring on the whole organization or what sort of spirit he would be able to infuse in the Director of Industries or the Registrar of Co-operative Societies so that the organization as a whole will be such as to stimulate the effort to promote all cottage industries.

Regarding Inspectorate, I have been told that the inspection is done by Defence authorities. But certainly things could be managed in such a way—if only the men at the top would go into the matter minutely—that the system of inspection would be worked in such a manner that it would not be a source of discouragement to producers in this country, but would encourage those who are working in the cottage industries.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I entertain greater hopes, the fulfilment of which would, of course, rest with the Honourable the Supply Member.

Now, Sir, referring to the agency to be set up in the provinces, to which the Honourable the Supply Member has alluded, the Provincial Government supplies the capital.

The Honourable Sir H. P. Mody: Working capital.

Mr. Govind V. Deshmukh: I have told, Sir, what is the condition in my province and in other provinces where there is a deficit budget.

The Honourable Sir H. P. Mody: They have not raised any objection.

Mr. Govind V. Deshmukh: May be, but I have told you the fact, and I have also told you what happened at the Standing Finance Committee,—namely that my province did not spend any money on industrial development and they got no money from the Central Government. Well, Sir, if the thing does not work, don't say that as these units of villages did not contribute their share which you had fixed for the cottage industries, the blame lies not with you but with us who live in that particular unit. The blame is primarily with this Government and the Provincial Government—the Central Government ought to take the Provincial Governments to task, especially where these Governments are not popular Governments.

Sir, I had entertained great hopes. My Honourable friend has appealed to me that after the explanation that he has given, I might very well withdraw the motion. I am, of course, thankful for the little mercy he has shown—spending of two crores of rupees. I do not know how it was spread out.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): It is five crores, not two crores.

Mr. Govind V. Deshmukh: Five crores is for the future; at present it is only two crores.

The Honourable Mr. M. S. Aney: No. Five crores for this year and eight crores for the next year.

Mr. Govind V. Deshmukh: I do not know how it was spread out.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more to complete his speech.

Mr. Govind V. Deshmukh: Sir, I will finish very soon. Well, Sir, how can you expect these people, in so many villages, to make both ends meet or have a satisfactory financial condition? If you show a little mercy, the workers of cottage industries will be very thankful to you. The villagers will bless you and they and you also will be benefited. With these few words, and with the assurance given that hereafter more promising help will be forthcoming, I beg leave of the House to withdraw my Resolution.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member might have done that without a long speech. Has the Honourable Member leave of the House to withdraw his Resolution?

Several Honourable Members: Yes, yes.

The Resolution was, by leave of the Assembly, withdrawn.

RESOLUTION RE APPOINTMENT OF A COMMITTEE ON THE KAMARAN QUARANTINE STATION.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I move:

"That this Assembly recommends to the Governor General in Council to appoint a Committee consisting of Official and Non-official Members to inquire into the affairs of Kamaran Quarantine with special reference to the administration of the present Director there."

Sir, Kamaran is a small island in the Red Sea where formerly Indian Hajis used to be detained on the ground of health, but nowadays only ships carrying Hajis visit that island, and practically Hajis have not to embark there. Yet the Hajis have to pay a fee of Rs. 3 per head, and here I speak particularly of Indian Hajis. I find from the budget that an income of about one lakh fifty one thousand rupees is derived from the fees raised from the Hajis, and not only is all this amount spent, but something more is spent, and I find that about one lakh and seventy two thousand rupees has been provided in the budget for 1942. I cannot see why, when the utility of the Kamaran island as a quarantine station has disappeared, fees should be charged to the Indian Hajis. They are given practically no medical help or anything of the kind, and from the amount shown in the budget for medical help rendered to them, we find that only Rs. 600 has been shown for the purchase of medicine and store. That shows that no sanitary or medical help is given to these pilgrims from whom Rs. 3 per head is charged, and which amount comes to about one lakh and fifty one thousand rupees a year. Besides that, Sir, it is an irony of fate that for the administration of such a religious affair, a non-Muslim is placed in charge, and what is more to be regretted is that up till now non-Muslim members have been in charge of the Cabinet to administer this particular Department. Now, I ask, will it look nice and proper if a Muslim officer were appointed to look after the ecclesiastical affairs of Europeans in India? I do not think it will be tolerated by the Government. However, for some time a Muslim officer was appointed there, but the Agent felt that he had to provide for his friend. Thus, after some correspondence, the Muslim officer was turned out from the post of administrator and a friend of the Agent was appointed, and this gentleman so misbehaved that not only that particular officer who assumed charge as medical officer had to resign, but after his resignation, about half a dozen medical officers successively resigned on account of the undue interference of the friend of the Agent who was made the administrator of Kamaran. On his retirement another two years elapsed, and during that period the same Muslim officer had to officiate again. Then the Agent thought of another plan. He wrote to the Government of India and suggested that it was advisable

to amalgamate the two posts of administrator and also of the Director, and on that strength the Government of India amalgamated the two posts. Since then a European gentleman was favoured with that amalgamated post of administrator. Now, in the Budget provision has been made for a thousand rupees to be spent on audit charges, but up to now I have not seen the Audit Report, although I have been a member of the Public Accounts Committee for the last three years. There is a lot of complaint about administration there. A Lady Doctor was appointed. She had to resign, and when she was compelled by her husband to continue her service there, she preferred to wish good-bye to her husband to working under that administrator, the European gentleman. You may draw your own inference and you can imagine to what extent this gentleman must have misbehaved. Instead of helping the poor pilgrims, they are doing such rubbish things there. So it is high time that the administration, so far as it concerns the welfare of the Hajis, should be inquired into.

I do not like to take much time of the House in going through the details of the expenditure there. All are unnecessary, a very top-heavy administration is maintained there, so much so that for a temporary arrangement the old Director is being paid a pension of Rs. 2,000 a year. Besides, the Director is being paid Rs. 10,000 a year as subsidy, and something about Rs. 12,480 as his salary. I find there is a compounder who is called also Laboratory Assistant, who is being paid Rs. 150 a month. Laboratory assistant—I fail to understand what kind of work he does. Perhaps some medicine is also manufactured there—that is what it should mean, but that is not a fact. Here in India compounders are being paid Rs. 28 to Rs. 30 a month, but there the same compounder is being paid Rs. 150 a month. All these things are being exacted from the poor Hajis who want to have their pilgrimage to Mecca, and they are being wasted. I think the Government will lose nothing in coming to the right conclusion by appointing a committee of officials and non-officials to enquire into the affairs there. Recently the Government were kind enough to appoint a special officer to enquire into the Haj affairs, but unfortunately, that officer was perhaps forbidden to go to Kamaran to make enquiries and to report thereon. His report does not show that he made any enquiries, but the terms of reference to him show that he had a right to go there and examine the things for himself. I cannot say what has stood in his way which prevented him from going there and collecting information. In that case the necessity of appointing a committee would have been obviated. I therefore think that it is but proper that the affairs of Kamaran should be investigated and the grievances and mismanagement there should be put an end to, and the sooner it is done the better for all concerned. With these few words I commend the Resolution. Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council to appoint a committee consisting of official and non-official members to enquire into the affairs of the Kamaran Quarantine Station with special reference to the administration of the present Director there."

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): I give my full support to the Resolution just moved by my Honourable friend, Maulvi Abdul Ghani. There is a fundamental truth at which the

[Maulana Zafar Ali Khan.]

British Government and the Indian Government have not tried to reach. Nobody seems to know what the constituent elements of Muslim nationalism are. The Muslim nation comprises five fundamental principles,—unity of God, prayers five times a day, alms 2½ per cent., fasting 30 days in a year, pilgrimage once in a lifetime. This constitutes Islam and Muslim Nationalism. The Government of India and the Government of Great Britain are always anxious to express their solicitude for the moral, mental and spiritual welfare of Muslims of India. The pilgrimage, therefore, which is the fifth fundamental necessity of Islamic life ought to be looked after and presided over, with all that it constitutes and all that it implies, by a gentleman who knows what Islam is, who knows how the pilgrimage is performed, who has the right of entering the Hejaz and going into the precincts of Kaaba and unless he has that capacity, that right and that privilege, he cannot understand what pilgrimage is. My Honourable friend, Mr. Aney, for whom I have the greatest regard and respect for his qualities of head and heart, does not know what life in Mecca is, what the pilgrimage is. If I were required to go to Hardwar and know something about its secrets, I would be making a fool of myself. Similarly, the Honourable Mr. Aney does not know what the Hejaz is, what the pilgrimage is, how the ceremonies are being performed there.

Mr. President (The Honourable Sir Abdur Rahim): All that is not in question in the Resolution. The Honourable Member should confine himself to the terms of the Resolution—about Kamaran Quarantine.

Maulana Zafar Ali Khan: The Resolution is concerned with the Hejaz.

Mr. President (The Honourable Sir Abdur Rahim): It has a remote connection, but the Honourable Member must confine himself to the question of Kamaran.

Maulana Zafar Ali Khan: Then I say that the Kamaran Quarantine camp should go. If I were to be consulted on the subject, I would say, that Kamaran should be ceded to Sultan Ibn-i-Saud, who is its rightful custodian. If the Government are prepared to discharge their duty towards the Muslims of India, they should see, in the first place, that the administration of Kamaran is proper and efficient. But its inefficiency is being proclaimed from the housestops. Lakhs and lakhs of rupees are being taken from the poor pilgrims who go to the sacred land of Hejaz to perform this sacred mission of their life. But that money is not accounted for at all. We are in the dark as to how it is being spent. The Honourable the Mover has pointed out that the Kamaran Quarantine camp has failed, that it does not do anything, does not provide any medical assistance to the pilgrims. Why are you keeping it up then? So, in the interests of efficiency and in the interest of the poor pilgrims it is time that a committee of efficient, sincere and sympathetic gentlemen were appointed to look into the affairs of Kamaran and see how it is maladministered, and mis-managed. If the Mussalmans of India are to be satisfied, something should be done in this connection. I hope that the Honourable Member in charge will sympathetically consider it and the whole Government whose responsibility is, I think, joint will give it their sympathetic consideration. With these few words I resume my seat.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab: Muhammadan): Sir, I rise to support the Resolution.

The House is familiar with the name of Kamaran Island which has so often been referred to in this House in connection with the Pilgrimage to the Holy Land of the Hejaz. Sir, it is a small island with a population of about three thousand or four thousand people. It gained its importance on account of its being the Quarantine Station for Pilgrim-Ships from India and the East Indies. It was originally administered by the Bombay Government through the Aden authorities, but the control was afterwards transferred to the Government of India. In the year 1926, recognising that the treatment of pilgrims travelling to the Hejaz from the south, at Kamaran Quarantine Station is their common concern, the British and the Indian Governments on the one part and the Netherlands Government for the Netherlands and Netherlands East Indies on the other agreed to establish provisions for administration of the Kamaran Island, and a regular agreement was entered into by the parties and it was agreed that a fee of Rs. 10 should be levied on each pilgrim going to the Hejaz in a pilgrim ship required to call at Kamaran, to finance the Kamaran Quarantine station fund.

Sir, in this connection, I would read the relevant portions of the agreement for the information of the House. In paragraph 2 it is stated that "the Civil Administrator of the Island of Kamaran appointed by the Government of India shall be the Director of the Quarantine station and in that capacity shall exercise general supervision and control over the whole staff of the station. He shall be assisted by two medical officers. One of them shall be appointed by the Government of India and the other by the Government of the Netherlands East Indies." Then it is stated in Article 7 that "the amount of the dues to be paid to the Quarantine station in respect of each pilgrim carried on a ship required to call at Kamaran shall remain fixed at Rs. 10, until the Government of India and the Netherlands East Indies determine otherwise by agreement." In Article 9 it is stated: "For the purpose of repayment of the advances already made by the British and Indian Governments and of creating a reserve to meet future contingencies provision shall be made for the maintenance in India of a fund to be called "the Kamaran Quarantine Station Fund"; and there is a provision under which a subsidy for the civil administration of the Island of Kamaran has to be given out of this fund. It runs thus: "A sum of Rs. 10,000 shall be paid annually from the revenues of the Quarantine Station to the Government of India towards the maintenance of the civil administration of the Island of Kamaran". From the above quotations, it has been made amply clear by me that the control of the Kamaran Quarantine Station and the civil administration of the Island rests with the Government of India and finances to the administration are met from the Kamaran Quarantine Station Funds, which solely comes from the pockets of the pilgrims to the Hejaz. The wasteful expenditure on the maintenance of the Kamaran Quarantine Station was brought to the notice of the well-known Haj Inquiry Committee in the year 1929 and the Committee in their report exhaustively dealt with this subject in paragraphs 255 to 260 in which they recommended to introduce compulsory immunisation of all the pilgrims going to Mecca by introducing compulsory vaccination and inoculation which was introduced but there was no substantial benefit to the Indian pilgrims.

[Khan Bahadur Shaikh Fazl-i-Haq Piracha.]

Although the Government were kind enough to accept my Resolution to appoint a special Haj Officer, who has very ably written a special Haj Inquiry Report, to inquire into the Haj affairs but I am sorry to note that he has ignored to make even a slight reference to the present administration of the Kamaran Island, which is far from satisfactory in every respect.

An Honourable Member: He was given no opportunity.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Lakhs of rupees are fleeced from the pockets of the Muslim pilgrims and are wasted every year. It is on that account that the present Resolution was required to be brought forward for discussion in this House.

Sir, so far as I understand, the following questions need investigation with reference to the Kamaran Quarantine Station and the civil administration of the Island:

1. Whether it is at all necessary to go on maintaining the Kamaran Quarantine station when the pilgrims are not required to land at the Island at all.
2. How far is it justified that a sum of Rs. 10,000 should be paid every year towards the civil administration of the Island from the pockets of the Hajis.
3. If, for one reason or the other, the Quarantine station is required to be maintained, why should not the expenses be curtailed to the lowest possible limit.
4. When the cost of the quarantine administration of the Island and the quarantine station is borne by the Indian Hajis, why should not the civil administrator and Director of the Kamaran Quarantine Station and his subordinate staff be Indians, particularly Muslims.
5. To enquire if the expenditure is rightly incurred on the administration of the Quarantine station and the Island and also to inquire into the conduct of the present administrator and Director against whom several complaints have been received.

Sir, I would deal very consisely with each of the above points to justify the moving of the Resolution under discussion. As regards the first point, I would submit that as recommended by the Haj Enquiry Committee, the compulsory vaccination and inoculation of the pilgrims has been adopted by the Government and no pilgrim is allowed to embark a pilgrim ship unless he has immunised himself against the epidemic diseases of cholera and smallpox. I have got in my possession the reports of the civil administrator and Director of the Kamaran Quarantine Station, and on the authority of these reports I can say that since the adoption of the recommendation of the Haj Enquiry Committee, not a single case of any infectious disease was found out which would have necessitated the detention of the pilgrims at the Kamaran Quarantine Station. In the report for the year 1937-38 it was remarked: As no "infected" or "suspected" steamers put in here during the season, all steamers were dealt with according to the measures prescribed for "healthy" ships in Article XX of the Anglo-Dutch Agreement of 1926. All the steamers that called here were granted exemption from landing their pilgrims.

Then, Sir, in another place he states:

"All pilgrims reached Kamaran, duly protected against smallpox and cholera, hence no pilgrim was landed here for disinfection, for the third year in succession. All ships were given free partique within two hours."

Then, Sir, it is stated in another place:

"Since the Great War preventive medicine has greatly advanced. There has been a great improvement in the hygienic conditions of all countries connected with Haj pilgrimage. Similarly, sanitary conditions on board the pilgrim ships are much better now-a-days. All pilgrims vaccinated against smallpox and inoculated against cholera before embarkation, were exempted from landing at Kamaran for disinfection by the International Convention of Paris of 1926. Since 1935-36, pilgrim season, no pilgrim was landed at Kamaran for disinfection, as every pilgrim arrived here duly protected. Hence the Quarantine measures here have become very mild indeed."

Such are the reports that are given in the Report for the year 1938-39 and then again in 1939-40. I need not repeat and read out the reports. I think the one that I have read out is sufficient to satisfy the House on this point. The above reports of the officers themselves support my contention that now the pilgrim ships are not at all required to stay at Kamaran even for a single day. It therefore appears ridiculous to keep such a highly paid staff for doing nothing at the expense of the Hajis most of whom are very poor. I would like to hear from the Government what necessity there is for maintaining the Quarantine station when it is not required at all. Even before compulsory inoculation and vaccination, the Haj Enquiry Committee was of opinion that the stoppage of pilgrim ships at Kamaran was absolutely, meaningless. In this connection, I would read from the report the remarks of the Committee, which are found on page 146. It is stated there:

"But, if the medical examination and disinfection at the port of departure and the records kept by the medical officer on boardship for eight or nine days are not adequate to detect the presence of infection among the pilgrims, it is hard to see how this can be expected to be detected during the halt at Kamaran. The records of the station, as far as we have been able to discover, appear to confirm this view."

Although the Haj Inquiry Committee was of opinion that the compulsory inoculation and vaccination by the pilgrims will very much reduce the staff and consequently the expenditure of the Quarantine station and remarked in their Report on page 151 thus:

"It will therefore be a matter of extreme rarity for the pilgrims on any pilgrim ship to have to be disembarked at Kamaran, and this should render easy a drastic reduction in the staff at present retained there, as well as substantial economies in other directions."

But no reduction has been made in the expenses.

On a perusal of the figures of the Budget estimate for the current year of the Quarantine station, it will be observed that the actual expenditure in the year 1941 was Rs. 1,70,230 and the budgeted amount for this year is Rs. 1,72,045, which probably must be equal to the expenditure when the Inquiry Committee made a recommendation. The Budget shows that besides the civil officers in the Island, there are about 63 others employed in the Quarantine station including the Director and Civil Administrator who draws a salary of Rs. 1,350 per mensem with a Secretary whose salary is Rs. 450 a month. Besides these two officers, there are about twenty others who draw a salary ranging from Rs. 120 to Rs. 600 a month. Other employees in the Quarantine draw various rates of salary, ranging from Rs. 20 to Rs. 80 a month. These figures exclude the medical officer and the staff attached to him appointed by the Netherlands Government. Out of this whole lot very few are Indian Muslims. I would, however, wait to hear the Honourable Member in charge on this point.

[Khan Bahadur Shaikh Fazl-i-Haq Piracha.]

The reports of the Civil Administrator and Director of Kamaran that I have in my possession at this moment show that the Haj season every year lasts for about four and a half months only and for the last several years pilgrims of not a single ship were required to land at the Island for quarantine purposes. It is for the House now to judge how far the Government are justified to charge the poor Hajis for no service done to them, and how far it is necessary to maintain this heavy expenditure on the pockets of the poor Hajis?

As for the second point, that is, the expenditure of the civil administration, I have already read paragraph 12 of the Anglo-Dutch Agreement for the information of the House by which Rs. 10,000 is every year paid to the Civil Administration of the Kamaran Island from the pockets of the Hajis. From what I have said Honourable Members would see for themselves what benefit the Hajis derive from the Civil Administration therein. It is simply unjust that the Hajis should be made to bear the expenditure of the Civil Administration when they have nothing to do with that at all. This expenditure should ordinarily have been incurred by His Majesty's Government under whose possession is the Island.

Mr. President (The Honourable Sir Abdur Rahim): Honourable Member has one minute more.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: The system of compulsory inoculation and vaccination was introduced on the clear understanding and recommendation of the Haj Inquiry Committee. That Committee said that this should render easy drastic reduction in the staff at present retained there as well as a substantial economy in other directions. But to our utter disappointment nothing was ever thought of by the Government in this respect. It is a pity that for an unnecessary stoppage of pilgrim ships for only a couple of hours so huge an expenditure should be incurred every year. I would emphatically request the Honourable Member in charge of the Department to patiently and calmly consider over the matter before he stands up to defend the Government and oppose this Resolution. It is for him to see if it is just to tax the poor Hajis to feed a White Elephant and his subordinate staff and to get no work from them at all throughout the year.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: With these words, Sir, I support the Resolution.

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Mr. President, Sir, a reference was made to the Haj Inquiry Committee which was set up by the Government in pursuance of a Resolution of the Legislative Assembly. As I was one of the Members of that Committee, I want to throw some light on it. We were unanimously of opinion that this quarantine business was quite unnecessary and that, therefore, it should be done away with. Formerly, as has been pointed out by the previous speakers, a fee of Rs. 10 was levied on each pilgrim, poor or rich.

Afterwards, it was on the recommendation of the Haj Committee reduced to Rs. 3. Now, I understand that the Government want to raise it again to Rs. 8. If my information is correct, it will be a glaring injustice to those pilgrims who resort to Mecca to perform a duty which is incumbent on them. The Committee went from place to place. They had discussions and they held inquiries. The whole thing was sifted and then this report was drawn up, but I am sorry to observe that many of our recommendations have not been heeded. So far as the Kamaran quarantine is concerned, we were of the opinion and it has all the more been intensified now that it is quite unnecessary and unwarranted and therefore it should be abolished. We also said that this fee of even Rs. 3 is an unjust tax on pilgrims. It has been proved by the previous speakers from facts and figures that a sum of nearly 1,70,000 has to be spent on the up-keep of this quarantine. Here is the report of the Kamaran Administration. It contains only 18 pages and it is for the year 1937-38. Since that time we have had no report regarding the administration of this quarantine. From this you can see how glaring injustice is being meted out to Muslims simply because we are silent Members. We do not ventilate the views of our community even on religious matters.

Sir, at our request the Government was pleased to appoint a Special Officer in the person of Mr. A. Rahim, I.C.S. He took much pains and the report which he has drawn up deals with almost every point. Some speakers said that he has not touched upon the question of Kamaran quarantine. It is because he was not asked to do so. I understand that the Special Officer wanted to proceed to Kamaran to see for himself how things are being managed or mismanaged there. Even we were not allowed to go there by the Government of India. Therefore, we had to take evidence of those who had seen the place and who had undergone the hardships there under the present rules. The rules are called International Rules and that is the reason why the Government has been advancing the argument that they are powerless because these Rules have been framed by so many nations. Now, Sir, we know what is happening to the Netherlands Government. So, our Government should now come forward for the relief of these poor pilgrims. Our case, therefore, is that either the Government should say here and now that they are prepared to do away with this Kamaran quarantine or they should signify their consent to appoint a Committee consisting of officials and non-officials so that they may go deep into the question and come to some decision.

So far as the administration under the present Director is concerned, I do not want to say whether he is a European or an Indian. I am the last man to enter into this wrangle of European or non-Muslim. Even among non-Muslims there are many who sympathise with this because every man has got some regard for the religious sentiments of others. But when there was some hubbub created that this Portfolio should be held by a Muslim only, my opinion was otherwise. Of course, a Muslim is expected to do more justice, he is expected to apply himself more wholeheartedly than a non-Muslim.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot discuss questions like that in dealing with this Resolution.

Maulvi Syed Murtuza Sahib Bahadur: All right, Sir, because that question was touched upon by some Honourable Members, I had to say that. So far as this question is concerned, I am of opinion that the Government may sympathetically handle this Resolution and declare their views on this question so that we may be able to do some good for the poor pilgrims. On a previous occasion, it was pointed out that a majority of pilgrims are poor people. (Interruption): There is a suggestion that the fees should be enhanced from Rs. 3 to Rs. 8. It was reduced from Rs. 10 to Rs. 3; now perhaps it is thought that the Muslim community is rich and they can afford to pay an increased fee of Rs. 8 or even Rs. 80. This is quite unjustified. I hope the Honourable the Leader of the House will throw sufficient light on this question so that we may be free from anxieties and worries regarding the pilgrims. Sir, with these words, I support the Resolution.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): Sir, the Resolution before the House demands that a Committee of the House should be appointed to investigate into the question of the administration of Kamaran quarantine station. The position of Kamaran has been to some extent explained by one of the Honourable Members, my Honourable friend, Khan Bahadur Shaikh Fazl-i-Haq Piracha, himself. At present the civil administrator is no doubt appointed by the Government of India, but he is subordinate to the Governor of Aden. Under the terms of the international treaty between the Government of Netherlands East Indies and the Government of India, the civil administrator is *ex-officio* the Director of quarantine at Kamaran. This Kamaran quarantine has been maintained in accordance with the terms of the International Sanitary Convention, in pursuance of which a treaty was concluded between the Government of Netherlands East Indies and the Government of India, the relevant portions of which have been read out by my Honourable friend, Khan Bahadur Shaikh Fazl-i-Haq Piracha, in the course of his speech. Sir, the position is this. If we are thinking of bringing about any change in the present system, namely, that pilgrim ships proceeding from Indian ports to Hejaz should not, hereafter, call at Kamaran for certain reasons, then that cannot be done unless a change is brought about in the treaty itself. I do not know whether the present will be considered by any one of my Honourable friends as a suitable time for thinking of modifying the terms of the treaty between the Government of Netherlands East Indies and the Government of India. So long as it is required that our ships should call at Kamaran for quarantine purposes, it is necessary that some kind of administration should be maintained in that island. The requirements which we have to fulfill in terms of the treaty are not such that can be taken up for consideration at this time. Nothing can be done without the consent of the Government of Netherlands East Indies in this matter.

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): But Kamaran is not under the Netherlands East Indies Government.

The Honourable Mr. M. S. Aney: I am speaking that the pilgrim ships have to call at Kamaran in pursuance of a convention established under the treaty between these two countries.

Maulana Zafar Ali Khan: Where is internationalism at the present moment?

The Honourable Mr. M. S. Aney: Whether it is or not anywhere, we at least stand for internationalism and I believe that my Honourable friend stands for respecting the treaties arrived at between countries and not for their repudiation, particularly by any unilateral act like this. That is our difficulty.

Now, I would like to turn to other points raised in this debate. It is true that there are considerable difficulties felt by pilgrims who were going in the ships to Hejaz when they are required to call at Kamaran station for quarantine. All these difficulties were carefully considered in the report of the Haj Enquiry Committee to which reference was made. I may say that most of the recommendations which were of some importance were given effect to by the Government of India when they considered that report. One of the most important recommendations which was given effect to was that they adopted the system of inoculating the pilgrims here in India for cholera and vaccinating them before they go to Kamaran for pilgrimage and that enabled the Government to avoid the detention of the ship for a longer time for the sake of medical examination at Kamaran. Much of the difficulties and harassment through which the pilgrims had to go disappeared thereby, a fact which has been admitted by the Hajees also later on.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Then why keep such a heavy staff there?

The Honourable Mr. M. S. Aney: So long as there is contractual obligation that ships should call there, that obligation is to be fulfilled unless for very good reasons you can dispense with it. For example, when there is a religious excuse, we have used that excuse and certain ships were permitted to go without calling at Kamaran. But when there is no such ground, there is no reason why we should not do that.

Mr. Husenbhai Abdullabhai Laljee: Is it not a fact that if a ship takes only eight days to reach, then there is quarantine and if a ship takes 12 days, then it is allowed to continue the voyage? Is there not a convention that a ship shall not reach Kamaran within ten days of leaving a port?

The Honourable Mr. M. S. Aney: My point is this. Whenever it was found that the duration of the voyage was of such a nature that the ship would not reach Hejaz in time to enable the pilgrims to perform religious ceremonies for which they were going, then the Government of India have taken steps and dispensed with the condition of calling at that port. At any rate they have done it in the case of at least certain number of ships in the last two seasons.

Then we come to another point here and that is as regards the expenditure. Now, Sir, this year's budget only follows the lines of the budgets of previous years. It has been brought to our notice that the expenditure is top-heavy and so on. That is a matter on which I can

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promise Honourable Members that the Indian Overseas Department will certainly go into it and see if the present expenditure cannot still be reduced and the burden lightened. It is to be noted,—I think Honourable Members will admit,—that in pursuance of the recommendation made by the Haj Inquiry Committee the original fee that was fixed at Rs. 10 from the pilgrims was reduced to Rs. 3; and my Honourable friend, Mr. Murtuza Saheb, is under the impression that it is going to be again raised to Rs. 8. I can assure him that there is absolutely no foundation for his apprehension. Government have not thought of raising the fee at all and it will not be raised; whether it can be reduced will depend upon further examination of the question of the expenditure to be incurred for the administration of Kamaran. If it is found that the expenditure could still be reduced the corollary is that the question of the reduction of the fee to be recovered from the pilgrims can also be correspondingly examined and considered along with it.

Then, after that, certain charges have been made with regard to the administration of a particular officer. My Honourable friend, Maulvi Abdul Ghani, referred to certain matters which were probably before the joint administration at Kamaran began. I do not think it is any use now to go into old history to find out how far those allegations are borne out by actual facts. As regards certain charges which have been made against the present civil administrator, Mr. Thomas, I can say this much that immediately we got complaints here we sent them to the Governor of Aden for investigation. We have got certain replies from them and it appears that some kind of inquiry was made by the Governor. I do not say I am satisfied with what has been done, but the present position is that some inquiry is made. Mr. Thomas has denied certain charges and as regards others he has given certain explanations; and the matter is still under correspondence and consideration. As the matter is under investigation I do not think I shall be justified in assuming that the charges should be taken as proved against the officer.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will he (Mr. Thomas) be given an extension? I think his term has expired.

The Honourable Mr. M. S. Aney: I can only assure the Honourable Member that the question whether he should be given an extension or not is under consideration of the Government of India and their decision in the matter will largely depend upon the view the Government of India will have to take after investigation in regard to the nature of the administration of the officer in the last few years.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the question of appointment of an Indian Muslim Director be considered?

The Honourable Mr. M. S. Aney: There is nothing in the conventional agreement to prevent an Indian being appointed, and that is all I can say. But whether we can impose upon anybody the condition that an Indian should be appointed is a matter on which the Government of India cannot form an opinion unless they consult the Government of Aden to whom the administration of Kamaran is at present subordinate

there. On that point it is difficult for me to give any off-hand opinion, but it may also be borne in mind that the population of Kamaran is not purely Indian; in fact the Indian element is very small. It is true that much of the money required for the administration of that island is recovered from Indians in the form of this fee, but the population there is not Indian; and how far our claim that an island which is inhabited not solely by Indians or even by a majority should be governed only by Indians will be tenable is a point on which the Government of India will have to give a good deal of thought before any definite suggestion can be made. But I can say that there is a good deal of force in the suggestion that if we pay the money we must have an effective control over the administration.

Maulana Zafar Ali Khan: Am I to understand that the policy of Government with regard to the administrators of Kamaran is that not an Indian but an Arab shall be given the administration?

The Honourable Mr. M. S. Aney: I must confess that I was not prepared for the latter question which my Honourable friend has put, because I have not yet examined the composition of the population at Kamaran and I also do not know the exact way in which this question is looked at by the Government of Aden with whom we will have to collaborate in this matter before coming to any final conclusions. But the suggestion that has been made that the population is principally Arab will be borne in mind when the question is examined. All that I want to say now is whether it is advisable to have a committee appointed at this time. It means that if a committee is to be appointed it must go and visit Kamaran and stay there; and in the conditions that exist now as regards sea voyage I, at least, would not take the risk of sending any one of my friends here or outside on a voyage to Kamaran for investigating this matter. I regard their lives sufficiently precious about which no risk should be taken for the time being.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Division: Muhammadan Rural): May I ask a question? There is no international obligation for charging Kamaran. Will he abolish the Kamaran dues and administer that barren island as he thinks best according to international obligations?

The Honourable Mr. M. S. Aney: I have noted the opinion of my Honourable friends as regards the obligations arising out of the international treaty. I will get that question examined by the proper authorities and see if it is correct. If it is correct it will be carefully attended to.

These are the main things that were touched upon by Honourable Members in the course of the debate. I can understand the feeling which most of my Honourable friends have got on this question. They have repeatedly raised this question on the floor of this House and I can assure them that immediately we get a little time out of other matters which are immediately keeping us engaged, the Government of India will try to first examine this question departmentally thoroughly and see whether the present administration of Kamaran cannot be more economically managed, and if so, whether some relief cannot be given to the

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pilgrims in the matter of the fee that is paid. As regards the committee I can say that this is not the proper time in my opinion to appoint a committee for the investigation of this matter. It is now for Honourable Members to see whether the assurance I am giving will satisfy them or not, but I feel that on this assurance they should be ready not to press this Resolution to a division.

Khan Bahadur Shaikh Fazal-i-Haq Piracha: May I ask whether Government will be prepared to convey the views of the Muslim representatives on this subject to the Netherlands Government?

An Honourable Member: And to the Aden Government?

The Honourable Mr. M. S. Aney: Certainly, there is no objection to that.

Maulvi Muhammad Abdul Ghani: Sir, I think the Netherlands Government with whom the treaty was signed does not exist any longer and the Japanese Government is there.

Several Honourable Members: That is not correct.

Maulvi Muhammad Abdul Ghani: Anyway, as the Leader of the House has promised to look into the grievances, I beg leave of the House to withdraw the Resolution.

The Resolution was, by leave of the Assembly, withdrawn.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 2nd April, 1942.

LEGISLATIVE ASSEMBLY

Thursday, 2nd April, 1942

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

DELHI PROSECUTIONS FOR SELLING MATCHES AT HIGHER THAN PRESCRIBED RATES.

315. *Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Honourable the Home Member please state if it is a fact that the Chief Commissioner, Delhi, had instructed the prosecution under Defence of India Act against certain persons or firms making profits by selling matches at rates higher than those prescribed by Government?

(b) Is it a fact that the Additional District Magistrate, Delhi, took cognizance of the offences?

(c) Is it a fact that the cases were subsequently withdrawn by the Chief Commissioner?

(d) If the replies to parts (a) to (c) above be in the affirmative, what are the reasons for withdrawing the cases?

(e) If the replies to parts (a) to (c) above be in the negative, what are the correct details?

The Honourable Sir Reginald Maxwell: The question should have been addressed to the Honourable the Commerce Member.

TREATMENT METED OUT TO POLITICAL PRISONERS IN DELHI JAIL.

316. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Home Member please state if it is or it is not a fact that the Ahrar Volunteers convicted under the Defence of India Rules were given hard labour such as "atta Chakki" in 1940 in the Delhi Jail?

(b) Is it or is it not a fact that Mr. Asaf Ali (a Member of this House) Lala Deshbandhu Gupta (Member of the Legislative Assembly, Punjab) and Mr. Faridul Haq Ansari, Barrister-at-Law, who were Political Prisoners used to be locked up in their cells in Delhi in December 1940, from evening till morning, and this practice is even now resorted to in the said Jail?

(c) Is it or is it not a fact that treatment of the type mentioned in parts (a) and (b) above is not meted out to political prisoners in the Punjab Jails? If so, what is the reason for this differentiation?

The Honourable Sir Reginald Maxwell: (a) Without the names and particulars of the prisoners whose cases the Honourable Member has in mind,

it is not possible to ascertain whether they were given grinding or any other form of hard labour.

(b) The three prisoners named were not kept in separate cells but were lodged both before and after their conviction in December, 1940, in the special ward reserved for A and B class prisoners. In December, 1940, C class prisoners were counted and locked in at sunset, but A and B class prisoners were not locked in till 9 P.M. and this is still the practice.

(c) The practices which I have described are in conformity with the departmental rules and orders of the Punjab Jail Department, which are followed in the administration of the jail in Delhi.

Mr. Lalchand Navalrai: May I know if the *atta chakki* labour is given to political prisoners?

The Honourable Sir Reginald Maxwell: It is given to C class prisoners,—it may be given,—I don't say it is given in all cases.

Qazi Muhammad Ahmad Kazmi: May I know if the allegation contained in part (e) is not correct, that these gentlemen are not closed in after sunset?

The Honourable Sir Reginald Maxwell: It is given to C class prisoners are not locked in until 9 P.M., and this is still the practice.

Qazi Muhammad Ahmad Kazmi: May I know whether these gentlemen about whom I have obtained information are treated as C class prisoners, because my information is that they are still treated as C class prisoners?

The Honourable Sir Reginald Maxwell: My information is that they were treated as A and B class prisoners.

Qazi Muhammad Ahmad Kazmi: And they were not closed in cells until 9 P.M.?

The Honourable Sir Reginald Maxwell: Not until 9 P.M.

TREATMENT METED OUT TO POLITICAL PRISONERS IN DELHI JAIL.

317. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Home Member please state if it is or it is not a fact that one Mr. Abdullah Faruqi, Editor of *Mahsher-i-Khyal*, Delhi, was convicted under the Defence of India Rules a second time in November, 1941, and the jail authorities wrote the word 'Habitual' on his card in the Jail?

(b) Is it or is it not a fact that a similar entry was made in the case of Munshi Ahmad Din in 1938 in a Punjab Jail and on his protest the entry was deleted and no such entry is made in the case of political prisoners in the Punjab Jails? If so, what is the reason for this differentiation by the Delhi Jail?

The Honourable Sir Reginald Maxwell: (a) Yes.

(b) The Government of India have no information regarding the Punjab case. The classification of Abdulla Faruqi as a habitual was made in the Delhi Jail under a misunderstanding of the rules. Under the Punjab Jails Manual a person convicted of an offence under the Defence of India Rules

is not liable to be classified as a habitual. While a mistake was admittedly made I may point out that it had no practical effect. The prisoner was B class and the treatment accorded to B class prisoners is the same, whether or not they are described as habituals.

Qazi Muhammad Ahmad Kazmi: But I suppose they will not be treated as habituals in future?

The Honourable Sir Reginald Maxwell: That is so.

DEPARTMENTAL ACTION AGAINST ONE CRIMINAL INVESTIGATION DEPARTMENT SUB-INSPECTOR, SAID AHMAD.

318. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Home Member please state if it is or it is not a fact that one Said Ahmad, Sub-Inspector, Criminal Investigation Department, Delhi, made a report against Ismail Chhoi for an alleged speech under the Defence of India Rules and that Mr. Gautam, Magistrate, Delhi, disbelieving his report acquitted the said Ismail Chhoi in February 1940?

(b) Is it or is it not a fact that the Sub-Inspector, Criminal Investigation Department, referred to in part (a) above, made another report for an alleged speech against Mr. Abdullah Faruqi, Editor, *Mahsher-i-Khyal*, under the Defence of India Rules, and that the District and Sessions Judge, Delhi, disbelieving the report acquitted the said Mr. Faruqi on the 6th January, 1942?

(c) Has any departmental action been taken against the Sub-Inspector Said Ahmad for these incorrect reports? If not, why not?

The Honourable Sir Reginald Maxwell: (a) No.

(b) The person named was convicted on the 29th November, 1941, but on appeal to the Additional Sessions Judge, Delhi, was given the benefit of the doubt and acquitted on the 6th January, 1942.

(c) No. There are no grounds for any such action.

WOMEN EMPLOYEES IN THE DEFENCE DEPARTMENT AND THE GENERAL HEADQUARTERS.

319. *Sardar Sant Singh: (a) With reference to his reply to part (d) of my starred question No. 184, dated the 13th March, 1942, regarding the employment of female clerks in the General Headquarters offices, will the Defence Secretary please state the result of his enquiry and why Indian educated young men cannot be appointed instead?

(b) Will the Defence Secretary please state whether Indian educated young men are offered the same initial salary and same rate of promotion as has been given to the English and Anglo-Indian women employees? If not, why not?

(c) Are these women clerks liable to transfer outside Delhi, *e.g.*, to distant places or to places where Indian educated young men are asked to go? If not, why not?

Mr. O. K. Caroe: With your permission, Sir, I would answer on behalf of the Defence Secretary.

(a) There has been no special enquiry as none was promised. It was after due consideration that Government decided to employ suitably qualified women as clerks, etc., in the various Branches of the Defence Department and the General Headquarters, and they will continue to do so. Educated Indian young men are also employed in these offices in addition to women.

(b) No, but I may point out that the scales are the same for Indian women employees as for European and Anglo-Indian women employees. Government consider that the circumstances governing the conditions of work and living of women employees are different and justify a different scale of pay.

(c) Women clerks who are employed in General Headquarters at Delhi are not liable to transfer outside Delhi as such liability to transfer is not one of the conditions of their service. The same applies to Indian educated young men employed in General Headquarters as clerks unless they belong to the Indian Army Corps of Clerks (Indian Wing), who are liable to transfer anywhere in India or outside.

Sardar Sant Singh: May I know, Sir, what was that due inquiry which resulted in fixing the scale of salary for women at a higher rate than that fixed for educated young men who are doing the same kind of duties as women clerks?

Mr. O. K. Caroe: I don't understand what the Honourable Member means by "due inquiry". The scale of pay to these women clerks was fixed at a different rate, but I do not know what due inquiry the Honourable Member refers to.

Sardar Sant Singh: Did I understand the Honourable Member aright when he replied to part (a) that after due inquiry the Defence Department reached some results. I think I heard him say that.

Mr. O. K. Caroe: After due consideration Government decided to employ suitably qualified women as clerks.

Sardar Sant Singh: May I know what were the considerations which weighed with the Government to give preference to women clerks over educated young men with higher qualifications than those possessed by these women clerks?

Mr. O. K. Caroe: The Honourable Member is assuming that they have greater qualifications, but, as he is aware, women have invaded the clerical field in more than one country in confidential appointments in offices.

Sardar Sant Singh: May I point out to the Honourable Member that women are employed because young men are not available, whereas more youngmen are available here than women. So I would like to know what are the considerations which weighed with the Government to give preference to women over young educated men. The Honourable Member will have to tell us why women clerks are given a higher salary

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is jumbling up a number of questions.

Mr. O. K. Caroe: The Honourable Member has asked about four questions, and I find it difficult to deal with all of them.

Sardar Sant Singh: May I know the considerations which induced the Defence Department to give a higher rate of pay to women clerks?

Mr. O. K. Caroe: One consideration was that men are required to leave Delhi for more dangerous work outside, and women are obviously well qualified for safer work at headquarters.

RECRUITMENT OF STENOGRAPHERS IN THE GOVERNMENT OF INDIA SECRETARIAT.

320. *Sardar Sant Singh: (a) Will the Honourable the Home Member kindly state when the examination for stenographers in the Government of India Secretariat was abolished, and why?

(b) How is recruitment now made to such posts? Is it left to the office or officers concerned to recruit whomsoever they like? If so, why?

(c) Is it a fact that highly placed officers when posted to the Government of India bring with them men of their own choice from Provincial Secretariats, or even subordinate district offices? If so, will the Honourable Member please state how many men from outside the Government of India staff have been appointed in the Secretariat as Personal Assistants or stenographers since, say, 1st April, 1939?

(d) Is the Honourable Member aware that this importation of outsiders is having a detrimental effect on the prospects of the Government of India Secretariat staff, specially the Third Division clerks who in the normal course are not to be promoted to First Division?

(e) Do Government propose to issue orders stopping the practice mentioned in part (c) above, or holding a test for all likely candidates and then appointing the best men? If not, why not?

The Honourable Sir Reginald Maxwell: (a) and (b). The system of recruitment by examination to the grade of stenographer was abolished in 1937 as it was found administratively inconvenient. It was considered that better results would be obtained by leaving recruitment to the discretion of the Heads of Departments and Offices.

(c) and (d). Appointments are usually made from among the Secretariat staff but suitable outsiders may also be appointed. The staff have no claim to promotion to the post of stenographer. The information asked for in the latter portion of part (c) is not immediately available nor in view of the position explained by me does it seem necessary to collect it.

(e) The present system is working satisfactorily and Government do not propose to issue orders for its alteration.

MILITARY POLICE GUARD AT THE GENERAL HEADQUARTERS, DELHI.

321. *Sardar Sant Singh: (a) With reference to his reply to my starred question No. 151, dated the 12th November, 1941, regarding the recruitment of police for guarding the General Headquarters offices at Delhi, will the Defence Secretary please state the difference in the duties performed by these men and those performed by ordinary *chowkidars*?

(b) Will the Defence Secretary please state whether the Home Department orders, regarding communal representation in services apply to recruitment to the Indian Army, Navy and ancillary forces?

(c) What are the reasons for appointing cent per cent. Muslims in this corps of military police?

(d) Is this force paid out of civil budget or military budget?

Mr. O. K. Caroe: (a) The duties of the General Headquarters Security Police are :

(1) to guard all gates and man sentry posts in the Defended Area of General Headquarters and outlying offices;

(2) to scrutinise all passes and permits, and to direct visitors to the reception gates; .

(3) to check the locking up of Defended Area gates and doors; and

(4) to patrol the Defended Area of General Headquarters and outlying offices by night.

These duties which are of an onerous and responsible nature and call for the exercise of authority and discretion, are entirely outside the capabilities of ordinary chowkidars.

(b) No.

(c) The composition of the force is not cent per cent. Muslim at present.

(d) The force is paid out of Defence Services Estimates.

Sardar Sant Singh: What is the percentage of the various communities in the recruitment of this staff?

Mr. O. K. Caroe: There are now four platoons of Muslims and two of non-Muslims,—Hindus. Therefore, the percentage is 66 2/3rd and 33 1/3rd.

Sardar Sant Singh: May I know why the percentage fixed by the circular of July, 1934, has not been followed in this case?

Mr. O. K. Caroe: Because it does not apply to military formations, I understand.

Sardar Sant Singh: I am asking the reason why?

Mr. O. K. Caroe: I cannot answer that question.

REFUGEES FROM THE EASTERN WAR ZONE GIVEN CIVIL DEFENCE APPOINTMENTS.

322. ***Mr. Govind V. Deshmukh:** (a) Will the Honourable Member for Civil Defence please state if any refugees from Hongkong, Malaya, Singapore or Burma have been given appointments in Civil Defence by Government?

(b) If so, will he please state the number of such persons appointed, the countries from which they come and the nature of the work they are entrusted with?

The Honourable Sir Reginald Maxwell: (a) No.

(b) Does not arise.

RESTRICTIONS AT THE URS OF MAKHDUM SHAH SAHIB, NEAR SHAHPUR, QUTAB ROAD, DELHI.

323. ***Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Honourable the Home Member please state whether he is aware that on the occasion of the Urs of Makhdum Shah Sahib, near Shahpur, Qutab Road, Delhi, in the month of May 1941, certain restrictions were placed on the visitors attending the Durgah under Police surveillance?

(b) What were those restrictions and why was it considered necessary to impose them on the Muslim public?

(c) Does he propose to consider the advisability of refraining from imposing them in future or to minimise them to the least if their enforcement is at all necessary?

The Honourable Sir Reginald Maxwell: (a) The mosque and the tomb in question are protected monuments. It is understood that at the request of the Archaeological Department the police assisted the chaukidar of that Department in preventing visitors from residing in the building after 10 P.M. and cooking in the premises, in contravention of the Rules promulgated by the Chief Commissioner.

(b) and (c). The so-called restrictions were imposed solely for the purpose of protecting the building from damage and defacement. Government have no reason to think that they were in any way unreasonable or irksome.

Syed Murtuza Sahib Bahadur: In view of the fact that Urs, which means anniversary of the great saints, is performed as a religious duty, is it not the duty of the Government to see that no cooking, etc., takes place there, and that persons who visit those places to recite *Fatiha* are not prevented from doing their religious duty?

The Honourable Sir Reginald Maxwell: It is forbidden in the rules for the protection of these monuments to deface or damage the buildings in any way or to cook food or to make any unseemly noise in the building or compound or to remain in the premises after 10 P.M. These are the rules which have to be observed in connection with this monument.

Maulvi Muhammad Abdul Ghani: The question is whether offering *Fatiha*, a kind of religious prayer, comes under this rule?

The Honourable Sir Reginald Maxwell: No, Sir, there is no unnecessary restriction imposed. Only certain rules have to be observed in the interest of the proper protection of these buildings.

Maulvi Muhammad Abdul Ghani: How is it that the police interfered when offering *Fatiha*?

The Honourable Sir Reginald Maxwell: I do not understand that the police interfered with those who were offering prayers. They may have interfered to prevent people from residing in the premises.

Maulvi Muhammad Abdul Ghani: Will Government issue instructions not to restrict people from offering prayers or *Fatiha*?

The Honourable Sir Reginald Maxwell: I can assure the Honourable Member that the police will not take any action except what is necessary to enforce the rules.

SHORT NOTICE QUESTIONS AND ANSWERS.

Mr. President (The Honourable Sir Abdur Rahim): Short Notice question. Mr. Chattopadhyaya.

ARREST AND DETENTION OF MR. SATYA RANJAN BAKHSI OF CALCUTTA UNDER THE DEFENCE OF INDIA RULES.

Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Home Member be pleased to state if, under the orders of the Government of India, Mr. Satya Ranjan Bakhshi of Calcutta has been arrested under the Defence of India Act and has been interned somewhere in Delhi?

(b) Is the Honourable Member aware of the fact that Mr. Bakhshi had recently been released from prison on grounds of serious illness?

(c) Will the Honourable Member be pleased to state the present state of his health?

(d) Will the Honourable Member be pleased to state if he is under treatment of any efficient physician of Calcutta?

(e) Will the Honourable Member be pleased to send him to any colder climate to save him from the heat of Delhi to which he is not accustomed?

(f) Will the Honourable Member be pleased to state if his papers will be placed before any tribunal for examination and orders?

(g) Will the Honourable Member be pleased to state if he will be pleased to permit any friend of Mr. Bakhshi to interview him in his present domicile? If so, will he fix time and date for such interview?

The Honourable Sir Reginald Maxwell: (a) Yes.

(b) Mr. Satya Ranjan Bakhshi was released from prison by the Bengal Government in September, 1940, on medical grounds.

(c) Mr. Bakhshi's health was found on examination on the 25th March, 1942, to be satisfactory.

(d) No; but there are quite competent doctors in Delhi, and all security prisoners are medically examined at least once a week.

(e) It is not proposed to remove Mr. Bakhshi from Delhi at present.

(f) Mr. Bakhshi has only recently been detained and his case will not be due for review for some time to come.

(g) Any close relative of Mr. Bakhshi who desires to do so may apply for an interview in the ordinary way, and the application will be granted if it comes within the number allowed under the Rules.

TREATMENT OF INDIAN EVACUEES FROM BURMA.

Sir F. E. James: (a) Will the Honourable Member for Indians Overseas be pleased to state if his attention has been called to the allegations made against the Agent of the Government of India in Burma regarding the treatment of Indian evacuees which were given wide circulation in the press on the 19th March, 1942?

(b) If so, whether enquiries have elicited any foundation for these statements?

The Honourable Mr. M. S. Aney: (a) Yes.

(b) The allegation was made on the 18th March in the Council of State, that Mr. R. H. Hutchings, Agent of the Government of India in Burma, showed racial discrimination and used force on some of the Indian evacuees when they wanted to leave Rangoon by steamer. The Secretary of the Department of Indians Overseas stated that this was the first occasion on which such an allegation had been brought to the notice of Government. He said that now it had been made in a public place he must demand from the Honourable Member, who made it, the evidence upon which his statement was based so that its value could be examined. He subsequently wrote to the Honourable Member asking for the evidence and in particular for the date of the alleged occurrence, the name of the ship and the names of at least some of the persons involved. The only reply received so far is to the effect that the information was given to him by a gentleman who heard it from another gentleman who was told of it by a relative who claimed to be an eye-witness. The gentleman whose relative claimed to have witnessed the occurrence has promised to write to that relative for a statement. No such statement has yet been forwarded to Government. Meanwhile, the Agent of the Government of India has completely denied the allegation and has stated that he cannot even connect it with any incident that came to his knowledge. No foundation for the allegation has, therefore, been produced to the Government of India.

Sir F. E. James: Has the Honourable Member invited the Honourable gentleman who made the allegation under the shelter of privilege of another place to apologise for the allegation he made?

The Honourable Mr. M. S. Aney: Not so far. It is brought to his notice that if he has any further information to give, we would be prepared to receive it, but we have not called upon him to apologise.

Sir F. E. James: In view of the fact that the press gave prominent publicity to the allegations which were reported, will my Honourable friend invite the press to give similar publicity to his answer?

The Honourable Mr. M. S. Aney: Yes.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to part (a) of unstarred question No. 55 asked by Pandit Nilakantha Das on the 25th February, 1941.

CATERING CONTRACTS ON EAST INDIAN AND NORTH WESTERN RAILWAYS.
HELD BY BALLABHDAS ESHWARDAS.

As regards catering for Muslims on the East Indian Railway; Messrs. Ballabhdas Eshwardas hold the contract for the Muslim Refreshment Room at Burdwan and for Muslim Tea Stalls on certain Sections in the Howrah Division only.

Information promised in reply to part (b) of starred question No. 56 asked by Qazi Muhammad Ahmad Kazmi on the 18th February, 1942.

DUTIES OF THE PRINCIPAL INFORMATION OFFICER, ETC., AND COST OF ISSUE OF THE INDIAN INFORMATION SERIES AND OTHER PUBLICATIONS.

Statement showing the cost of paper, printing and blocks of Indian Information Bharatiya Samachar and Markazi Ittalaat during the nine months ending December 31, 1941.

	Paper.	Printing.	Blocks.	Total.
	Rs.	Rs.	Rs. a. p.	Rs. a. p.
Indian Information	38,993	24,755	8,964 7 3	72,712 7 3
Bharatiya Samachar	12,457	9,773	..	22,230 0 0
Markazi Ittalaat				
Total	51,450	34,528	8,964 7 3	94,942 7 3

NOTE 1.—The cost of paper excludes the cost of wrappers used for despatching the copies of the journals as it is not possible to ascertain this with any degree of accuracy after this lapse of time.

NOTE 2.—Separate figures of expenditure for Bharatiya Samachar and Markazi Ittalaat are not available.

NOTE 3.—No expenditure on blocks was incurred for Bharatiya Samachar and Markazi Ittalaat as blocks prepared for Indian Information were used in the journals.

Information promised in reply to starred question No. 60 asked by Mr. H. M. Abdullah on the 19th February, 1942.

SUPERSESSION OF MUSLIM CLERKS IN COMMERCIAL BRANCH, HEADQUARTERS OFFICE, NORTH WESTERN RAILWAY.

(a) Yes, but the transfer was not a punishment.

(b) Yes. The consent of the staff is not necessary for such transfers, nor was it made for the reason suggested. Government are informed that the Muslim clerk was not in such a position as to warrant his expecting promotion.

(c) The Hindu clerk was after expiry of the period of his reduction, permitted to officiate in a higher grade in accordance with the rules followed in such matters. It is a fact that the request of the Muslim clerk for retransfer was refused and that he was informed that he should look for promotion in the Miscellaneous section.

(d) No. Government understand that the claims of the Muslim clerk referred to in (b) and another Muslim clerk were considered and both expressed their inability to perform the duties of the post to which the Hindu clerk who was junior to them was appointed.

(e) No appeal of the nature referred to in the first part was received by the Railway; as regards the second part, no action is necessary as there is no evidence of any injustice.

Information promised in reply to starred question No. 149 asked by Mr. Muhammad Nauman on the 6th March, 1942.

CURTAILMENT OF HOLIDAYS IN LUCKNOW DIVISION, EAST INDIAN RAILWAY.

(a) Yes, but Divisional Superintendents have been given the discretion to substitute local holidays for any of these.

(b) No.

(c) No.

(d) Alvida is not a holiday under the Negotiable Instruments Act but it is understood that a holiday was observed on account of Alvida on the Lucknow Division.

Information promised in reply to unstarred question No. 36 asked by Mr. Muhammad Azhar Ali on the 6th March, 1942.

RE-EMPLOYED STAFF ON EAST INDIAN RAILWAY.

Further examination has shown that the collection of the required information in respect of non-gazetted staff will involve an undue expenditure of time and labour.

Information promised in reply to unstarred question No. 43 asked by Mr. Muhammad Nauman on the 6th March, 1942.

CONVERTED INTERMEDIATE GRADE POSTS IN LUCKNOW AND MORADABAD DIVISIONS.

(a) Government is informed that 38 posts were upgraded in the Lucknow and Moradabad divisions of the East Indian Railway; they thus became posts filled by promotion.

(b) 9 in the Lucknow Division and 29 in the Moradabad Division.

(c) It is understood some of these posts have not yet been filled. Of 23 posts filled of which I have information 3 are Muslims.

Information promised in reply to starred question No. 163 asked by Sir Abdul Halim Ghuznavi on the 10th March, 1942.

CENTRAL COMMISSIONERS OF INCOME-TAX IN BOMBAY AND CALCUTTA.

(a) to (e): The attached statement contains the information required.

(f) Since the amount of revenue involved in pending cases can only be ascertained after their examination is completed and even an approximate estimate would require a detailed examination of each case, it is not possible to furnish this information.

Information regarding cases transferred to the Commissioners of Income-tax (Central), Bombay and Calcutta in respect of the period from the date of creation of the posts to the 30th November, 1941.

	Bombay.	Calcutta.
(a) Number of assessment cases transferred to the Central Commissioners of Income-tax	654*	503
(b) Out of the cases referred to in (a) above—		
(i) Number of cases of Indian assesseees	651	503
(ii) Number of cases of European assesseees	3	Nil
(c) Out of the cases referred to in (b) (i) above—		
(i) Number of cases of partnership firms	101	86
(ii) Number of cases of limited liability companies	9	66
(iii) Number of cases of individuals	464	312
(iv) Number of cases of joint families	42	39
(v) Number of other cases	35	Nil

*Excludes cases of persons in the service of the Income-tax Deptts. in Bombay, Sind and Baluchistan which have also been assigned to the C. I. T. (Central) Bombay.

Bombay Calcutta.

(d) Out of the cases referred to in (b) (i) above—

(i) Number of fresh assessment cases, i.e., cases in which at the time of transfer, only original assessments were involved	504	473
(ii) Number of cases reopened after assessments were completed, i.e., cases in which at the time of transfer, section 34 proceedings were pending in respect of some assessments	147	30
(e) (i) Number of assessments involved up to 30-11-41 in the cases referred to at (a) above	2,903	950
(ii) Number of assessments completed up to 30-11-41	1,325	34
(iii) Number of assessments pending on 30-11-41	1,578	916
(iv) Average length of time taken for each assessment*	About 12·75 working days.	About a month.

The average length of time taken for each assessment given above has been calculated with reference to the total number of assessments completed, the period of disposal and the number of I. T. Os. employed. The average time so computed will not however give a correct idea since the time taken varies widely from one assessment to another and depends on various factors such as nature and complexity of the case, the co-operation rendered by the assessee etc. The average for Calcutta has been inflated by the time taken for preliminary arrangements which has not been excluded.

Information promised in reply to starred question No. 256 asked by Maulvi Syed Murtuza Sahib Bahadur on the 24th March, 1942.

EXAMINATIONS FOR TICKET CHECKING STAFF ON EAST INDIAN RAILWAY.

- (a) Yes; Travelling Ticket Examiners and Ticket Collectors have to take such an examination.
- (b) Yes, to ensure that they have an up-to-date knowledge of their duties and responsibilities.
- (c) Staff in other branches also are subjected to periodical tests but the details vary.

MOTION FOR ADJOURNMENT.

ALLEGED MISCONDUCT OF EUROPEAN SOLDIERS AT SARNATH.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion to adjourn the business of the Assembly from Mr. Kailash Behari Lal who wishes to discuss a definite matter of urgent importance, namely, the conduct of tommies in injuring eleven students at Sarnath, Patna District, on the 19th instant, with military trucks and explosives, when two of them died. I suppose by "tommies" the Honourable Member means soldiers?

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): This is supposed to have happened on the 19th March?

Babu Kailash Behari Lal: Yes. I got a telegram yesterday. It passed through several hands perhaps, but it was delivered to me yesterday afternoon. Then I inquired into the matter. I found that some other Members also have received similar information, but the position is that no paper has published this incident so far. The fact has been made known through some rumours, the source of which I cannot disclose, and the incident has actually occurred. But the publicity was suppressed even in the local newspapers of Bihar, and, therefore, it did not appear in the press.

Mr. President (The Honourable Sir Abdur Rahim): So you mean that it is not mentioned in any of the papers at all. Is there any objection to this motion being allowed?

The Honourable Mr. M. S. Aney (Leader of the House): Government have absolutely no information about this matter so far, and we do not hope to get any information by the time this motion is taken up.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member understand the position? It is the last day of the Session and the occurrence took place on the 19th instant, and I take it that if the allegations are correct that two persons were killed, some judicial enquiry must have been held and action taken. Does the Honourable Member know anything about that?

Babu Kailash Behari Lal: No, Sir. I do not know about that. Mr. Nauman has come from Patna and he

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has no information himself and the Government have no information either, and under the circumstances I do not see how the matter can be discussed.

Babu Kailash Behari Lal: Sir, may I suggest, as the Honourable the Leader of the House has said, that the Government may try to get information in the matter by the time this motion is taken up.

Mr. President (The Honourable Sir Abdur Rahim): No, the Government Member said that there was not sufficient time to get the information. Under the circumstances I do not see that any good purpose will be served by moving any motion in the matter. The proper course for the Honourable Member would be to get more information, and if he is able to get any definite information on the subject, he should communicate it to the Member of the Government concerned, and see that it is properly considered.

Babu Kailash Behari Lal: May I at least get an assurance from the Government that they will enquire into the matter?

The Honourable Mr. M. S. Aney: If the Honourable Member would supply the necessary information, we shall certainly look into the matter.

Babu Kailash Behari Lal: So far as my present information goes, even the publication of news has been suppressed by the Local Government.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member has received such information, why not forward it to the Government.

Babu Kailash Behari Lal: I have got a telegram which I will hand over to the Member concerned. Similar telegrams have been received by my Honourable friends, Mr. Joshi and Qazi Muhammad Ahmad Kazmi.

Mr. President (The Honourable Sir Abdur Rahim): Very well, then communicate all that to the Leader of the House. The motion, under the circumstances, is disallowed.

HOME DEPARTMENT DECLARATION OF EXEMPTION ISSUED UNDER THE REGISTRATION OF FOREIGNERS ACT.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table a copy of the Home Department Declaration of Exemption No. 1/11/42-Political (E.), dated the 26th March, 1942, issued under the Registration of Foreigners Act 1939.

"No. 1/11/42-Political (E)

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

New Delhi, the 26th March, 1942.

DECLARATION OF EXEMPTION.

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, Mrs. Doris W. Jepson, an official attached to the Headquarters, United States of America Tenth Air Force, Delhi.

V. SHANKAR,

Deputy Secretary to the Government of India."

THE DELHI MUSLIM WAKFS BILL.

NOMINATION OF MEMBERS TO THE JOINT COMMITTEE.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I beg to move:

"That the following Members of the Legislative Assembly 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:

- (1) The Honourable Sir Sultan Ahmed,
- (2) Syed Ghulam Bhik Nairang,
- (3) Sir Syed Raza Ali,
- (4) Sir Muhammad Yamin Khan,
- (5) Nawabzada Muhammad Liaqat Ali Khan,
- (6) Maulvi Syed Murtuza Sahib Bahadur,
- (7) Kunwar Hajee Ismaiel Ali Khan,
- (8) Mr. Husenbhai Abdullabhai Laljee, and
- (9) the Mover."

Sir, my Honourable friend, Sir George Spence, has removed my apprehension in this connection, which was that the motion in connection with the formation of the Joint Select Committee will not be complete in this Session. However, so far as that apprehension is concerned, it has been removed, and I hope he will see that the Select Committee will sit and examine it so that the measure may come up before the House during the next Session. With these few words, I move this motion.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the following Members of the Legislative Assembly 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:

- (1) The Honourable Sir Sultan Ahmed,
- (2) Syed Ghulam Bhik Nairang,
- (3) Sir Syed Raza Ali,
- (4) Sir Muhammad Yamin Khan,
- (5) Nawabzada Muhammad Liaqat Ali Khan,
- (6) Maulvi Syed Murtuza Sahib Bahadur,
- (7) Kunwar Hajee Ismaiel Ali Khan,
- (8) Mr. Husenbhai Abdullabhai Laljee, and
- (9) the Mover."

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): Sir, I have got fullest sympathy with the Resolution, but my only appeal is that I should like that in my place Maulana Zafar Ali Khan may be appointed, as he has studied the matter thoroughly. I make that suggestion to the Mover, and I hope he will accept it.

Maulvi Muhammad Abdul Ghani: Sir, I have no objection.

Mr. President (The Honourable Sir Abdur Rahim): I do not know whether Maulana Zafar Ali is agreeable to that. But I must point out that before any Honourable Member proposes any names of any Member

(1701)

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he must ascertain beforehand whether he is agreeable to serve on it. Mr. Husenbhai Laljee should have been consulted beforehand.

The question is:

"That the following Members of the Legislative Assembly 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:

- (1) The Honourable Sir Sultan Ahmed,
- (2) Syed Ghulam Bhik Nairang,
- (3) Sir Syed Raza Ali,
- (4) Sir Muhammad Yamin Khan,
- (5) Nawabzada Muhammad Liaqat Ali Khan,
- (6) Maulvi Syed Murtuza Sahib Bahadur,
- (7) Kunwar Hajee Ismaiel Ali Khan,
- (8) Maulana Zafar Ali Khan, and
- (9) the Mover."

The motion was adopted.

THE INDIAN MEDICAL COUNCIL (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division. Muhammadan Rural): Sir, I beg to move:

"That the Bill further to amend the Indian Medical Council Act, 1933, be circulated for the purpose of eliciting opinion thereon by the 15th September, 1942."

Sir, since the Indian Medical Council Act of 1933 came into force, there has been great discontent among a large section of medical men known as L. M. Ps. In so far as I understand, the Government have also appreciated this. I was expecting that the Government themselves would bring forward a measure to remedy the grievance but as they did not do so, I have introduced this Bill. I understand that the Government will consider it, and they are agreeable to circulate it for eliciting opinion, so I need not say anything more at present. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Indian Medical Council Act, 1933, be circulated for the purpose of eliciting opinion thereon by the 15th September, 1942."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I rise to lend my support to this Bill. This matter has been hanging fire for a very long time. When the Indian Medical Council Act was passed there was a demand by this House that licentiates should be included within its scope. But it has not been done uptil now, and there is absolutely no reason why that should not be done. Since that Act has been passed, the course for these licentiates for qualifying themselves has been increased. Formerly, after they passed the first year college examination they had to remain for three years in the medical schools and pass out from there. Subsequently it became four years, now it is five years. I find no reason why they should not stand on the same level as the M.B.B.S.'s who also, after passing the Intermediate examination, have to remain for six years only in the medical colleges. I submit that so far as licentiates are concerned, they are very competent men, some of

them more popular and more competent than even M.B.B.S.'s, and I do not know why they should not be given the same right of being included in the Council. I know of several licentiates who have shown more competency in their practice and are more popular than others. I have received representations from the licentiates in Sind and they have passed a resolution to say that there is no reason why they should be excluded. I hope that the Government will consider the matter sympathetically unless it be that the General Medical Council thinks that these people should not stand on the same level as the M.B.B.S.'s. I do not think that there is any reason for perpetuating this injustice. The time has now come when these men are equally qualified, and do equally good work and are holding very important medical posts in the Government service, that this distinction should be removed. I hope that when the Bill returns after circulation Government will take a very sympathetic view of the case and that the House will pass the Bill.

The Honourable Mr. N. R. Sarker (Member for Education, Health and Lands): Government have no objection to the present motion.

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

"That the Bill further to amend the Indian Medical Council Act, 1933, be circulated for the purpose of eliciting opinion thereon by the 15th September, 1942."

The motion was adopted.

THE SUGAR INDUSTRY (PROTECTION) REPEALING BILL.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I beg to move:

"That the Bill to repeal the Sugar Industry (Protection) Act, 1932, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable the Commerce Member, Babu Baijnath Bajoria, Mr. J. Ramsay Scott, Dr. P. N. Banerjee, Bhai Parma Nand, Seth Haji Sir Abdoolah Haroon, Mr. Muhammad Nauman, and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, this Sugar Protection Bill has got a very unfortunate history. It is the history of propaganda, of profiteering, cheating and mismanagement.

The Honourable Sir Homi Mody (Supply Member): Is that all!

Dr. Sir Ziauddin Ahmad: No, wait

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has not given the names of the members of the Select Committee. He ought to have handed in the names at the Secretary's table.

Dr. Sir Ziauddin Ahmad: I have handed over the names, Sir. I shall just briefly refer to the history of this particular industry.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): On a point of order, Sir. Unless and until the names are given, the Honourable Member cannot move the motion.

Mr. President (The Honourable Sir Abdur Rahim): He has mentioned the names and he has handed over the list.

Mr. Lalchand Navalrai: But not to us.

Dr. Sir Ziauddin Ahmad: I have asked the permission of those Members whose names I have mentioned for the Select Committee.

Mr. Lalchand Navalrai: You never asked my permission.

Dr. Sir Ziauddin Ahmad: Your name is not there. I just want to draw the attention of the House to the report of the Fiscal Commission. They explicitly laid down that protection should be given on the results of an enquiry by Tariff Board. In the year 1931 the Government appointed a Tariff Board to find out whether protection should or should not be given to the sugar industry. This Tariff Board acted according to the recommendations of the Fiscal Commission. The Tariff Board recommended that we should give protection at the rate of Rs. 7-4-0 per cwt. for a period of seven years, and later on it should be reduced to Rs. 6-4-0 after seven years' trial. The second Finance Bill of 1931 unfortunately raised the customs duty without any consideration whatsoever, by 25 per cent, and the result was that the protection of Rs. 7-4-0 which had been very carefully calculated by the Tariff Board was suddenly raised to Rs. 9-1-0, and I have always thought that this act of the Legislature was against the recommendations of the Fiscal Commission,—that is to raise the quantum of protection without sufficient enquiry. The Tariff Board recommended that the price of sugarcane should be fixed at six annas, but after the second Finance Bill of 1931 a large number of sugar factories came into existence and they began to make large profits, and the profits varied between 50 and 100 per cent. I think even the Honourable Sir Homi Mody will consider that it is a profiteering concern which makes a profit of 50 and 100 per cent. In the year 1933, two years later, the Government realised the mistake and tried to overcome it by putting an excise duty of Rs. 2 per cwt. Those of us who were in this House at that time remember the kind of propaganda that the sugar industrialists carried on against the imposition of an excise duty of Rs. 2 on sugar. We have been hearing a great deal about Dr. Goebbels's propaganda who can talk on nothing and build a castle without any material. But I think the sugar manufacturers beat him hollow in the year 1933.

Lord Crewe even said that you can have propaganda if you have something which you can develop and magnify, but you cannot have propaganda on nothing. But the sugar manufacturers performed this miracle and did create a propaganda on nothing, and I was perfectly right, therefore, when I said that they are not only profiteering concerns but they were great propagandists, and that this was an industry of profiteering and propaganda.

An Honourable Member: What was that propaganda?

Dr. Sir Ziauddin Ahmad: The nature of the propaganda? The nature of the propaganda was this. They tried to make us believe that they were very poor people, they were living from hand to mouth, they were just losing the whole of their capital, that the industry could not stand on its own legs, and they attempted to canvass the Members of the Assembly through stomach. The next thing which they did was this. The price of sugarcane which the Tariff Board had fixed at 5½ or 6 annas was reduced by the sugar manufacturers to 2½ annas. In actual practice

they paid only 2½ annas to the sugarcane growers delivered at the factory, not delivered in the fields but delivered at the factory and very often they kept them waiting for several days, so that the juice was dried up and the thing was sold at a cheaper rate than fuel. That is cheating. Now, these are the methods which they adopted in order to have fat and profits. I could give you another example of their propaganda. What the sugar manufacturers did was that they attempted to rope in the cottage industry as well, that is the sugar made by the khandsari system. The original Bill of the Government laid before us in 1933 did not propose to have any excise duty on khandsari sugar but the propaganda of the sugar manufacturers succeeded in inducing the Government to change their mind and to put an excise duty of eight annas a maund even on the khandsari sugar, which was really the direct result of the propaganda of the sugar manufacturers. This question was again examined in 1938 after seven years when the Government appointed another Tariff Board to examine the whole thing. Now, this Tariff Board after calculating the visible and invisible expenditure of production said that the cost of production including visible and invisible expenditure is Rs. 6-13-10.1 per maund and they recommended that the protection required was Rs. 7-4-0 per hundredweight or Rs. 5-5-0 per maund and they gave them a little gratis and increased the protection from Rs. 9-1-0 to Rs. 9-4-0. The price of sugarcane was fixed at 5 annas 6 pies per maund. Now, at the time the Bill was under consideration the price of sugar was Rs. 8 per maund delivered at the factories, and at that time we thought that the price was reasonable and we agreed to the extension of the term of protection. That is, the price should be Rs. 8 per maund. Now, the thing continued, though not satisfactorily but without serious objection, till 1938. Now, later on, the Congress Governments came in power in the United Provinces and Bihar which were really the centres of the sugar industry. Now, the action which they took was in direct contravention to the recommendation of the Tariff Board and it resulted in destroying this industry in these two provinces and breaking the monopoly of the United Provinces and Bihar by shifting the industry to other provinces. Now, the first thing which the sugar people did which was directly in contravention to the Tariff Board was this, and I charge the Commerce Department also, not my friend who was not here at that time, to connive at it, that they formed a syndicate of the sugar manufacturers to regulate the sale price of sugar. It was in direct opposition to the recommendation of the Tariff Board.

My friend would remember that the Assembly warned the Government of India that they should see that there ought to be no combine in the case of a protected article. They have fixed one price after elaborate calculation and given them some protection after careful study. Now, when the Syndicate was formed, they regulated the price. They had a combine to carry on the trade and this combine was in direct contravention of the recommendations of the Fiscal Commission and the Government of India slept over the matter. They did not take up this question. It was the duty of the Commerce Department in the year 1938 to stand up and boldly say that there should be no combine and if there is a combine the protection will be withdrawn. They were timid against the propaganda and they did not meet the propaganda of the sugar manufacturers and they proved themselves to be the most effective propagandists. Afterwards, they fixed the price of sugar. Now, our Provincial Governments headed by the Congress Governments passed a rule under their

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rule-making power that every manufacturer must compulsorily be a member of the Sugar Syndicate. That is, the membership became obligatory and compulsory, so that everybody must join the Syndicate and the Syndicate will fix price at which the sugar must be sold. So, they were entirely at the mercy of the syndicate. Now, when the Provincial Governments realised that here is a powerful syndicate and the Government of India is sleeping over the matter and doing nothing in this particular direction, they chalked out a way for themselves. What they did was they invented a novel formula. They said that the sugar manufacturers have thus usurped a right to disregard altogether the sale price recommended by the Tariff Board. They invented a formula by means of which the price of sugarcane was not fixed in annas and pies but it was fixed in relation to the sale price fixed by the syndicate. If the syndicate fixed that the sale price will be so much, then they said that the price of sugarcane should be so much. I have got some figures here. If it was Rs. 10-3-9, then the price of sugarcane was 7 annas 9 pies, while really speaking the price of sugarcane was 5½ annas. If the price rose up by the action of the syndicate to 11/4/1, then the price of sugarcane should rise to Rs. 10 a maund. So they had a formula by means of which the price of sugarcane was made to depend upon the price of sugar. This was done by the Provincial Governments and, when we came to raise the excise duty in 1940, I pointed out on the floor of the House that if you raise the excise duty by one rupee naturally the price of sugar will also go up. Then the price of sugarcane will also be fixed accordingly and by raising the price of sugarcane the price of sugar will go up. This vicious circle continues and I think the question has not yet been solved.

In addition to these two difficulties the formation of the syndicate and the fixation of the price in contravention of the recommendations of the Tariff Board in 1931 and 1938, the Provincial Government took one more step. It put an additional cess on the sugar and collected about 77 lakhs per annum from this cess. This was also an additional tax which they raised. Now, the condition of sugar became so bad on account of this dual control and on account of the inaction of the Government of India that the industry became in a very bad position. They had a large stock of unsold sugar and they did not know what to do with it. They were even willing to sell it at a very cheap price. My friend, the Commerce Member, came into the field and he really helped to save the situation to a certain extent. Though the temporary difficulty was overcome by the action of the present Commerce Member, the fundamental points still remained, and now we are in a difficult position. We have got a protection which is imposed on the principles laid down by the Fiscal Commission and by means of which the price of sugar is fixed. Now, another body has come into existence, Sugar syndicate; it artificially increased the price of sugar. Then the Provincial Governments came into action. Then, they put a cess duty and also raised the price of sugarcane. Tariff Board recommendations thus ended. So, I do not see what is the meaning of the protection. You have not given effect to the recommendations of the Tariff Board Report. I think the whole scheme outlined by the Fiscal Commission and described in detail by the Tariff Boards of 1931 and 1938 is not working at all and the present condition is very chaotic. What more you want in the proof of mismanagement?

By the present Finance Bill we have increased the quantum of production of the sugarcane by 25 per cent. without any consideration as to how it will materialise. We have not yet finished the Session and we cannot visualise how it will affect the industry. The only reply given was that it does not matter what quantum of production you fix as long as sugar is not coming from outside. If this is the argument they advance, then it is better that we should abolish this Act altogether. This is the point on which I stand and on account of which I have come to move this particular motion.

Now, by the Finance Bill of 1942 we have raised the quantum of production by 20 per cent. without giving any reason, without any justification and without any inquiry whatsoever. You have brushed aside the Fiscal Commission report; you have torn the Tariff Board reports of 1931 and 1938; and you have set aside the Fiscal Committee report. Now, the protection has been raised by 20 per cent. If you have got such an arbitrary power to raise the protection and your reply with regard to this fixation is that sugar is not coming to this country, then the logical consequence of this is to abolish the protection altogether. Your Syndicate plays with it, your Provincial Governments play with it and you remain silent and practically do nothing. That being the case, what is the use of keeping this protection. Why not repeal it altogether? You will remember that we are now paying a very large sum of money for the upkeep of the sugar industry. If this protection had disappeared and if the normal conditions had been restored, then we would have been able to get sugar at Rs. 3 or Rs. 4 per maund. But at present we are paying in the Delhi market one rupee for 2½ seers of sugar. It is all due to the fact that the duty has been raised. Sir, these laws are intended to be followed and not to be broken. If the Government of India itself comes forward to break the laws and principles, why not abolish that law so that you may not be guilty of breaking the law yourself. You always punish people for breaking the laws and the only punishment that we can impose on the Government of India for breaking laws is to relieve them from this law altogether. That is the reason why I am suggesting such a simple measure,—please repeal this particular law so that you may not be guilty of breaking the laws of which you have been uniformly guilty for the last four or five years.

Only the other day I asked some question from my Honourable friend, the Commerce Member. On that occasion, he did not reply to those questions because I had not given the usual ten days' notice and he was not willing to give a reply to a short notice question. I hope he will be able to answer them now.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot put those questions now.

Dr. Sir Ziauddin Ahmad: Very well, Sir, I shall not repeat those questions. My chief argument now is that I have now come forward to relieve you from the charge that you may not be guilty of breaking the laws which you have been breaking so long. You are not following the law at all. You have not been following the spirit of the protection on which the whole protection was based. If your argument is that the present time is not suitable for acting on this measure, then repeal this Act. When suitable time comes, then come forward with a new enactment according to

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the conditions that may then exist. You have got the power to do so; you have got the majority in the House and you can do it. At the present time, I think, I am doing a great service to my friend, the Commerce Member, when I say that he should be relieved from the charge of breaking the laws which he has accepted to follow. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to repeal the Sugar Industry (Protection) Act, 1932, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, Babu Baijnath Bajoria, Mr. J. Ramsay Scott, Dr. P. N. Banerjee, Bhai Parma Nand, Seth Haji Sir Abdool Haroon, Mr. Muhammad Nauman and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

I find there is another motion in the name of Maulvi Muhammad Abdul Ghani. Does he want to move it?

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Yes, Sir. I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1942."

Sir, I have moved this motion, because I want to be fair to both sides,—the manufacturers, the consumers and the Government. I want that all of them should have their say, because the protection has only recently been extended up to 1944. Besides, the Session is going to be finished today, and I do not think the Select Committee will be able to do their work.

Sir, I do not wish to go into the details which have already been mentioned by the Honourable the Mover, Dr. Sir Ziauddin Ahmad. I will only add that since 1932, when the protection was first given to the sugar industry, ten years have elapsed, and up till now we have not been able to find that the sugar industry is trying to stand on its own legs. If they will go on this way, it will be difficult for the country to continue this protection. If protection is removed, I do not think the sugar industry in India will be able to compete with foreign countries. At present, no doubt, there is no necessity for any kind of legislation. Sugar is at present being sold, wholesale rate, at Rs. 12-8-0 a maund. But the cane-growers have been given only at the rate of six annas a maund for cane. They should have been given at the rate of twelve annas a maund for cane. The fate of the poor cane-growers is pitiable indeed.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar 12 NOON. (Commerce Member): Does the Honourable Member contend that twelve annas per maund is a reasonable price which the cane-grower should get for his sugarcane?

Maulvi Muhammad Abdul Ghani: Especially when sugar is being sold at Rs. 12-8-0 a maund, it is a reasonable price to give 12 annas for cane.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I should like to understand the point. I am sorry to interrupt the Honourable Member. Does the Honourable Member say that twelve annas per

maund for sugarcane is a reasonable price in itself, or does he suggest that in view of the price of sugar being at Rs. 12-8-0, the price of cane should be at twelve annas per maund?

Maulvi Muhammad Abdul Ghani: In view of the price of sugar, I suggest that the price of cane should be twelve annas per maund, not otherwise. In view of the high price of sugar, only one class of people are being benefited. It is but right that the original person, namely, the cane-grower should get a little share out of that huge profit. In order to benefit them, the Government of India started a fund, called the sugar excise fund, and placed six lakhs at the disposal of the fund in order to secure a fair price for the cane-growers. After that, they added seven lakhs more. Do you know the result? The result was that, later on, it was decided to spend this money on the Sugar Technological Institute, Cawnpore. It was decided that the Sugar Technologist of Cawnpore shall have a first call on that sugar excise fund which was originally started to help the cane-growers. Instead of helping the cane-growers, the money was utilised for some other purpose. As I already submitted, it is only one class of people who are being benefited, particularly by the protection given to them. Sir, with these few observations, I move for the circulation of the Bill for the purpose of eliciting public opinion. I think, in the light of opinions received, we can proceed with the further stages of the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1942."

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): Sir, I must congratulate the learned Doctor on the manner in which he tried to tell us that his whole case was that he wanted to save the Honourable Member for Commerce from being guilty of breaking the law. Those who have been here long enough and those who have heard the speeches made by the Honourable Member cannot agree to this fact; but we all know that he wants to remove protection. I should have liked my Honourable friend to say frankly and openly that he was from the very beginning against protection, that he is against protection now, and that he does not want any more protection to be given to sugar. I do not know whether at this time and in this period, he still considers that it is right that in our country foreign stuff should come into the tune of crores of rupees and that money should go out of the country.

Dr. Sir Ziauddin Ahmad: Foreign sugar is not coming. That is the point.

Mr. Husenbhai Abdullabhai Laljee: Yes, it is not coming now. But during the long period that has elapsed, crores and crores of rupees were drained away from this country in the shape of foreign sugar. Sugar is a dire necessity for life and if Government take steps to save this for the country, then my Honourable friend comes up and wants to scrap the principle of protection. This war may last for a year or two and during this period no foreign sugar will come, but on this account we cannot allow the protection to go. I need not say that the world at large has

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laid down the policy, every civilised Government has laid down the policy of protection. Above all, this war has shown us the dire necessity of having protection for articles like sugar. What would have been our condition today, if there was no indigenous sugar in this country and if we were to be dependent on foreign sugar? What is our condition today? We cannot only supply for internal consumption, but thank God we can supply to the outside world as well. This great change in the economic position of India with regard to sugar must have convinced my Honourable friend, Dr. Sir Ziauddin Ahmad, what he was saying was not right and that this was not the proper time to bring forward a measure like the one he has brought forward. At the present moment, we are so much in need of sugar all round that our condition would have been miserable, if sugar was not there. We ought to welcome the action taken by the Government in keeping up the protection to sugar, and we should be grateful if the Government assure us that they will be keeping up the protection.

With regard to sugar industry, I must say that I congratulate the Government, both at the Centre and in the Provinces, for the counterpart which they have done so far as the interests of the growers is concerned. Every figure that has been quoted has showed that the manufacturers have complained while the sugarcane growers have also said that they have not got the better of it. Whatever it may be, it must be conceded that there was fair dealing, if not more on the side of the agriculturist, at least it was not more on the side of manufacturers that is a fact. I ask my Honourable friend to show me one example where both the manufacturers and the growers have complained that they do not get a fair price. It must, therefore, be conceded that prices are fair on both sides.

If you look into the position of sugar industry, only recently which saved us crores of rupees of ours going out that they were threatened with extinction because of the fact that they were not allowed to export. I have complained consecutively during three budget Sessions about this position and have pointed out that I have never heard of the policy laid down by any Government prohibiting the surplus export of any article from a country. We have overcome all these international obstructions, and difficulties. But still my Honourable friend comes forward and says, we do not want protection for that article although a mighty handicap was put upon this article in the shape of banning of export to foreign countries. This is a very serious matter to be considered. It must be remembered that all great wars are fought as I have often said, for export trade. Now that this industry has survived and there is no international pressure, I do not see any reason why Government do not concede to it the legitimate right of exporting. Now has come the time when our Government will, I hope, ask us to export for the needs of our neighbours. And I do not blame them because, after all, if we export now we will find some markets and we can show to the world at large that up to now we were kept back from producing sugar and sending it outside the country, which was wrong, unjust and unfair; further, we are now producing sugar for our own use and we have enough to give them at the time of scarcity and necessity. I again repeat that all this talk about customs duty should not be considered at all. We know very well that Government would never like to put that customs duty. That levying of custom duty is in different hands altogether; protection is in different hands altogether. We know the constitution of the Treasury Benches. While some are doing their

best to help commerce and industry, the financial point of view some of them adopt is only to look to the rupees, annas and pies for expenses and without any consideration as to what will be the ultimate good of the people. The customs duties are the concern of the Finance Members and they seldom care as to what endeavours they must make to meet the public demand, and then it must not be forgotten that 20 or 25 per cent. now put on is for the war purposes.

Seth Haji Sir Abdoola Haroon (Sind: Muhammadan Rural): On the top of the protection duty you want to raise that duty also.

Mr. Husenbhai Abdullabhai Laljee: My Honourable friend, Sir Ziauddin, made a very strong point that the protective duty was there and that customs duty was on the top of it. He also asked whether we are at all going to get any sugar from outside. Therefore it is quite clear that it is not on the top because no sugar is going to come and for what very little that will come that will be very very little. He himself said no sugar is going to come and still the Finance Member would have it. But that is not going to affect the point. The time will come, and Sir Abdoola Haroon knows it, we are now in position and are going to export. Where is the question, therefore, of that custom duty? It has been provided, I admit, but I do not know for what purpose, perhaps to please Sir Ziauddin that he will get cheap sugar or more money forgetting that really he will get more income-tax, more super-tax and more duty on poor men's kerosene oil and also some more postage. We know in the old days when in the last war we wanted hides and skins a large number of people asked all sorts of questions to give them some protection. The protection that was given was that more customs duty was put! And as soon as the war ended the customs duty fizzled out and nothing was left, the hides and skins industry went to the dogs, and now you want hides and skins. The same thing would happen to sugar if there would not be any protection. Sir, I speak in the interest of both agriculturists and industrialists and above all in the interest of this poor country for keeping money in my own country. Therefore, I oppose both the motions for Select Committee and for circulation. By circulating this we shall only be creating in the minds of the public at large that we are not at all yet seriously considering the important question of exploitation or of driving away capital from our own country which we so much need and further that we are guilty of not being able to realise that one of the bare needs of the people is sugar and we are open to consider such things above all in these times, when we should do everything to produce more sugar and foodstuff now in the country at all costs.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, I am a sugar consumer, and having a larger family than Sir Ziauddin, I am a greater consumer than he is. I am neither a sugar manufacturer nor a dealer in sugar. I will have to deal with this Bill from the point of view of both the consumer and the trade in general. First of all, before going into the details, I would ask the great mathematician, Sir Ziauddin, as to what the motion for reference to Select Committee means. When he wants to repeal the Sugar Protection Act what is the Select Committee going to do? If the principle is accepted here that that Act should be repealed, it will be repealed, and what will the Select Committee do?

Dr. Sir Ziauddin Ahmad: They may decide upon an extension of the time limit.

Babu Baijnath Bajoria: So when he saw the impossibility of his own motion he set up his lieutenant Maulvi Abdul Ghani to move the circulation motion. But has there been any demand for the repeal of this Sugar Protection Act by any consumers' interests, except from the fertile brain of the great mathematician? So, Sir, I am opposed to both of these motions, and I will give my reasons. Sir Ziauddin has charged this industry with making false propaganda, with cheating and with mismanagement. With regard to the first charge, I will say unhesitatingly that this motion of Sir Ziauddin is propaganda in itself.

Dr. Sir Ziauddin Ahmad: In favour of whom? The consumer?

Babu Baijnath Bajoria: As I have already said, I will show that this protective duty on sugar has had a very beneficial effect on the consumer. Of all the protective duties levied, I make bold to say that it is the sugar industry alone that has had a romantic progress and development. From a great sugar importing country we have become self-sufficient as regards the production of sugar and we have now even some surplus for export. What would have been our position now, when we have no sugar coming from abroad, if there had not been such a well developed sugar industry in this country? Perhaps we would have had to go without any sugar.

As regards the syndicate Sir Ziauddin very conveniently forgot to disclose to the House how it came into existence. It was rather at the insistence of the United Provinces and Bihar Governments

Seth Haji Sir Abdoola Haroon: No, they were approached by the mill-owners to form a syndicate.

Babu Baijnath Bajoria: There was difference among the manufacturers; some wanted a syndicate and others did not and they did not come to any terms. Those who were in favour of a syndicate approached the United Provinces and Bihar Governments and placed their facts before them; and it was at the insistence and inspiration of those two Governments that the syndicate came into existence. And one of the conditions was that all the sugar manufacturers, whether they were willing to come into the syndicate or not, should become members of the syndicate.

Sir, as regards the charge that it was the Sugar manufacturers who combined themselves and formed this Syndicate with the object of increasing the price of sugar and exploiting the consumer, there is no foundation whatsoever in it. At that time when the Syndicate was formed, my Honourable friend is aware that the price of sugar had gone down tremendously and the sugar manufacturers were running their mills at a great loss.

Seth Haji Sir Abdoola Haroon: Please see the dividends declared by sugar mills during the last two or three years.

Babu Baijnath Bajoria: The Syndicate was formed before that. I am speaking about the time when the Syndicate was formed. At that time there was a great surplus of sugar stocks in the country which could not be disposed of

Dr. Sir Ziauddin Ahmad: As a result of the action of the Syndicate.

Babu Baijnath Bajoria: No. The Syndicate was formed to create a pool and dispose of those stocks.

Sir, I have got my own views on the subject which are based on hard facts. There has been a loss on import duty by this protection no doubt, but it has been counter-balanced to a great extent by the excise duty and by the Income-tax and Super-tax realisations from the manufacturers and traders dealing in sugar. Sir, about this 20 per cent. increase which has been made in the Finance Bill for 1942, I will say that it has just the adverse result on the sugar manufacturers, because along with the customs duty the excise duty on sugar has also gone up.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: No.

Babu Baijnath Bajoria: Sir, I stand corrected; I won't proceed with this point, but as there is no import of sugar, so the increase will not affect the sugar consumers.

Dr. Sir Ziauddin Ahmad: If sugar is not coming into this country, the whole protection Bill is useless.

Babu Baijnath Bajoria: My Honourable friend, Dr. Ziauddin, has made several references about the price of cane. He said that the manufacturers pay 0-2-6 delivered at factories. I think that is not correct. During the Congress regime, the price of cane was fixed as high as annas 8 and in one year at 10 annas also, so that the charge that the cane-growers were not fairly treated does not bear out. Sir, in my humble opinion the Sugar industry has justified the confidence which has been reposed in it by the grant of this protection and unless and until a fresh Tariff Board is appointed to investigate what quantum of protection should be given to this industry in the future, it would be very unjust to do away with the protective duties altogether. Sir, I oppose this motion.

Seth Haji Sir Abdoola Haroon: Sir, my Honourable friend, Dr. Ziauddin, has brought forward a Bill to repeal the Sugar Industry (Protection) Act, 1932, whereas my Honourable friends, Mr. Husenbhai Laljee and Babu Baijnath Bajoria, have spoken against it. I do not want to go into the history of sugar protection or the Syndicate or the Sugar Committee appointed by the Bihar and the United Provinces Governments, but I will only give you the present position of the sugar industry and sugar price. Sir, in December last, the Sugar Syndicate and the Sugar Committee fixed the price of sugarcane at 0-5-0. In November, however, the sugar manufacturers started arguing that because of the rise in price of fuel, oil, sulphur and hundred other things, and because of their scarcity, the price of sugar should be increased. So the Sugar Syndicate and the Sugar Committee discussed this between themselves and decided that on the basis of 0-5-0 for cane, the price of sugar must be Rs. 9-7-0 and 9-8-0 for D24 quality.

Dr. Sir Ziauddin Ahmad: Rs. 9-4-0.

Seth Haji Sir Abdoola Haroon: Up till the first week of December, the market remained steady, but from the 7th of December, when war

[Seth Haji Sir Abdoola Haroon.]

broke out in the Far East, the sugar market commenced to rise, because the sugar manufacturers and some speculators and stockists started holding up the sugar. The market, therefore, gradually went up to Rs. 11-8-0. Now, mind you, the Sugar Syndicate had fixed the price at Rs. 9-8-0, but the price charged by the manufacturers up till March has been Rs. 11-8-0 and Rs. 11-12-0 per maund f. o. r. mills. As the war progressed, and Java fell into Japanese hands, the manufacturers became sure that sugar could not be imported now, and so they continued raising the price. There was, however, some sort of rumour that Government were taking steps to bring sugar prices under control. I think other Honourable Members must have heard it too. As a result of this the market remained a little steady until last week, when they seem to have discovered that nothing was going to happen. The Government are unable to control. Meetings were called by them, and the result was that, within the last three days, market has gone up by about 0-8-0 annas. I must tell the House that in my view—I may be wrong—if the Government do not take steps to control the price of sugar, I think the price will go up to Rs. 20.

Mr. Husenbhai Abdullabhai Laljee: There is going to be a control, I believe. If not, we will insist upon it.

Babu Baijnath Bajoria: But how will this motion of Dr. Ziauddin help you in that matter?

Seth Haji Sir Abdoola Haroon: I am coming to that point. I do not know whether Government are going to control the price or not. . . .

Mr. Lalchand Navalrai: Why not ask the Government.

Seth Haji Sir Abdoola Haroon: The Government are not bound to give this information.

Mr. Lalchand Navalrai: I will put that question. Sir, is there going to be a control or not? (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Seth Haji Sir Abdoola Haroon: See what this Syndicate has done during the last two years on the basis that there was plenty of stocks in the country. They reduced the crop last year to 7,50,000 tons instead of 11 lakhs tons, and this year it is 5,75,000 tons. For what? To raise their prices and get more and more profit. Sir, I think this is not the time when the capitalist or the industrialist should think of higher and higher profit. This is the time when we should come forward and support our countrymen in getting reduced prices.

Mr. Lalchand Navalrai: Have you a sugar mill?

Seth Haji Sir Abdoola Haroon: I have no sugar mill, but that is not the question at issue now.

Mr. Lalchand Navalrai: Now you are a free man.

Seth Haji Sir Abdoola Haroon: Free man, independent—or whatever you may call it. But my Honourable friend should not consider whether I have a sugar mill or not, he should consider the interests of the farmers and the cultivators. You have to consider that. Last year they fixed five annas as the price of cane. When the market went up, the Sugar Syndicate and the Sugar Committee met together and thought that people might kick up a big row that the manufacturers were getting so much profit. Therefore, they said, for every three annas increase in the price of sugar they would give one pie extra for sugarcane. According to that, sugar price would have to go up to Rs. 10-8-0 or Rs. 11, then the cultivator will get six annas. After taking into consideration a dividend of 10 per cent. and the cost of sugar manufacture the sugar prices have been fixed by both Committees at Rs. 9-8-0, whereas today sugar is selling at Rs. 12-8-0. Is it logical that an industry protected by Government should at this critical time make so much profit? I hope Mr. Husenbhai Laljee and Mr. Bajoria will agree with me. I now come to the question which Mr. Bajoria has put. What is the use of this Bill? I want to inform the House that Dr. Sir Ziauddin Ahmad is very helpless, because he tried his utmost to put short notice questions, but he did not get a reply. He did not know in what way he should bring this question before the House.

Babu Baijnath Bajoria: And this is the way!

Seth Haji Sir Abdoola Haroon: I am here not to argue whether at present we should allow protection or not. If this Bill goes to Select Committee, Government can in the meantime collect information in regard to all things that have cropped up during the last six or seven years in this industry. Therefore, I oppose my Honourable friend, Maulvi Abdul Ghani's motion for circulation. I do not know what sort of opinions we shall get on circulation. Generally we forward these Bills to some sugar industry or sugar association or sugar merchant. The Collectors do not know anything themselves and they generally follow the opinion of the sugar industrialists. So, I suggest to Government to support this motion and allow the Select Committee at least to meet. Of course, there is no possibility of throwing out these protective duties. I agree that it should not happen because we are bound. . . .

Babu Baijnath Bajoria: Then oppose this motion.

Seth Haji Sir Abdoola Haroon: But you must consider the present position of the sugar industry. One thing more. There is a rumour in the bazar that the Government want to control, and I do not know how far it is correct. Whether Government want to control or not, I do not know myself. But I appeal to the Government that sugar must be controlled, and immediately. Otherwise, many difficulties will be created in the way of the Government, and the times are such that not only wheat, but many other commodities, will have to be controlled by Government with a strong hand. There may be some objection on the score, what will happen to the middle man, what about the merchant, what about brokers and many other people? But, in my opinion, this is not the time to consider all those things; we have to see how to stop revolution in the country. If wheat is not controlled properly, I am afraid,

[Seth Haji Sir Abdoola Haroon.]

a sort of revolution may arise in this country, and it is our duty to avoid that possibility if possible. With these few words, I support Dr. Sir Ziauddin Ahmad's motion.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I have listened to the debate and I can perhaps satisfy myself by simply stating that the speeches on one side have cancelled the speeches on the other. As my Honourable friend, Babu Baijnath Bajoria, has rightly pointed out, a repealing Bill at any rate cannot go before a Select Committee because nobody can possibly see what advantage a Select Committee reference can have on a motion of this kind. But I do not want to leave the discussion at this stage, especially as I know my Honourable, learned and gallant friend, Dr. Sir Ziauddin Ahmad, has made himself conspicuous by a consistent agitation over the question of sugar prices. I have on another occasion, Sir, welcomed representation from the consuming interests and I said it was a relief to me to find occasionally the voice of the consumer heard in this House. At least from that point of view I feel it my duty to take this debate seriously and to put forward the point of view of Government.

My Honourable friend referred to the history of this case, and, though I deprecate the adjectives that he used with reference to the sugar manufacturers, he must realise that from the time that I took charge, at any rate, the handling of the sugar industry by the manufacturers and by the Governments, the various laws that were promulgated or the rules that were made, have been the subject of constant investigation and attention on my part. We found that in 1940, January and February, owing to the rules that were made by the Governments of the United Provinces and Bihar in the previous year a vicious circle was started—that the price of sugar was increased because the price of sugarcane went up and the price of sugarcane went up consequent on the increase in the price of sugar. The Central Government immediately took steps and in consultation and with the co-operation of the two Provincial Governments concerned at any rate from the last week of February, 1940, there was a rest put to this kind of vicious movement. Later on, as I explained to this House on a former occasion, we convened a conference of the sugar interests and of the Provincial Governments concerned. I pointed out that this idea of connecting the sugarcane price with the present prices of sugar and buying the sugarcane on the basis of the existing prices of sugar was not a correct proposition and that the more logical proposition would be to give a rebate to the sugarcane grower, after the sugar had been sold and, in the light of the prices that the sugar fetched but that in the meanwhile a flat rate may be given to the sugarcane grower during the whole season. My friend has not done justice either to that suggestion or to the fact that the Provincial Governments have accepted that suggestion and during the last season the basis on which the sugarcane grower is getting his price is that he gets a flat rate as soon as he sends his sugarcane to the mill. He has been promised and he will get, and the Local Governments will see that he will get, the price that he is entitled to as a rebate on the basis of the actual price at which the sugar was sold by the mills.

Seth Haji Sir Abdoola Haroon: The Honourable Member knows that the price of cane will be allowed to sugarcane growers up to seven annas per maund and not more than seven annas.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am perfectly aware of that but my Honourable friend has interpolated a suggestion which has no bearing on the rebate system that I was referring to. These two Provincial Governments—at any rate, the United Provinces Government—found that later in the season the sugarcane grower was not willing to part with his sugarcane for five annas or even six annas and that he was a little doubtful, probably owing to certain kind of propaganda underneath, which was going on, as to the efficacy of the rebate system and whether the rebate system would function in actual practice. He was told that a bird in the hand is worth two in the bush and he would rather have six annas immediately for the sugarcane that he parted with rather than seven annas later on in the year sometime after the cane had been sold to the sugar manufacturers. How this diffidence was brought about in his mind, what propaganda was at work for the purpose, how the sugar manufacturers were not able to instil that confidence in the sugarcane growers, their immediate customers, are questions which it would be unprofitable for me to go into. The Provincial Governments had, therefore, to revise the flat rate. They started with five annas per maund in the beginning of the sugar season but later to induce the sugarcane growers to send more sugarcane to the mills they had to raise it to six annas later and ultimately.

Seth Haji Sir Abdoola Haroon: Does the Honourable Member know that when they fixed five annas for the cultivator, the cultivator can crush that cane and manufacture *gur* and they would get higher price for *gur* and that is why they refused to take five annas and the Government had to raise it to six annas.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall not go into the detailed story. Opinions differ. Facts differ in different areas in the United Provinces itself. It was one consideration in one and another consideration in another part like the Meerut District and, therefore, it is not necessary to go into the details but the broad outline of the case is that certain sugarcane growers were rather doubtful whether they will earn their rebate at the end and, therefore, they wanted to get what they considered to be the cash price of the sugarcane immediately.

Now, Sir, my Honourable friend says—what is the good of this protection? But while listening to his speech and reading between the lines, I understand that what he is really anxious about is the proper organisation of this industry and not merely the repeal of the protection given. In fact, in an interruption he made in the course of the speech of my Honourable friend, Babu Baijnath Bajoria, my Honourable friend said that he was not really in favour of repealing the measure but that his motion was intended as a threat to the industry in case it did not organise itself properly and if it did not satisfy the conditions which he thinks the Tariff Board has imposed upon it. In that case he would even go to the extent of denying it the protection that has been given. Well, that may be a very logical attitude on the part of my Honourable friend who is so seriously annoyed with the industry and its management. But I do not think, representing

[Diwan Bahadur Sir A. Ramaswami Mudaliar.]

the Government of India as I do on these Benches, I could afford the luxury of showing my annoyance, even if I were to admit for a moment that the sugar industry has not organised itself on a proper basis much less would I like to threaten them with the removal of the protective duty, the benefit of which they are enjoying at present. I said in the course of my remarks the other day when I was requesting the House to extend the period of protection for the sugar industry that opinion was unanimous among all the Provincial Governments concerned that not only should the protection continue as under the old Act but that the present level of protection also should be maintained. Therefore I am unable altogether to accept the contention that this protection should be removed. I said then and I repeat now that the protective wall is a non-existent wall, is merely an illusion, if I may say so, under present conditions. There is no such protective wall for the simple reason that really no sugar can come into the country but, at the same time, I ventured to utter a warning in my personal capacity. Conditions are changing so fast nowadays that he will be a bold man indeed who takes courage in his hands and says 'that in the light of the circumstances today I am satisfied that the same conditions will continue for the next 12 months and, therefore, I take the risk of removing or knocking down this protective wall'. For that reason and for that reason alone, I would like to maintain the protection which exists at the present moment.

Now, Sir, let me take more seriously the amendment that has been moved by my friend, Mr. Abdul Ghani, that the Bill be circulated for opinion. I am inclined, after every careful consideration and not without a good deal of hesitation, to accept the motion of my Honourable friend that the Bill be circulated for opinion. In the course of the discussion very few arguments have been advanced why this Bill should be circulated for opinion. But I have given this subject a great deal of thought for the last two years and every facet of this industry has received the attention of those who are competent to do so. Considering the course which this industry has pursued I feel it would be advantageous at this time, particularly as no Tariff Board can sit to examine the position of the industry, to get the opinions of all those who are interested in the industry. Now, there are several questions which have been addressed to me during the last two years relating to the conflicting interests of this sugar industry. There has been a question raised very prominently by many interests in Upper India that the time has come when the proper organisation of this industry can only be carried out on an all-India basis. It has been suggested to me that this industry should be treated really as a key industry, that central control is the one panacea for all the evils which this industry is suffering from and unless that central control was taken and the industry is declared a key industry, it would be impossible for the Government, in view of the conflicting opinions which various Provincial Governments have with reference to the development of the industry, to really organise this industry on a proper basis. I do not propose to express any opinion on the subject just now. I know the overwhelming difficulties that face us in trying to think of this industry on an all-India basis and to treat this industry as a key industry. In fact, opinion so far expressed by Provinces and Provincial Governments down in the South have been definitely against the notion that this industry should be controlled on an all-India basis or should be treated as a key industry and brought under the purview of the

Central Government. I have made no secret of the fact that the interests elsewhere than in the United Provinces and Bihar feel very alarmed at the mere suggestion that this industry should be treated as a key industry. They feel that these two provincial areas where this industry has grown and exists to the extent of 80 per cent. of the total capacity in India will have such a pull over the rest of India that it would be unfair. I am just placing before the House these considerations which have been advanced on either side without expressing any opinion of the Government of India on this occasion. If in the course of circulation opinions are reflected from Provincial Governments, from trade organisations, from consumers' interests, from my Honourable friend, Dr. Sir Ziauddin Ahmad, and others, it would serve at least to solve one way or the other the problem which has been facing me for over 18 months at least.

Then, Sir, I just referred to the solution that has been put forward at the instance of the Central Government and has been accepted by the Provincial Governments that the price of sugarcane should be fixed at a flat rate for the entire season and that any benefit which is derived by the sugarcane grower from the increase of price of sugar from time to time should go to him in the form of rebate at the end of the season. I said that some Governments have accepted that proposal and that in other areas also, though not to the same extent and with the same precision, this proposal finds some amount of acceptance. This proposal was arrived at after a very careful investigation and discussion with the interests concerned. If, on reference of this motion in circulation to a wider area, others have better suggestions to make, we shall be very glad to consider them. I have seen agitation during the last few weeks that the Central Government is somehow or other against the interests of the sugarcane producers and I find that sugarcane producers associations are being promoted everywhere which want to get the maximum rates for the sugarcane producers. Having taken all along a stand that the interests of the agriculturists are as much my concern as that of the manufacturers or the industrialists, I should like a clear and free discussion on this point. How far should the sugarcane price go and on what basis should it be fixed in any area? Whether it should be fixed on the basis of a profit-sharing with the manufacturers or on the basis of a fair and reasonable price to the agriculturists? If this circulation motion helps to clarify the position and makes some people think that the Government of India is not the villain of the piece but is determined to give the sugarcane grower a fair share of the cost of his produce, the motion for circulation would have done some good.

We have recently constituted an All-India Sugar Board which is an advisory body. The kind of questions which we have been discussing today and the kind of questions that my Honourable friend, Dr. Sir Ziauddin Ahmad, wanted to ask me of which I had short notice—and the questions were so many and so hard that I thought I would fail in the examination if I took up the challenge and so I invoked your aid, Sir, and said that I shall not be able to answer those short notice questions,—those questions could be answered by this Body, and that is exactly the intention with which the Advisory Board has been constituted. If, beyond that, there are other suggestions which can be made by the interests concerned on this motion for circulation, we shall be glad to have those opinions also.

A great deal has been said about the price of sugar at the present moment. All that I can say is that Government are considering this matter. Honourable Members may say, Government have taken a long

[Dr. Sir Ziauddin Ahmad.]

This was really an Act which was supposed to be in force for a period of five years. Then the Governor General in Council had the power to extend the period on the recommendation—of whom—on the recommendation of the very same Tea Cess Committee, which has power to spend money they receive in this way. They had no recommendation from the public, they had recommendation only from the spending authority of this particular fund. This particular section is not a wholesome provision, that is, to extend the life of this Act only on the recommendation of the party who are really benefited by virtue of this Act. It was thus extended in 1908. I should like the Honourable the Commerce Member to ask what have the Government of India been doing since 1908

Mr. P. J. Griffiths (Assam: European): They amended the Act.

Dr. Sir Ziauddin Ahmad: I will just come to the amended Act later on. As regards the extension of the provisions of this Act, they have been doing so indefinitely. When you have an enactment for a definite period, it is reasonable that after the lapse of some years, say 25 years, they ought to have reviewed the working of the Committee, and decided whether it should remain permanent or whether the provisions should be modified to suit the conditions that may have arisen.

Mr. P. J. Griffiths: This was done in 1938.

Dr. Sir Ziauddin Ahmad: Let me finish this particular Act of 1903 and I shall come to the amended Acts later on. As regards the working of the provisions of this Act, there is no report from the Government of India. In fact, on the floor of the House, we repeatedly demanded by means of interpellations and on the occasion of discussion on the Finance Bill that we should have a periodical report of the Tea Cess Committee about its working and how the funds are utilised and so on. There is no control of the Legislature. Their actions never come to our notice for review. We do not know how the money is spent. On one occasion, I think a predecessor of the present Commerce Member said he would look into the matter and he will get a report prepared and circulated to the Members of the Assembly and that he would also give a chance to the Assembly to discuss the report. But with the change of personnel in the Commerce Department Portfolio, nothing was done.

Now, I shall take up the remarks of my Honourable friend, Mr. Griffiths. He referred me to the amendments of 1937 and 1938. What are those amendments?

In the case of amendment to section 2, the word "Burma" was added. First it applied to British India. According to the Act of 1937, the word 'Burma' was added and that was the whole review of the Act in 1937. My Honourable friend again referred me to the amendments which were made in 1938. What were those amendments? One of the amendments was that the Travancore Government shall have a representative on the Committee. There was also an amendment adding the representatives

of a few other bodies. They discussed on that occasion only the personnel of the Committee. Then, we come to the amending Act of 1939. There also they did nothing to discuss the working of this Committee. All these amending Acts of 1937, 1938 and 1939 did nothing to review the working of this Committee. They only amended the Act for a very small purpose. The whole question was never reviewed on the floor of the House either by the Government or by the Legislature. We repeatedly demanded that we should have an opportunity to discuss its working. We got no opportunity to do so.

Now, Sir, my private information is that things are not what they ought to be. No doubt we have got an Association, no doubt we have our friend, Mr. Griffiths. I wish he had some power to carry out what he thinks best in the interest of the Tea Cess Committee. Probably I know a little more than what Mr. Griffiths would care to say on the floor of the House. This Committee is really the preserve of one individual who is really the managing agent of this particular committee. He can do whatever he likes. He resents any interference or any correspondence which may be sent. I do not want any managing agent to monopolise this Committee. Here is Mr. Griffiths who is a Member of this House and he is responsible for the management of this fund. Is the managing agent appointed by the Committee really responsible to any one? In practice this managing agent is all in all and he manages things in such a way as he thinks best. In fact it is really the preserve and home for Anglo-Indians.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Not at all.

Dr. Sir Ziauddin Ahmad: My Honourable friend challenges my statement. I shall have to tell him a story. On one occasion I was coming from Dacca to Calcutta. When I was on the boat, a fellow passenger was an Anglo-Indian who was in the service of the Tea Cess Committee. This Anglo-Indian was dead drunk. He came in and began to make water on my blanket. I reported the matter to the captain of the boat. But he said he could do nothing. I reported the matter to the Commerce Department. They said they were entirely helpless and they could do nothing in the matter. I reported the matter to the managing agent of the Tea Cess Committee. He was really the master of the whole situation. I got no reply to my letter. The only thing left to me was to bring a legal suit. I did not like to bring a suit in the interest of my gallant friend, Colonel Gidney, for it would expose his community.

Lieut.-Colonel Sir Henry Gidney: He was a teetotaler.

Dr. Sir Ziauddin Ahmad: If my Honourable friend wants I can give him more stories.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will proceed with his speech.

Dr. Sir Ziauddin Ahmad: It is only on account of the interruption of my Honourable friend, Colonel Gidney, that I had to tell this.

[Dr. Sir Ziauddin Ahmad.]

What I mean is that I am not satisfied with the manner in which these funds are spent. The intention was to increase the sale of tea and encourage people to drink more tea; but I should like to know what propaganda is being carried on. I saw some years ago someone getting up and crying that tea is good in summer, or some placards stuck up in the walls. That is all; there is no sign of any visible propaganda. I suggested several times that some depot should be opened. And to whom should I write? The managing agent would not listen or even give a reply. He does not care for suggestions coming from Members of the Legislature, because he thinks he is in a privileged position and is not responsible to any one. He probably forgets that he is now under this particular Act by which the Legislature has given the powers.

Mr. P. J. Griffiths: He has no powers under the Act.

Dr. Sir Ziauddin Ahmad: Power is possessed by the Committee which has given him this power. So this is another grievance that the Committee gives this power to one individual and makes him all in all. So when this Committee has been created and has been working for 39 years it is now time for the Government of India to come forward and tell us how much money they have collected during this period, in what way they have spent it and expanded the circulation and use of Indian tea. The other day we had questions here that they were exporting some nonsense in place of real tea. I asked the Honourable Member what the Tea Cess Committee were doing about it; he expressed his ignorance and gave no reply. I said it is one of the functions of the Tea Cess Committee to see that the tea exported from this country is genuine tea, because the moment you start cheating your customers outside India by exporting the wrong stuff you really go against the interest of the Tea Cess Committee. The object is to provide more consumers in this country and in foreign countries and if they neglect their duties in this direction, when they have pocketed their cess duty already, and the wrong stuff is exported

Mr. P. J. Griffiths: How does the Honourable Member know that the Tea Cess Committee has taken no action about this matter?

Dr. Sir Ziauddin Ahmad: I asked the Commerce Member and got no reply.

Mr. P. J. Griffiths: If the Honourable Member had asked me I would have given him a reply.

Dr. Sir Ziauddin Ahmad: Unless the rules of the House are changed I cannot ask questions of other Honourable Members, except Government Members. If my Honourable friend can now stand up and say what happens about exports we may modify our opinion, but the questions and answers are there. Therefore, they should see what kind of stuff we export to foreign countries and the Tea Cess Committee should look into this matter.

Another thing in which they have failed in their duty is that instead of increasing the cultivation of tea in the country they have been contracting it. And I should like to have figures as to the quantum of production and the acreage under tea from year to year.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Dr. Sir Ziauddin Ahmad: Sir, before lunch I was drawing the attention of the Assembly to the state of affairs of the Tea Cess Committee. It was established in 1903 and we do not know how it has been working for the last 39 years. We should like to be told what expansion they have succeeded to bring about in the cultivation of tea, what has been the expansion in our export, what have they been doing during these years about the expansion and providing of markets, and so on. During the last five or six years and especially from 1930 onwards the activity of this Cess Committee has been very limited and I think it is right and just to ask what they have been doing. We have given them powers by an enactment to collect funds and, therefore, we also have the right to know how these funds have been spent. We know nothing about this. I have pressed this question several times on the floor of the House that the Reports of this Committee should be submitted before the House periodically at least after every three years, but no action has been taken either by the Government or by the Tea Cess Committee. The reports of their working, which are published, are not circulated to the Members of this House, so that we do not know anything about its activities, and also we do not know who has got the authority to spend this money besides this Committee. Is there any check, is any report submitted to the Government of India, Commerce Department? At the same time, we should like to know how much money they are spending on salaries, what portion of the salary bill is spent in India and how much outside India, who is the appointing authority, and what are the conditions of service, and what are the schemes on which this money is being spent. We know in 1930 the tea trade was in a very bad condition and several persons who were in very easy circumstances came to grief as they had no ready money at that time. We should like to know what assistance did this Tea Cess Committee give at that time. We know nothing about what is happening. We have authorized them to collect these funds and we take no notice of it afterwards, and I think it is high time now that we should review the whole position and unless they give a satisfactory account of themselves, we should abolish this Committee altogether. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to repeal the Indian Tea Cess Act, 1903, be referred to a Select Committee, consisting of the Honourable the Law Member, the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, Khan Bahadur Sir Abdul Hamid, Sardar Bahadur Captain Dalpat Singh, Mr. P. J. Griffiths, Mr. Amarendra Nath Chattopadhyaya, Mr. Lalchand Navalrai, Mr. Husenbhai Abdullabhai Laljee, Mr. H. A. Sathar, II. Essak Sait, Mr. Muhammad Azhar Ali, Sir Abdul Halim Ghuznavi and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. P. J. Griffiths: Sir, when I first saw the Bill introduced by my Honourable friend, Dr. Ziauddin, I was frankly puzzled as to what could be the object at which he was aiming, and when I turned to the Statement of Objects and Reasons I found myself even more bewildered, for there I found the merely plain and unvarnished statement that the Act has not fulfilled its objects and it may be repealed. In what way, at what time and to what extent the Act has failed to fulfil its objects, we have been given no means even of guessing. Now, I have been listening very attentively to the learned Doctor's speech but when he finished I was no wiser than when he started. I did not know at the beginning and I do not know now why the learned Doctor wants to repeal the Tea Cess Act. He says that its objects have not been fulfilled. I would like to ask him a question: What are the objects of the Tea Cess Act? Has my Honourable friend, who is not now listening, the faintest idea—he has now begun to listen—the faintest idea as to the real objects and purposes of the Tea Cess Act.

Dr. Sir Ziauddin Ahmad: This is what I want to know.

Mr. P. J. Griffiths: I regret to say, Sir, that in spite of all his erudition, my Honourable friend, the Doctor, is still incapable of reading a simple clause of a simple Act. If he would read that clause, he would discover that the Tea Cess Act was passed for one purpose and one purpose only—to promote the sale and increase the consumption of tea. (Interruption.) I am afraid my Honourable friend still does not want to be instructed about the objects and purposes of the Tea Cess Act. Which of those objects does my Honourable friend suggest have not been fulfilled by the Act during its period of operation. Does he suggest that it has not succeeded in promoting the sale or in increasing the consumption of tea? Has my Honourable friend the faintest idea of the figures of consumption of tea in India today? Has he the foggiest idea of what those figures were ten years ago?

An Honourable Member: No.

Mr. P. J. Griffiths: Is he in a position to sit in judgment as to whether the Tea Market Expansion Board has or has not succeeded in increasing consumption?

Lieut.-Colonel Sir Henry Gidney: Yes.

Mr. P. J. Griffiths: During the last ten or twelve years—I have not got the exact figures with me at the moment—during the last ten or twelve years, the consumption of tea in this country has been somewhere about doubled. I do not know whether my Honourable friend considers that an unreasonable result of ten or twelve years' working. Has my Honourable friend the faintest idea that about 125 million pounds of tea per year are now sold in this country, thanks very largely to the intensive propaganda which has been carried on in so many of the large towns of India by the Indian Tea Market Expansion Board? What then does my Honourable friend mean when he says that the Act has failed to fulfil its objects? When he began to get down to details he treated us to a number of interesting anecdotes. He specified one or two directions in which he was not satisfied, but he shed no light on the question as to where the

failure to fulfil the objects came in. His first complaint apparently was that he did not see the accounts. Well, that may or may not be a reasonable complaint. I personally have not the least objection to his seeing any accounts, but that is not a good reason for wanting to repeal the Act. His next complaint was that Griffiths should have more power. Taking that as an abstract doctrine I am prepared to subscribe to it, but in the present case, as Vice-Chairman of the Indian Tea Cess Committee I have not had the faintest trouble on that account. I know that the Board, the Chairman and myself as Vice-Chairman of the Tea Cess Committee have ample powers to control the policy under which the operations of the Board are carried on. I can assure the Honourable Doctor that if there was any trouble about that I would be the first person to come to this House and ask for the enhancement of those powers.

Then he told us about an unfortunate incident in which he got involved a good many years ago. He has my deepest sympathies for the inconvenience and humiliation, and especially for the particular kind of humiliation inflicted upon him on that particular occasion. He has my deepest sympathy. This has already come to my notice and I told him some years ago that disciplinary action was taken against the officer concerned. That officer evidently learned from that warning the results of getting into trouble with the Honourable Doctor he has pulled up his socks and is now one of the most useful officers of the Board. If my Honourable friend likes to introduce a Bill to provide that no employee of the Indian Tea Cess Committee shall ever get drunk he shall have my full support, but I cannot see any logical connection between any proposal of that kind and the suggestion that he has made that as he was once annoyed by an employee of the Board, the Act on which the Board depends should be repealed. (Interruption.) If that was not my Honourable friend's reason, then Sir, he has no reason at all for repealing the Bill. I am doing my best to deal with such poor reasons as my friend has thought fit to put before us. Who are the people after all who are really interested in the Indian Tea Cess Act? They are the tea growers of this country. Can my friend name a single tea grower in this country who wants to see this Act repealed?

Dr. Sir Ziauddin Ahmad: Yes, I can quote the names of several Indian tea sellers to whom the Indian Tea Cess Committee never gave any assistance.

Mr. P. J. Griffiths: My friend is entirely misinformed. If there is one body of person who particularly gained by the Indian Tea Cess Act, it is a large section of the Indian tea growers. There are a great many Indian growers who have benefited by this Act who do not export tea at all. Therefore, they are in the fortunate position that while they pay no cess, they get the whole benefit of the propaganda for increasing the consumption of tea in India, and they are in the lucky position of paying nothing for it whatsoever. I can assure my friend that of all people they would be the last who would want to see this Act repealed. Apparently my friend intended to take the line that he would have accepted a motion for circulation if Mr. Abdul Ghani had been here in time to move it. But I do want to suggest that in these days, when most people who would want to offer opinions on questions like these are already overworked, we ought not to waste the time of large numbers of people in this country

[Mr. P. J. Griffiths.]
by circulating Bills, unless those Bills have some reasonable foundation In the present instance we have been given no reason at all why the Act should be repealed. We have been given no serious evidence of maladministration of the Act.

My friend, Dr. Sir Ziauddin, said he did not know how the Board was administering the funds, and that he really had not bothered to find out where the Board operated or how it operated. Surely, Sir, circulation of the Bill is a most elaborate way of finding out how tea propaganda is carried on. I do suggest that my friend has allowed himself to be carried away by his quite natural indignation at the unfortunate treatment which he suffered many years ago at the hands of an employee of the Board. We can fully understand his feeling like that, but we, in this House, have got to be more serious when far-reaching decisions have to be taken. I do suggest that no case whatsoever has been made out for any further consideration of this Bill, and I trust the House will have no hesitation in rejecting the motion off hand.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): I have an amendment standing in my name, Sir. I was in the Lobby.

Mr. President (The Honourable Sir Abdur Rahim): As the Honourable Member was not in the Chamber, I can't help.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I had no desire to take part in this debate but for certain remarks which have fallen from my friend, Mr. Griffiths. He thinks that eliciting opinion on a certain Bill is probably wrong although others feel that such opinion should be elicited. If, as my friend has said, no case has been made out for the repeal of the Act, where is the danger if opinion is invited

Mr. President (The Honourable Sir Abdur Rahim): There is no such motion before the House.

Mr. Muhammad Nauman: He referred to that

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member

Mr. Muhammad Nauman: Another thing which my friend, Mr. Griffiths, said, was that there was no complaint from any side on the part of the tea growers.

Mr. P. J. Griffiths: I did not say that.

Mr. Muhammad Nauman: My friend said

Mr. P. J. Griffiths: On a point of personal explanation, Sir. What I said was that the Indian tea growers did not want to see the Tea Cess Act repealed.

Mr. Muhammad Nauman: I am afraid my friend has not taken enough pains to find out the Indian opinion on that subject, but I can assure him

that there is a strong body of opinion among the Indian tea growers that the Tea Cess Act has not and does not give them much benefit. The Act, as it stands and as it is worked, is not at all suited to the needs of the Indian tea growers. Therefore, Sir, it is in the fitness of things that the House should consider this matter seriously

Mr. P. J. Griffiths: On a point of information, Sir. Can my friend tell me from which particular tea districts he finds evidence of this kind of feeling?

Dr. Sir Ziauddin Ahmad: I can give you many instances.

Mr. Muhammad Nauman: I would not like to name the particular districts, but I may tell my friend as a member of the Muslim Chamber of Commerce that that point was stressed by representatives of tea growers who are members of our Chamber; and Mr. Abdur Rashid Chaudhury, who is a Member of this House, also made this complaint. However, my purpose in supporting the motion of my friend, Dr. Sir Ziauddin Ahmad, is only this, that I feel that there can be no harm whatever in repealing such parts of the Act as may be considered necessary. With these few words, I support the motion of Dr. Sir Ziauddin Ahmad.

Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): Sir, I must confess with all deference to the Honourable and learned Member, Dr. Sir Ziauddin Ahmad, that I have not been able to understand why he wants the Tea Cess Act repealed, especially when it is remembered that it was passed as early as 1903, that it has been on the Statute-book for nearly 40 years, and that it is reported to have served the purpose for which it was passed. If this Act is to be repealed at all, very cogent reasons indeed will have to be advanced before Government could be persuaded to accept a motion of that kind. My friend asked for certain information as to how this Board was functioning and how those accounts were administered. I referred on a previous occasion,—I believe it was with reference to some interpellation that the Honourable Member addressed,—that there is a report by the Tea Market Expansion Board which really gives the details of the accounts of the cess collected under the Tea Cess Act and the expenditure incurred from that amount. All that is given in this Report and the details will be found spread over a number of pages. I am prepared to supply the Honourable Member with a copy of this Report, which is an annual statement submitted to the Government, and my friend will find the details of this expenditure in this Report. A copy of this Report is also in the Library of the House. For instance, with reference to the Report for the year 1939-40, the cess collected is about 46 lakhs, the establishment in the Commissioner's Head Office is 1,32,000, travelling and supervisors 2,92,000; Commissioner's office expenses 2.11, model tea stalls, tea distribution, 10 lakhs, that is, in the country. Then a series of amounts are spent in various other countries for popularising tea,—in America, in Africa, in the United Kingdom, in the Continent of Europe, in Canada and Australia. That is how the amount is spent. The Report itself gives an idea of how this popularising of the drinking of tea is carried on both in this country and abroad. In Bengal, one division of 84 tables has practically 181 centres at which over ten million cups of tea have been distributed and 2½ million pice packets sold—the distribution is 25 per cent. higher

[Diwan Bahadur Sir A. Ramaswami Mudaliar.]

than it was in 1938-39. My friend, Mr. Griffiths, also gave some indication of the increase in the annual Indian consumption of tea. So far as India is concerned, the estimated quantity of tea available for consumption in India has risen from 37 million pounds in 1926-27 to a hundred million pounds in 1939-40. It has steadily grown during all these years—37 million in 1926-27, 45 million in 1928-29, 53 million 57, 74, 83 90 in succeeding years and in this year it has been a hundred million and so on.

Mr. Muhammad Nauman: What about the increase of population?

Diwan Bahadur Sir A. Ramaswami Mudaliar: Certainly, the increase of population does not compare with the ratio of 37 to 100. Fortunately not. But still the increase in consumption has far outstripped the increase in population, and it shows that the consumption of tea has grown very considerably. I wish I could say the same story of coffee.

Sardar Sant Singh (West Punjab: Sikh): The trouble with my friend is that Mr. Griffiths does not patronise it. He never gives a tea party here!

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: In this Committee and in the Executive Committee various interests are represented. The Chambers of Commerce are represented, the Tea Associations are represented, and both racially and otherwise, Indians and Europeans are working as a common body. I have received no complaint whatsoever as regards the specific subjects that my Honourable friend has raised about the administration of the fund or the propaganda that is carried on. We have received complaints on another matter altogether—whether new tea plantations can be made, when extensions of tea plantations can be made, and whether those new tea plantations can be brought within the arena of this Tea Expansion Board which is a separate subject altogether. That is the kind of complaint which my Honourable friend from Assam, Mr. Abdur Rasheed Chaudhury, had in view, a complaint which itself illustrates and emphasises the fact that people want to get the benefit from the Tea Cess Act extended to them and not to get out of the Act. More plantations desired to be brought under the benefit of the Indian Tea Cess Act so that they may get the advantage of the export of tea, and particularly of the price at which even internal tea is being distributed. On these grounds I find myself, much to my regret, unable to accept the motion that my Honourable friend has made.

Dr. Sir Ziauddin Ahmad: I have heard with great interest the fighting speech of my Honourable friend, Mr. Griffiths. I know that he is a great debater and he chose just one point to which I was dragged by my Honourable friend, Sir Henry Gidney. It did not form part of my arguments for the acceptance of this Bill by the House, but Mr. Griffiths made capital out of this little thing and brushed aside all the other arguments which I had brought forward, because they did not appeal to him and he did not want to weigh any argument which was strong. May I remind the Honourable the Commerce Member that four years ago we pressed this point that we ought to have the report of the Tea Cess Committee and that we should at least periodically be given an opportunity of discussing things and see how they are managed. A report of this kind was promised to us on the floor of the House, but it was never laid before the House.

It was never circulated among the Members, and to simply say that the report is in the Library of the House or in the Library of the Tea Cess Committee is not sufficient. We consider it very important that a committee to whom the Legislature gives power to collect funds should be under the obligation to present its reports, if not every year, at least once in three years, so that we can see how the funds are administered. That was the point which was very prominent and Mr. Griffiths quietly passed over it

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I am not personally aware of any undertaking given by my predecessor on this subject, but if such an undertaking has been given, I shall certainly respect that undertaking and present this annual report to the House.

Dr. Sir Ziauddin Ahmad: This was pressed on the floor of the House on the occasion of the Finance Bill. It was not in the time of my Honourable friend, but in the time of his predecessor. Another thing is they have now entered into the restriction of plantation. May I know whether it is within the power that the plantation of tea should be restricted? My Honourable friend asked the question how it affected. I know of one gentleman, Mr. Fazl Husain Hazarika, who was ruined on account of this action of the Tea Cess Committee. He had at one time an income of Rs. 3½ lakhs a year. That is one example I can give. I do not know under what section of the Act they took power to have restrictions of plantations which the Tea Cess Committee did

Mr. P. J. Griffiths: On a point of information, Sir. The Tea Cess Committee has no connection whatever with restriction. My Honourable friend is confusing this Act with the Tea Control Act.

Dr. Sir Ziauddin Ahmad: The Tea Control Act had the Tea Marketing Expansion Board

Mr. P. J. Griffiths: There is no connection between the Tea Control Act and the Tea Marketing Expansion Board. The Tea Control Act is administered by the Tea Licensing Committee which is an entirely different body and has no connection whatsoever with the present Bill.

Dr. Sir Ziauddin Ahmad: The business of the Tea Cess Committee is to see that this particular industry flourishes and it was their duty to point out that such restriction acted to the great disadvantage of the extension of the industry. May I ask my Honourable friend whether he or his Committee ever raised their voice against any restriction exercised by any other Body. Probably they did not do it. I should like to know whether this fact was ever referred to the Tea Cess Act and what reply they gave. So, any action taken by any other Body which is not connected, which affects prejudicially the prosperity of the tea industry, ought to have been considered seriously by the Tea Cess Committee. He ought to have come forward before this House and proposed an amendment of this Act, so that this particular privilege ought not to have been used to the disadvantage of this particular industry, which my Honourable friend representing this particular Tea Cess Committee never did. The object that I had in my mind was not so much to bring before you a definite complaint as to relate to the House the manner in which they have acted against the powers given to them. The principal point of my motion was

[Dr. Sir Ziauddin Ahmad.]

that we have always been kept in the dark. We do not know how this particular fund is being spent and what they have been doing. They never presented a report to us. They never discussed it, and I thought that this ought to have been the privilege of the House. If it is true of the Tea Cess Committee, it is also true for any other fund which we created. It is our duty as the representatives of the taxpayers to see how these funds are administered. For general funds we have the Finance Committees, for everything else you have control, but for this particular fund there is absolutely no control and no discussion on the floor of this House. You must accept either of two alternatives. Either repeal the Act altogether or this House must be given the privilege of discussing the working of these funds if not every year, at least every three years. With these words I recommend my motion.

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

"That the Bill to repeal the Indian Tea Cess Act, 1903, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, Khan Bahadur Sir Abdul Hamid, Sardar Bahadur Captain Dalpat Singh, Mr. P. J. Griffiths, Mr. Amarendra Nath Chattopadhyaya, Mr. Lalchand Navahrai, Mr. Huseinbhai Abdullabhai Laljee, Mr. H. A. Sathar II, Essak Sait, Mr. Muhammad Azhar Ali, Sir Abdul Halim Ghaznavi and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was negatived.

THE ABOLITION OF WHIPPING BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move for leave to introduce a Bill to abolish the punishment of whipping.

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

"That leave be granted to introduce a Bill to abolish the punishment of whipping."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following message has been received from the Council of State:

"I am directed to inform you that the Council of State, at its meeting held on the 2nd April, 1942, agreed without any amendment to the Bill further to amend the Motor Vehicles Act, 1939, which was passed by the Legislative Assembly at its meeting held on the 31st March, 1942."

Mr. President (The Honourable Sir Abdur Rahim): That completes the agenda. I now adjourn the Assembly *sine die*.

The Assembly then adjourned *sine die*.

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